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| Monday | Tuesday | Wednesday | Thursday | Friday |
|---|---|---|---|---|
| NRC | USDA/ASCS | | NRC | USDA/ASCS |
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| DOT/NHTSA | USDA/FNS | | DOT/NHTSA | USDA/FNS |
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| DOT/OHMO | CSC | | DOT/OHMO | CSC |
| DOT/OPSO | LABOR | | DOT/OPSO | LABOR |
| | HEW/ADAMHA | | | HEW/ADAMHA |
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| | HEW/FDA | | | HEW/FDA |
| | HEW/HRA | | | HEW/HRA |
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| | HEW/PHS | | | HEW/PHS |

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

**ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.**

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# reminders

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

## Rules Going Into Effect Today

USDA/FNS—Special Supplementary Food Program for Women, Infants and Children (WIC Program); certification of persons, and selection of local agencies and food delivery systems.. 43206; 8–26–77

Interior/FWS—Tan riffle shell; determination as an endangered species.. 42351; 8–23–77

ICC—Freight rates for household goods; rules of practice..... 42689; 8–24–77

## List of Public Laws

This is a continuing listing of public bills that have become law, the text of which is not published in the FEDERAL REGISTER. Copies of the laws in individual pamphlet form (referred to as "slip laws") may be obtained from the U.S. Government Printing Office.

H.R. 5294..... Pub. L. 95–109
Consumer Credit Protection Act, amendments. (Sept. 20, 1977; 91 Stat. 874). Price: $0.70.

S. 1153..... Pub. L. 95–110
To abolish the Joint Committee on Atomic Energy and to reassign certain functions and authorities thereof, and for other purposes. (Sept. 20, 1977; 91 Stat. 884). Price: $0.50.

presidential documents

## Title 3—The President

PROCLAMATION 4523

# National School Lunch Week, 1977

*By the President of the United States of America*

### A Proclamation

Since 1946, the National School Lunch Program has been serving nutritious lunches to the school children of America. In its first year, the program served lunch to 6 million children daily; today nearly 25 million children in 92,600 schools and residential child care institutions take advantage of this program every day. Lunches under this program are available to 94 percent of all children attending public schools in America.

As the program begins its fourth decade, its dedicated workers are making a significant effort to improve the nutritional quality and appeal of the food while developing menus in keeping with the changing tastes of our children. Those involved in the program maintain their commitment to recognize the children's needs in order to serve them better.

In recognition of the program's contribution to America's youth, the Congress, by a joint resolution of October 9, 1962 (76 Stat. 779; 36 U.S.C. 168), has designated the week beginning the second Sunday of October of each year as National School Lunch Week, and has requested the President to issue annually a proclamation calling for its appropriate observance.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby urge the people of the United States to observe the week of October 9, 1977, as National School Lunch Week and to give special recognition to the role of good nutrition in building a stronger America through its youth.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of September, in the year of our Lord nineteen hundred seventy-seven, and of the Independence of the United States of America the two hundred and second.

Jimmy Carter

[FR Doc. 77-27892 Filed 9-22-77;3:39 pm]

Memorandum of September 1, 1977

## Eligibility of Chad To Make Purchases of Defense Articles and Defense Services Under the Arms Export Control Act, as Amended

[Presidential Determination No. 77-20]

Memorandum for the Secretary of State

THE WHITE HOUSE,
*Washington, September 1, 1977.*

Pursuant to the authority vested in me by Section 3(a)(1) of the Arms Export Control Act, as amended, I hereby find that the sale of defense articles and defense services to the Government of Chad will strengthen the security of the United States and promote world peace.

You are directed on my behalf to report this finding to the Congress.

This finding, which amends Presidential Determination No. 73-10 of January 2, 1973 (38 FR 7211), as amended by Presidential Determinations No. 73-12 of April 26, 1973 (38 FR 12799), No. 74-9 of December 13, 1973 (39 FR 3537), No. 75-2 of October 29, 1974 (39 FR 39863), No. 75-21 of May 20, 1975 (40 FR 24889), No. 76-1 of August 5, 1975 (40 FR 37205), No. 76-11 of March 25, 1976 (41 FR 14163), No. 76-12 of April 14, 1976 (41 FR 18281), No. 77-5 of November 5, 1976 (41 FR 50625), and No. 77-17 of August 1, 1977 (42 FR 40169), shall be published in the FEDERAL REGISTER.

Jimmy Carter

[FR Doc.77-28144 Filed 9-22-77;4:12 pm]

# rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

## Title 7—Agriculture

### CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Reg. 111]

### PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

#### Minimum Size Requirement

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation continues the minimum size requirement, currently in effect through September 24, 1977, during the period September 25, 1977, through September 23, 1978. The minimum size requirement for lemons is continued at 1.82 inches in diameter (size 235's in cartons). This requirement is needed to provide orderly marketing in the interest of producers and consumers.

EFFECTIVE DATES: September 25, 1977, through September 23, 1978.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, telephone 202–447–3545.

SUPPLEMENTAL INFORMATION: Notice was published in the FEDERAL REGISTER on August 30, 1977 (42 FR 43639), that consideration was being given to the establishment of a size regulation for lemons grown in California and Arizona under the applicable provisions of the marketing agreement and Order No. 910, both as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona. This marketing order program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The regulation was recommended by the Lemon Administrative Committee, established under the amended marketing agreement and order as the agency to administer the terms and provisions thereof. The notice provided that written comments in connection with the proposed regulation be submitted by September 14, 1977. None were received.

Shipments of lemons from the production area are now in progress, and such shipments are regulated by size through September 24, 1977, under Lemon Regulation 57 (41 FR 41918), which requires such lemons to be at least 1.82 inches in diameter. The regulation, which would become effective September 25, 1977, would continue in effect this size requirement. The volume and size composition of the lemon crop in California and Arizona is such that ample supplies of the more desirable sizes are available to satisfy the demand in domestic fresh markets. The proposed regulation is designed to permit shipment of ample supplies of lemons of acceptable sizes, maturity, and juice content in the interest of both growers and consumers, and is necessary to maintain orderly marketing conditions and provide consumer satisfaction. Sales opportunities for very small fresh lemons in domestic markets are quite limited, as they have relatively low juice yields. Lemons failing to meet the minimum size requirement could be shipped to fresh export markets, left on the trees to attain further growth, or utilized in processing. The regulation is consistent with the objective of the act of promoting orderly marketing and protecting the interest of consumers.

After consideration of all relevant matters presented, including the proposals set forth in the notice and other available information, it is found that the regulation of shipments of lemons, as set forth in this regulation, is in accordance with the amended marketing agreement and order and will tend to effectuate the declared policy of the act.

It is further found that good cause exists for making this regulation effective at the time hereinafter set forth and for not postponing the effective date until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) notice of proposed rulemaking concerning this regulation was published in the FEDERAL REGISTER, and no objection to the regulation or its effective date was received; (2) the regulatory provisions are the same as those contained in the notice and are currently in effect through September 24, 1977; and (3) compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

Accordingly, the minimum size requirement for the handling of lemons is as follows:

§ 910.411 Lemon Regulation 111.

(a) *Order.* From September 25, 1977, through September 23, 1978, no handler shall handle any lemons grown in District 1, District 2, or District 3 which are of a size smaller than 1.82 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided,* That not to exceed 5 percent, by count, of the lemons in any type of container may measure smaller than 1.82 inches in diameter.

(b) As used in this section, "handle", "handler", "District 1", "District 2", and "District 3" shall have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.)

Dated: September 22, 1977, to become effective September 25, 1977.

CHARLES R. BRADER,
*Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.*

[FR Doc.77-28049 Filed 9-23-77;8:45 am]

## Title 8—Aliens and Nationality

### CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

### PART 341—CERTIFICATE OF CITIZENSHIP

#### Suspension of Regulatory Provision

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule, extension of suspension of rule.

SUMMARY: This notice further suspends until April 1, 1978, the special procedure provided in 8 CFR 341.1(b) which permits certain naturalization applicants to make application for certificates of citizenship for their children who are under 16 years of age and will derive citizenship under sections 320 and 321 of the Immigration and Nationality Act, in advance of the naturalization of the parents. This further suspension is necessitated by manpower considerations in the Service.

EFFECTIVE DATE: October 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Lowell R. Palmes, Deputy Assistant Commissioner for Naturalization, Immigration and Naturalization Service, 425 Eye Street, NW., Washington, D.C. 20536, telephone 202–376–8459.

SUPPLEMENTARY INFORMATION: On September 1, 1970, the Service implemented a procedure whereby applicants for naturalization who believed that their children under 16 years of age would derive United States citizenship under section 320 or 321 of the Immigration and Nationality Act could apply for certificates of citizenship on behalf of such children in advance of the parents' naturalization. However, due to manpower considerations which arose subsequently, it became necessary to suspend the operation of this procedure

by notices published in the FEDERAL REGISTER October 21, 1974 (39 FR 37355), September 15, 1975 (40 FR 42532), March 17, 1976 (41 FR 11172), October 1, 1976 (41 FR 43393) and March 28, 1977 (42 FR 16378). The provisions now stand suspended to October 1, 1977.

Due to the continuing manpower considerations which resulted in the temporary suspension of the special procedure provided by 8 CFR 341.1(b) as set forth in the above-cited prior notices, it is necessary to suspend the provisions of § 341.1(b) for an additional period, until April 1, 1978, unless manpower considerations render feasible or practicable their reinstitution at an earlier date.

In the light of the foregoing, the provisions of 8 CFR 341.1(b) are hereby suspended until April 1, 1978, unless the suspension is revoked prior thereto by notice published in the FEDERAL REGISTER.

Dated: September 20, 1977.

LEONEL J. CASTILLO,
*Commissioner of Immigration and Naturalization.*

[FR Doc.77-27979 Filed 9-23-77;8:45 am]

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**Title 12—Banks and Banking**

**CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION**

**PART 303—APPLICATIONS, REQUESTS AND SUBMITTALS**

**Amendment of Regulations**

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Final rule.

SUMMARY: The Federal Deposit Insurance Corporation revises its regulations on application procedures to include applications for mergers or assumption transactions within the current procedures applied to all other application proceedings. The amendment is intended to provide a uniformity in the application procedures of the Federal Deposit Insurance Corporation.

DATE: Effective September 26, 1977.

FOR FURTHER INFORMATION CONTACT:

Douglas H. Jones, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, D.C. 20429 (202-389-4433).

SUPPLEMENTARY INFORMATION: Section 303.14 of the rules and regulations of the Federal Deposit Insurance Corporation ("FDIC") provides the procedures for application for deposit insurance by proposed new banks, and for de novo branches or office relocations by insured State nonmember banks. Applications to merge or to consolidate, or to acquire the assets of and to assume the liability to pay deposits made in other banks have not been subject to the requirements of section 303.14. In order to present a uniform application process, all applications to merge or to consolidate or for assumption transactions, which require FDIC approval, will be subject to the procedures of section 303.14. These include: (1) Procedures for the processing of the applications; (2) the requirement of publication of notice of the filing of applications; (3) the establishment of public files for the applications; and (4) procedures whereby interested persons may make their views on applications known. For the most part, these procedures are currently applied informally to merger applications considered by the FDIC. This amendment shall be effective immediately for all new applications for mergers which are received.

These revisions are authorized under paragraphs "Seventh" and "Tenth" of section 9 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1819 "Seventh" and "Tenth"), and the Bank Merger Act (12 U.S.C. 1828(c)).

Because this amendment merely represents a formal adoption of policies and procedures that are currently practiced and its promulgation benefits the public, the Board of Directors of the FDIC has determined, under § 302.6 of the rules and regulations of the FDIC (12 CFR 302.6), that notice of and public participation in this rulemaking is unnecessary and that good cause exists for the waiver of the thirty day deferral of the amendments' effective date.

In consideration of the foregoing, Part 303 of 12 CFR, Chapter III, is amended by revising paragraphs (a), (b), and (c)(1)(iii) of § 303.14 to read as follows:

**§ 303.14 Application procedures.**

(a) *Scope of section.* This section applies to: (1) Applications for deposit insurance by proposed new banks; (2) applications by insured State nonmember banks to establish branches; (3) applications by insured State nonmember banks to relocate their main offices or branch offices; (4) applications to merge or to consolidate with, acquire the assets of, or assume the liability to pay any deposits made in, a bank or institution, when the resulting or assuming bank is to be an insured State nonmember bank, and all other applications to merge or to consolidate with, or to assume liabilities, which require the Corporation's prior approval under the Bank Merger Act (12 U.S.C. 1828(c)); [11e] and (5) any other applications, requests or submittals which the Board of Directors in its sole discretion deems appropriate. In the case of applications, requests, or submittals which come within the fifth category, the applicant will be notified at the time its application is accepted for filing that the procedures set forth in this section shall be followed in connection therewith.

(b) *Notice of filing of application*—(1) *Notice by publication.* (i) In the case of "merger transaction" applications (as defined by the Bank Merger Act, 12 U.S.C. 1828(c)(3)), unless the Board of Directors determines it must act immediately in order to prevent the probable failure of one of the banks involved, the applicant must publish notice of the proposed transaction. This notice shall be published in a newspaper of general circulation in the community or communities where the main offices of the banks or institutions involved are located, or, if there is no such newspaper in the community, then in the newspaper of general circulation published nearest thereto. Publication shall be made at least once each week on the same day for five consecutive weeks and, when published in a daily newspaper, one additional publication shall be made on the thirtieth day from the date of the first publication. Where the Board of Directors of the Corporation determines that an emergency exists which requires expeditious action, then notice shall be required to be published daily during a period of at least 10 calendar days. The published notice shall include the name and main office location of all banks or institutions involved in the transaction and the subject matter of the application. If it is contemplated that the continuing bank will operate the offices of the other bank or banks as branches, the following statement shall be added to the notice:

It is contemplated that all of the offices of the above named banks will continue to be operated (with the exception of [identity and location of each office which will not be operated]).

(ii) In the case of all other applications, within 15 days after the Regional Director has notified the applicant in writing that an application has been accepted for filing, the applicant shall publish one time in a newspaper of general circulation in the community in which the applicant proposes to engage in business notice of the proposed transaction. The published notice shall include the name of the applicant, the subject matter of the application, the location or locations at which the applicant proposes to engage in business, and the date upon which the application was accepted for filing. (iii) In all instances, immediately after final publication, the applicant shall furnish the Regional Director with a certificate from the publisher and a tear sheet or clipping evidencing the publication.

(2) *Comments and protests.* Anyone who wishes to comment on an application may do so by filing his comments in writing with the Regional Director. Anyone who wishes to protest the granting of the application has a right to do so if he files a written notice of his intent with

[11e] Except as otherwise provided in paragraph (b)(1), the provisions of this § 303.14 shall not be applicable to any proposed merger or assumption transaction which the Board of Directors of the Corporation determines must be acted upon immediately to prevent the probable failure of one of the banks involved or must be handled with expeditious action due to an existing emergency condition, as permitted by the Bank Merger Act (12 U.S.C. 1828(c)(6)).

the Regional Director within 15 days of the date of publication of the notice described in paragraph (b)(1)(ii) or, in the case of merger transaction applications, within 15 days of the last publication of the notice required by paragraph (b)(1)(i).

(3) *Notice of right to comment or protest.* In order to fully apprise the public of its rights under paragraph (b)(2), the notice described in paragraph (b)(1) shall include a statement describing the right to comment upon or protest the granting of the application.

(i) In the case of merger transaction applications this notice shall consist of the following statement:

Any person wishing to comment on this application may file his comments in writing with the Regional Director of the Federal Deposit Insurance Corporation at its Regional Office (address of the Regional Office). If any person desires to protest the granting of this application he has a right to do so if he files a written notice of his intent with the Regional Director by (the fifteenth day following the last date of required publication). The nonconfidential portions of the application are on file in the Regional Office as part of the public file maintained by the Corporation. This file is available for public inspection during regular business hours.

(ii) In the case of all other applications, the notice shall include the following statement:

Any person wishing to comment on this application may file his comments in writing with the Regional Director of the Federal Deposit Insurance Corporation at its Regional Office (address of the Regional Office). If any person desires to protest the granting of this application he has a right to do so if he files a written notice of his intent with the Regional Director within 15 days of the date of this publication. The nonconfidential portions of the application are on file in the Regional Office as part of the public file maintained by the Corporation. This file is available for public inspection during regular business hours.

(4) *Solicitation of comments by Regional Director.* Whenever he deems it appropriate, the Regional Director may solicit comments from any person or institution which, in his opinion, might have an interest in or be affected by the pending application.

(c) *Public file.*—(1) * * *

(iii) Those portions of the investigation report prepared by the Corporation's field examiner in connection with the application which cover the convenience and needs of the community to be served by the applicant or applicants and either the future earnings prospects or the future prospects of the applicant or applicants.

* * * * *

By order of the Board of Directors, September 19, 1977.

FEDERAL DEPOSIT INSURANCE CORPORATION,
ALAN R. MILLER,
*Executive Secretary.*

[FR Doc.77-27906 Filed 9-23-77;8:45 am]

## Title 14—Aeronautics and Space

## CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 77-CE-19-AD; Amendment 39-3042]

## PART 39—AIRWORTHINESS DIRECTIVES

### Beech 18 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD), applicable to all Beech 18 series airplanes, which requires repetitive inspections of the pilot's and copilot's control column and the elevator control arm assembly for the detection of cracks and their correction. This action will assure continued structural integrity of these components and will prevent possible failures which can have an adverse effect on aircraft controllability.

DATES: Effective date, September 29, 1977. Compliance schedule, within 30 days after the effective date of this AD and each 300 hours time-in-service or 12-calendar months thereafter whichever occurs first.

ADDRESSES: Beechcraft Service Instructions No. 0889-155, applicable to this AD, may be obtained from Beech Aircraft Corporation, Commercial Service Department, 9709 East Central, P.O. Box 85, Wichita, Kans. 67201. A copy of the service instructions cited above is contained in the Rules Docket, Room 916, 800 Independence Avenue SW., Washington, D.C., and Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Mo. 64106.

FOR FURTHER INFORMATION CONTACT:

William L. Schroeder, Aerospace Engineer, Engineering and Manufacturing Branch, FAA, Central Region, 601 East 12th Street, Kansas City, Mo. 64106; telephone (816-374-3446).

SUPPLEMENTARY INFORMATION: There have been reports of the pilot's control column and the elevator control arm cracking and failing on Beech 18 series airplanes. The cracks were initiated by loads from wind gusts striking the ailerons and elevators while the airplanes are on the ground. These cracks, if not detected and corrected, can result in failure of the control columns and/or elevator control arm. These failures can cause the existence of unsafe conditions since pilots may lose the use of the primary aileron and/or elevator control and have to fly the airplane using the aileron or elevator trim system. The FAA does not require pilots to demonstrate ability to fly their airplanes using only the trim systems. Furthermore, failure of an aileron or elevator primary control system at low altitudes may not allow a pilot sufficient time to determine what the problem is and begin flying using the appropriate trim system. Subsequent to its investigation, the manufacturer issued Beechcraft Service Instructions No. 0889-155 recommending repetitive inspections of the control columns and the elevator control arm for cracks. The FAA has concluded that cracking of the control columns or the elevator control arm is an unsafe condition that may exist or develop in other airplanes of the same type design. Accordingly, an AD is being issued, applicable to all Beech 18 series airplanes including military models and airplanes modified in accordance with supplemental type certificates. The AD will require initial inspection of the control columns and the elevator control arm assembly for cracks within 30 days after the effective date of the AD and repetitive inspection each 300 hours time-in-service or each 12 calendar months thereafter whichever occurs first. The initial compliance time noted in the AD is based on calendar time rather than airplane total flight hours time-in-service because the cracks are initiated and may be propagated by wind gusts that strike the airplane when it is on the ground. Obviously, these wind gusts are unrelated to airplane flight time. The repetitive inspection time interval is based on both airplane flight time and calendar time since propagation of the cracks after initiation may also be related to aircraft operation. The FAA has coordinated this document with the manufacturer prior to its issuance. The FAA has determined that there is an immediate need for a regulation to assure safe operation of the affected airplanes. Therefore, notice and public procedure under 5 U.S.C. 553(b) is impracticable and contrary to the public interest and good cause exists for making the amendment effective in less than thirty (30) days after the date of publication in the FEDERAL REGISTER.

DRAFTING INFORMATION

The principal authors of this document are: William L. Schroeder, Flight Standards Division, Central Region, and John L. Fitzgerald, Jr., Office of the Regional Counsel, Central Region.

ADOPTION OF THE AMENDMENT

Accordingly and pursuant to the authority delegated to me by the Administrator, Sec. 39.13 of the Federal Aviation Regulations (14 CFR sec. 39.13) is amended by adding the following new AD:

BEECH: Applies to all Beech 18 series airplanes, including all military counterparts thereof and those Beech 18 series airplanes modified in accordance with supplemental type certificates.

COMPLIANCE: Required as indicated unless already accomplished as specified below.

To detect any cracking of the pilot's and copilot's control column and the elevator control arm assembly, within

30 days after the effective date of this AD and each 300 hours time-in-service or 12 calendar months thereafter, whichever occurs first, accomplish the following in accordance with Beechcraft Service Instructions No. 0889-155 or later approved revisions and in accordance with the additional requirements of Paragraph A. below:

A. Referring to Figure 1 of this AD inspect the areas identified as "A" and "B" on the pilot's and copilot's control column assembly for cracks using visual and either magnetic particle, or penetrant procedures. Repair or replace any cracked control column components, using airworthy parts, prior to the next flight.

B. Referring to Figure 1 of this AD inspect the Beech P/N 187504 elevator control arm assembly for cracks using penetrant procedures. Special attention should be given to the area around the taper pins. Replace any cracked P/N 187504 elevator control arm with an airworthy component prior to the next flight.

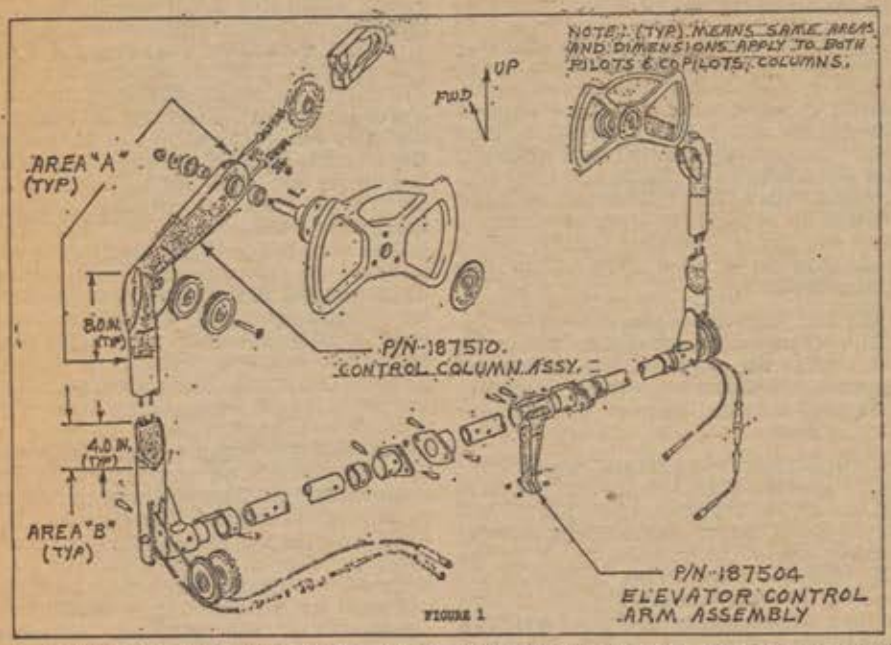


FIGURE 1

C. Within one week after any crack is found during the above-noted inspections, submit a written report to the FAA via an FAA M or D Report (FAA Form 8330-2) or a letter to Chief, Engineering and Manufacturing Branch (ACE-210), FAA, 601 East 12th Street, Kansas City, Missouri 64106. This report must include identification of the part that is cracked, the length and location of each crack, hours total time-in-service on the cracked component, and the aircraft serial number. (Reporting approved by Office of Management and Budget under OMB No. 04-R0174.)

D. Aircraft may be flown in accordance with FAR 21.197 to a base where this AD can be accomplished.

E. The interval for the repetitive inspections set forth in this AD may be extended 30 hours up to a maximum of 330 hours time-in-service or, if applicable, one calendar month up to a maximum of 13 calendar months to allow compliance at previously scheduled maintenance periods.

F. Any equivalent method of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective on September 29, 1977.

(Secs. 313(a), 601 and 603 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421 and 1423); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655 (c)); sec. 11.89 of the Federal Aviation Regulations (14 CFR sec. 11.89).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Kansas City, Mo., on September 15, 1977.

JOHN E. SHAW,
*Acting Director, Central Region.*

[FR Doc.77-27811 Filed 9-23-77;8:45 am]

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[Airspace Docket No. 77-NE-13]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Alteration of Control Zone and 700-Foot Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment changes the description of the Burlington, Vermont, control zone and 700-foot transition area to provide more controlled airspace for aircraft executing revised VOR and radar standard instrument approach procedures to Runway 1 at the Burlington International Airport, Burlington, Vt.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Richard G. Carlson, Operations Procedures and Airspace Branch, ANE-536, Air Traffic Division, Federal Aviation Administration, 12 New England Executive Park, Burlington, Mass. 01803, telephone 617-273-7285.

SUPPLEMENTARY INFORMATION: On August 8, 1977, the Federal Aviation Administration published a Notice proposing to alter the Burlington, Vermont, control zone and 700-foot transition area to provide more controlled airspace for aircraft executing revised VOR and radar standard instrument approach procedures to Runway 1 at the Burlington International Airport, Burlington, Vt. Interested persons were invited to participate in this rule making process by submitting written comments on the proposal to the FAA. No objections were received.

#### DRAFTING INFORMATION

The principal authors of this document are Richard G. Carlson, Air Traffic Division, New England Region, and George L. Thompson, Associate Regional Counsel, New England Region.

#### ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Sections 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR PART 71) are amended, effective 0901 GMT, December 1, 1977, as follows:

1. In Section 71.171 of Part 71 (42 FR 440), the following control zone is amended to read as follows:

§ 71.171 [Amended]

BURLINGTON, VERMONT, CONTROL ZONE

Within a 7-mile radius of the center, (lat. 44°28'17" N., long. 73°09'13" W.), of Burlington International Airport, Burlington, Vt., within 2.5 miles each side of Runway 33, extending from the 7-mile radius zone to 8 miles southeast of the runway end; within 3 miles each side of the Burlington, Vermont VORTAC 201° radial, extending from the 7-mile radius zone to 8.5 miles southwest of the VORTAC.

2. In Section 71.181 of Part 71 (42 FR 440), the following 700-foot transition area is amended to read as follows:

§ 71.181 [Amended]

BURLINGTON, VERMONT, 700-FOOT TRANSITION AREA

That airspace extending upward from 700 feet above the surface within a 14-mile radius of the center, (lat. 44°28'17" N., long. 73° 09'13" W.), of Burlington International Airport, Burlington, Vermont; within 9.5 miles northeast and 4.5 miles southwest of the Burlington ILS northwest localizer course, extending from the 14-mile radius area to 18.5 miles northwest of the Burlington LOM; within 3.5 miles each side of the Burlington, Vt., VORTAC 201° radial, extending from the 14-mile radius area to 12 miles southwest of the VORTAC; excluding that airspace that coincides with Plattsburgh, New York and Highgate, Vermont transition area.

(Sections 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348(a)) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Burlington, Massachusetts, on September 9, 1977.

WILLIAM E. CROSBY,
*Acting Director,*
*New England Region.*

[FR Doc.77-27815 Filed 9-23-77;8:45 am]

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[Airspace Docket Number 77-CE-7]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Alteration of Transition Area, Fulton, Mo.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to designate a transition area at Fulton, Missouri, to provide controlled airspace for aircraft executing a new instrument procedure to the Fulton Municipal Airport which is based on a VORTAC at Hallsville, Missouri.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Dwaine E. Hiland, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-537, FAA, Central Region, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106, telephone 816-374-3408.

SUPPLEMENTARY INFORMATION: A new instrument approach procedure to the Fulton, Missouri, Municipal Airport has been established based on the Hallsville, Missouri, VORTAC. This navigational aid will provide new guidance for aircraft utilizing this airport. The establishment of an instrument approach procedure based on the navigational aid entails the designation of a transition area at Fulton, Missouri, at and above 700 feet above the ground (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to insure adequate controlled airspace for aircraft executing this new instrument approach procedure.

DRAFTING INFORMATION

The principal authors of this document are Dwaine E. Hiland, Operations, Procedures and Airspace Branch, Air Traffic Division and John L. Fitzgerald, Jr., Office of the Regional Counsel.

DISCUSSION OF COMMENTS

On pages 18861 and 18862 of the FEDERAL REGISTER dated April 11, 1977, the Federal Aviation Administration published a notice of proposed rulemaking which would amend Section 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Fulton, Missouri. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rule Making.

Accordingly, Subpart G, Section 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 3, 1977 (42 FR 440), is amended, effective 0901 G.m.t. December 1, 1977, by adding the following transition area to read:

FULTON, MISSOURI

That airspace extending upward from 700' above the surface within a 5 mile radius of the Fulton Municipal Airport (latitude 38°50'22" N., longitude 092°00'17" W.), and within 2 miles each side of the Hallsville, Missouri, VORTAC 154° radial; extending from the 5 mile radius area to 6 miles northwest of the Fulton Municipal Airport, excluding the portion which overlies the Columbia, Missouri, 700' floor transition area.

(Section 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.69 of the Federal Aviation Regulations (14 CFR 11.69).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Kansas City, Missouri, on September 7, 1977.

C. R. MELUGIN, Jr.,
*Director, Central Region.*

[FR Doc.77-27812 Filed 9-23-77;8:45 am]

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[Airspace Docket No. 77-EA-74]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Alteration of Transition Area: Lewisburg, W. Va.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters the Lewisburg, W. Va., Transition Area, by changing the name of the Charlottesville, West Virginia radio beacon (RBN) to BUSHI LOM. The beacon is a geographical reference for the southwest transition area extension.

EFFECTIVE DATE: 0901 GMT October 6, 1977.

FOR FURTHER INFORMATION CONTACT:

Frank Trent, Airspace and Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, N.Y. 11430, telephone 212-995-3391.

SUPPLEMENTARY INFORMATION: The purpose of this amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to alter the Lewisburg, W. Va., Transition Area. The alteration is editorial in nature and thus, notice or public procedure hereon is unnecessary and good cause exists for making the amendment effective in less than 30 days.

DRAFTING INFORMATION

The principal authors of this document are Frank Trent, Air Traffic Division, and Thomas C. Halloran, Esq., Office of the Regional Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 GMT October 6, 1977, as follows:

1. Amend Section 71.181 of Part 71 of the Federal Aviation Regulations so as to amend the description of the Lewisburg, W. Va. transition area by deleting, "Lewisburg, W. Va. RBN extending from the RBN to a point 11.5 miles southwest of the RBN" and by inserting, "BUSHI LOM extending from the LOM to a point 11.5 miles southwest" in lieu thereof.

(Section 307(a), and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(c)); Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Jamaica, N.Y., on September 9, 1977.

L. J. CARDINALI,
*Acting Director,*
*Eastern Region.*

[FR Doc.77-27809 Filed 9-23-77;8:45 am]

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## SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Docket No. 17226; Amdt. No. 1091]

## PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

### Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or beacuse of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

FOR EXAMINATION

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Field Office which originated the SIAP.

FOR PURCHASE

Individual SIAP copies may be obtained from:

1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

BY SUBSCRIPTION

Copies of all SIAPs, mailed weekly, may be ordered from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The current annual subscription price is $150.00; add $30.00 for each additional copy mailed to the same address.

FOR FURTHER INFORMATION CONTACT:

William L. Bersch, Flight Procedures and Airspace Branch (AFS-730), Aircraft Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202-426-8277).

SUPPLEMENTARY INFORMATION: This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 9) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR Part 51, and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA forms are identified as FAA Forms 8260-3, 8260-4 and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the FEDERAL REGISTER expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPS). In developing these SIAPS, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

The principal authors of this document are Rudolph L. Fioretti, Flight Standards Service, and Richard W. Danforth, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective on the dates specified, as follows:

1. By amending § 97.23 VOR-VOR/DME SIAPs identified as follows:

* * * Effective December 1, 1977:

Wetumpka, AL—Wetumpka MUNI., VOR Rwy 27, Amdt. 1, cancelled
Alice, TX—Alice International, VOR Rwy 31, Amdt. 6
Alice, TX—Alice International, VOR-A Amdt. 9

* * * Effective November 3, 1977:

Orland, CA—Haigh, VOR-A, Original
Honolulu, HI—Honolulu International, VOR Rwy 8R (TAC) Orig.
Alexandria, LA—Esler Regional, VOR Rwy 14, Amdt. 9
Alexandria, LA—Esler Regional, VOR Rwy 32, Amdt. 10
Hattiesburg, MS—Hattiesburg Muni., VOR Rwy 13, Amdt. 6
Watertown, NY—Watertown New York Int'l, VOR Rwy 7, Amdt. 10
Elizabeth City, NC—Elizabeth City Coast Guard Airbase/Muni., VOR Rwy 1, Amdt. 3 Amdt. 3
Elizabeth City, NC—Elizabeth City Coast Guard Airbase/Muni., VOR Rwy 19, Amdt. 3
Sanford, NC—Sanford Muni., VOR/DME-A, Amdt. 4
Aguadilla, P.R.—Borinquen, VOR Rwy 8, Amdt. 3, cancelled
Aguadilla, P.R.—Borinquen, VOR Rwy 8 (TAC), Original
El Campo, TX—El Campo Metro Airport, Inc., VOR/DME Rwy 17, Orig.

* * * *Effective October 20, 1977:*

Price, UT—Carbon County, VOR Rwy 36, Amdt. 3
St. George, UT—St. George Muni., VOR/DME Rwy 34, Original

* * * *Effective October 6, 1977:*

Lincoln, NE—Lincoln Muni., VOR Rwy 17L, Amdt. 2
Lincoln, NE—Lincoln Muni., VOR Rwy 17R, Amdt. 6

NOTE: The FAA published an amendment in Docket No. 17143, Amdt. No. 1087 to Part 97 of the Federal Aviation Regulations (42 FR 42847; August 25, 1977) under § 97.23 effective October 6, 1977, which is hereby amended as follows:

WETUMPKA, AL., WETUMPKA MUNI., VOR RWY 27, AMDT. 1, CHANGE EFFECTIVE DATE TO DECEMBER 1, 1977.

2. By amending § 97.25 SDF-LOC-LDA SIAPs identified as follows:

* * * *Effective November 3, 1977:*

Alexandria, LA—Esler Regional, LOC BC Rwy 8, Amdt. 4
Natchez, MS—Hardy Anders Field, Natchez, Adams County, LOC Rwy 17, Orig.

* * * *Effective October 20, 1977:*

Dallas, TX—Redbird—LOC Rwy 31, Original, cancelled

* * * *Effective October 6, 1977:*

Lincoln, NE—Lincoln Muni., LOC BC Rwy 17R, Amdt. 4

3. By amending § 97.27 NDB/ADF SIAPs identified as follows:

* * * *Effective December 1, 1977:*

Beaumont-Port Arthur, TX—Jefferson County, NDB Rwy 11, Amdt. 12
Wichita Falls, TX—Sheppard AFB/Wichita Falls Air Terminal, NDB Rwy 33L, Amdt. 7

* * * *Effective November 3, 1977:*

Troy, AL—Troy Muni., NDB Rwy 7, Amdt. 2
Alexandria, LA—Esler Regional, NDB Rwy 26, Amdt. 3
Bastrop, LA—Morehouse Memorial, NDB Rwy 34, Amdt. 1
Many, LA—Hart, NDB Rwy 11, Amdt. 2
Hattiesburg, MS—Hattiesburg Muni., NDB Rwy 13, Amdt. 5
Natchez, MS—Hardy Anders Field, Natchez, Adams County, NDB Rwy 17, Orig.
Ahoskie, NC—Tri-County, NDB Rwy 36, Original
Elizabeth City, NC—Elizabeth City Coast Guard Airbase/Muni., NDB–A, Amdt. 4
Manteo, NC—Manteo, NDB Rwy 4, Amdt. 1
Manteo, NC—Manteo, NDB Rwy 16, Amdt. 1
Abilene, TX—Abilene Municipal, NDB Rwy 35R, Amdt. 2
Conroe, TX—Montgomery County, NDB Rwy 14, Amdt. 4
Majuro Atoll, Trust Territories, Marshall Islands International, NDB Rwy 25, Amdt. 2
Marion/Wythville, VA—Mountain Empire, NDB–A, Original

* * * *Effective October 6, 1977:*

Skwentna, AK—Skwentna, NDB–A, Amdt. 1, cancelled
Summit, AK—Summit, NDB–A, Amdt. 8, cancelled
Lincoln, NE—Lincoln Muni., NDB Rwy 35L, Amdt. 6

4. By amending § 97.29 ILS–MLS SIAPs identified as follows:

* * * Effective October 6, 1977:

Beaumont-Port Arthur, TX—Jefferson County, ILS Rwy 11, Amdt. 14
Wichita Falls, TX—Sheppard AFB/Wichita Falls Air Terminal, ILS Rwy 33L, Amdt. 9

* * * Effective October 20, 1977:

Troy, AL—Troy Muni., ILS Rwy 7, Amdt. 2
Alexandria, LA—Esler Regional, ILS Rwy 26, Amdt. 7
Watertown, NY—Watertown New York Int'l, ILS Rwy 7, Amdt. 1
Abilene TX—Abilene Municipal, ILS Rwy 35R, Amdt. 1

* * * Effective November 3, 1977:

Dallas, TX—Redbird, ILS Rwy 31, Original

* * * Effective November 3, 1977:

Bangor, ME—Bangor International, ILS Rwy 33, Amdt. 8
Lincoln, NE—Lincoln Muni., ILS Rwy 35L, Amdt. 6
Roanoke, VA—Roanoke Municipal/Woodrum, LDA Rwy 5, Original

5. By amending § 97.31 RADAR SIAPs identified as follows:

* * * Effective December 1, 1977:

Alexandria, LA—Esler Regional, RADAR–1, Amdt. 2, cancelled

NOTE.—The FAA published an amendment in Docket No. 17152 Amdt. No. 1088 to Part 97 of the Federal Aviation Regulations (42 FR 43972; September 1, 1977) under § 97.31 effective October 20, 1977, which is hereby amended as follows: San Antonio, TX. San Antonio International Radar–1 Amdt. 21 is rescinded. Amdt. 20 remains current.

6. By amending § 97.33 RNAV SIAPs identified as follows:

* * * Effective November 3, 1977:

Newark, OH—Newark-Heath, RNAV Rwy 8, Original
Newark, OH—Newark-Health, RNAV Rwy 26, Original

* * * Effective October 6, 1977:

Lincoln, NE—Lincoln Muni., RNAV Rwy 14, Amdt. 2

(Secs. 307,313(a), 601, 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), 1421, 1510); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Delegation: 24 FR 5662 and Paragraph 802 of Order FS P 1100.1, as amended March 9, 1973.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A–107.

Issued in Washington, D.C., on September 16, 1977.

LEROY A. KEITH,
*Acting Chief,*
*Aircraft Programs Division.*

NOTE.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on May 12, 1969.

[FR Doc.77-27351 Filed 9-23-77;8:45 am]

## Title 16—Commercial Practices

## CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

## PART 1012—MEETINGS: ADVANCE PUBLIC NOTICE, PUBLIC ATTENDANCE, AND RECORDKEEPING

AGENCY: Consumer Product Safety Commission.

ACTION: Final amendment of rule.

SUMMARY: This document makes an amendment to the Commission's meeting policy (16 CFR 1012) regarding advance notice of meetings between individual Commissioners or Agency staff and outside parties. When amending the meetings policy to implement Pub. L. 94–409, the Government in the Sunshine Act (42 FR 14683, March 16, 1977), the Commission determined that the requirement for advance public notice of meetings covered by the policy would be satisfied by publication of the notice in the printed public calendar or by entering the notice on the master calendar. Prior to that time, only publication satisfied the notice requirement. However, due to an oversight, the language of § 1012.5(b) was not changed to conform to the new procedure. Accordingly, this amendment clarifies the meetings policy by revising the language of § 1012.5(b) to provide that notice of meetings must be published in the printed public calendar or entered on the master calendar at least seven days before the meeting.

EFFECTIVE DATE: September 26, 1977. For further information contact; David Melnick, Office of General Counsel, Consumer Product Safety Commission, Washington, D.C. 20207 (202–634–7770).

SUPPLEMENTARY INFORMATION: The Commission has determined that since this amendment is a rule of agency procedure, and further, is in the nature of a clarification of a previously published rule, the notice and public procedure provisions of 5 U.S.C. 553 are inapplicable. Further, the delay in the effective date required by 5 U.S.C. 553 would be impracticable. Accordingly, good cause exists to dispense with the notice and public procedure on this amendment and further to make this amendment effective upon publication.

Accordingly, § 1012.5(b) of Title 16, Chapter II, Subchapter A of the Code of Federal Regulations is amended by revising subparagraph (1) (i) (A) to read as follows:

§ 1012.5 Recordkeeping categories.

* * * * *

(a) * * *

(1) Notice. (i) (A) Notice of Agency meetings with outside parties involving substantial interest matters shall be published in the public calendar or enter on the master calendar at least seven days before a meeting. Any agency employee planning to host or attend such meeting must notify the Office of the Secretary as provided in § 1012.3(a)(4). Once notification has been made, Agency employees subsequently desiring to attend the meeting need not notify the Office of the Secretary.

Dated: September 20, 1977.

RICHARD E. RAPPS,
*Secretary, Consumer*
*Product Safety Commission.*

[FR Doc. 77-27978 Filed 9-23-77;8:45 am]

## Title 32—National Defense

## CHAPTER VI—DEPARTMENT OF THE NAVY

### SUBCHAPTER B—NAVIGATION

## PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

### Miscellaneous Amendments

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The purpose of this rule is to amend Part 706 to reflect that authority to certify those vessels of the Navy which cannot comply fully with certain provisions of the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) is now granted by the International Navigational Rules Act of 1977, in addition to Executive Order 11964 of January 19, 1977 to the Secretary of the Navy. This rule further amends Part 706 to include notice that *USS Oliver Hazard Perry (FFG–7)* is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special function. The intended

effect of this rule is to warn mariners on international waters.

EFFECTIVE DATE: September 25, 1977.

FOR FURTHER INFORMATION CONTACT:

Lieutenant M. D. Seiders, JAGC, USN, Admiralty Division, Office of the Judge Advocate General, Navy Department, Washington, D.C. 20370 (202-694-5188).

SUPPLEMENTARY INFORMATION: This amendment of Part 706 is necessary because Pub. L. 95-75, the "International Navigational Rules Act of 1977," became law on July 27, 1977. Section 6 of that law allows the Secretary of the Navy to certify that a vessel of the Navy, because of its special construction or purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with the special function of that vessel. Section 6 of Pub. L. 95-75 provides that any requirement of the 72 COLREGS with respect to the number, position, range or arc of visibility of lights, with respect to shapes, or with respect to the disposition and characteristics of sound-signalling appliances, shall not be applicable to a vessel of special construction or purpose, whenever the Secretary of the Navy, for any vessel of the Navy, shall certify that the vessel cannot comply fully with that requirement without interfering with the special function of the vessel. Notice of any such certification issued must be published in the FEDERAL REGISTER. Since Part 706 currently makes reference to certifications issued only under E.O. 11964, it is necessary to amend that Part to reflect that Pub. L. 95-75 also provides authority under which certifications are issued.

This amendment also provides notice that the Secretary of the Navy has certified that *USS Oliver Hazard Perry (FFG-7)* is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS Rule 21(a) regarding the arc of visibility of its forward masthead light; 72 COLREGS Annex I, Section 2(a)(i), regarding the height above the hull of its forward masthead light; and 72 COLREGS Annex I, Section 3(b), regarding the horizontal relationship of its sidelights to its forward masthead light, without interfering with its special function. The Secretary of the Navy has also certified that the above-mentioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Finally, this amendment provides notice that the Secretary of the Navy has exempted *USS Oliver Hazard Perry* from full compliance with certain provisions of the 72 COLREGS pursuant to 72 COLREGS Rule 38 and by authority of Executive Order 11964. The Secretary of the Navy finds that the keel of *USS Oliver Hazard Perry* was laid prior to July 15, 1977, and that the vessel complies with the requirements of the International Regulations for Preventing Collisions at Sea, 1960.

Since this amendment pertains to a military and foreign-affairs function of the United States, the rule making requirements of 5 U.S.C. 553 do not apply. Accordingly, 32 CFR Part 706 is amended as follows:

1. The table of contents for § 706.2 and authority cite in Part 706 is revised as follows:

Sec.

* * * * *

706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and Pub. L. 95-75.

* * * * *

AUTHORITY: Executive Order 11964 and Pub. L. 95-75.

§ 706.1 [Amended]

2. Paragraph (d) of § 706.1 is amended by adding the following phrase after "Executive Order 11964 of January 19, 1977,":

And Pub. L. 95-75 (July 27, 1977) provide that * * *

3. Paragraph (f) of § 706.1 is amended by adding the following phrase after "Executive Order 11964,":

And Pub. L. 95-75.

4. The title of § 706.2 is revised to read as follows:

**§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and Pub. L. 95-75.**

* * * * *

5. The first Table One of § 706.2 is amended by inserting the following between *"USS Tang AGSS-563* 3.4" and *"USS Antelope PG-86* 2.3":

| Vessel | Number | Distance in meters of forward masthead light below minimum required height, sec. 2(a)(i) annex I |
|---|---|---|
| * * * * * | | |
| U.S.S. Oliver Hazard Perry | FFG-7 | 1.6 |
| * * * * * | | |

6. Table Four of § 706.2 is amended by adding the following two paragraphs after paragraph 7.

8. On *USS Oliver Hazard Perry (FFG-7)* the arc of visibility of the forward masthead light required by Rule 23(a)(i) may be obstructed through 1.8° arcs of visibility at the points 021° and 339° relative to the ship's head.

9. The sidelights on *USS Oliver Hazard Perry (FFG-7)* are located approximately 2.75 meters forward of the forward masthead light, vice aft of that light as required by Annex I, Section 3(b).

* * * * *

§ 706.3 [Amended]

7. The seventh Table One of § 706.3 is amended by inserting under the "Vessel or Class" column, between "FFG-1 Class" and "SSBN-598 Class", the following new vessel:

USS OLIVER HAZARD PERRY (FFG-7)

Also, place a corresponding "X" under the exemption columns for Rule 38(a), Rule 38(b), and Rule 38(d)(i), to indicate exemptions granted by the Secretary of the Navy.

Effective date: The effective date of this amendment will be September 25, 1977.

Dated: September 21, 1977.

W. GRAHAM CLAYTOR, Jr.,
*Secretary of the Navy.*

[FR Doc.77-28051 Filed 9-23-77;8:45 am]

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## Title 33—Navigation and Navigable Waters

### CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 76-235]

### PART 128—REGULATED NAVIGATION AREAS

### Regulated Navigation Area, Kittery, Maine

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes a regulated navigation area adjacent to the Portsmouth Naval Shipyard on Seavey Island, Kittery, Maine. This regulation is needed to provide a safe area for floating crane operations by restricting the speed of transiting vessels to 5 mph.

EFFECTIVE DATE: October 26, 1977.

FOR FURTHER INFORMATION CONTACT:

Captain George K. Greiner, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590 (202-426-1477).

SUPPLEMENTARY INFORMATION: On March 14, 1977 the Coast Guard published a proposed rule (42 FR 13841) concerning this amendment. Interested persons were given until April 28, 1977 to submit comments. No comments were received.

DRAFTING INFORMATION: The principal persons involved in drafting this rule are: Lieutenant Commander H. E. Snow, Project Manager, Office of Marine Environment and Systems, and Mr. S. D. Jackson, Project Attorney, Office of the Chief Counsel.

In consideration of the foregoing, Part 128 of Title 33 Code of Federal Regulations is amended by adding § 128.101 to read as follows:

**§ 128.101 Kittery, Maine.**

(a) The following is a Regulated Navigation Area—Waters with the boundary of a line beginning at 43°04'-50" N., 70°44'52" W.; thence to 43°04'-52" N., 70°44'53" W.; thence to 43°04'-59" N., 70°44'46" W.; thence to 43°05'-05" N., 70°44'32" W.; thence to 43°05'-

03'' N., 70°44'30'' W.; thence to the beginning point.

(b) Regulations—No vessel may operate in this area at a speed in excess of five miles per hour.

(Sec. 104 Pub. L. 92-340, 86 Stat. 424 (33 U.S.C. 1224; 49 CFR 1.46 (n) (4)).)

NOTE.—The Coast Guard has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended, and OMB Circular A-107.

Dated: September 20, 1977.

O. W. SILER,
*Admiral, U.S. Coast Guard*
*Commandant.*

[FR Doc.77-28015 Filed 9-23-77;8:45 am]

## Title 40—Protection of Environment

### CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

### SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

### PART 413—ELECTROPLATING POINT SOURCE CATEGORY

### Pretreatment Standards for Existing Sources; Extension of Comment Period

AGENCY: Environmental Protection Agency.

ACTION: Extension of Comment Period.

SUMMARY: This action extends indefinitely the deadline for the receipt of comments on the interim final rulemaking establishing pretreatment standards for existing sources for the electroplating point source category. The comment period is extended because a second, closely related set of regulations will be issued soon. A definite closing comment date for both sets of regulations will be included in the second set of regulations.

DATE: The comment deadline is extended indefinitely.

FOR FURTHER INFORMATION CONTACT:

Harold B. Coughlin, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460 (202-426-2560).

SUPPLEMENTARY INFORMATION: On July 12, 1977 (42 FR 35834), the Agency published a notice of interim final rulemaking for pretreatment standards for the electroplating point source category. The notice established a 60-day comment period. This FEDERAL REGISTER notice also stated that further regulations covering additional pollutants would be issued in the near future. The Agency still expects to issue these regulations shortly. Because the two sets of regulations are interrelated, the Agency has decided to extend the comment period on the first set so that the closing date will coincide with the closing of the comment period which will follow issuance of the additional pretreatment regulations.

Dated: September 14, 1977.

THOMAS C. JORLING,
*Assistant Administrator for*
*Water and Hazardous Materials.*

[FR Doc.77-28028 Filed 9-23-77;8:45 am]

## Title 41—Public Contracts and Property Management

### CHAPTER 4—DEPARTMENT OF AGRICULTURE

### PART 4-16—PROCUREMENT FORMS

### Miscellaneous Amendments

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: This rule amends the Agriculture Procurement Regulations by revising the regulations to reflect use of new Departmental purchase order form, rescinding various procurement forms which have become obsolete, changing the submission dates of the SF-37 Report on Procurement to conform to the new fiscal year, deleting the report on Minority Business Enterprises as this information is available in the SF-37 report, and making various editorial and organizational name changes. The listing of Agriculture Department forms is also updated to reflect the forms currently in use by this Department.

DATE: This rule is effective September 26, 1977.

FOR FURTHER INFORMATION CONTACT:

Douglas I. Metzger, Procurement, Grants and Agreements Management Staff, Office of Operations, U.S. Department of Agriculture, Washington, D.C. 20250 (202-447-7527).

SUPPLEMENTARY INFORMATION: This amendment involves matters relating to agency management and contracting and, while not subject by law to the notice and public procedure requirements for rulemaking under 5 U.S.C. 553, is subject to the Secretary's Statement of Policy (36 FR 13804). The amendment corrects or clarifies existing policy. No useful purpose would be served by public participation, and it is found upon good cause, in accordance with the Secretary's Policy Statement, that notice and other public procedures with respect to the amendment are impracticable and unnecessary.

1. The Table of Contents is amended as follows:

a. Section 4-16.350 is revised to read as follows:

Sec.
4-16.350 Purchase Order (Agriculture Department Form 838).

b. Section 4-16.850 is deleted.

Sec.
4-16.850 [Deleted]

c. Section 4-16.950-225 is deleted.

Sec.
4-16.950-20 [Deleted]

d. Section 4-16.950-361 is added as follows:

Sec.
4-16.950-361 Form AD-361: Service Contract Act of 1965; Labor Standards Provisions.

e. Section 4-16.950-369 is added as follows:

Sec.
4-16.950-369 Form AD-369: Equal Opportunity (Clause).

f. Section 4-16.950-372 is added as follows:

Sec.
4-16.950-372 Form AD-372: Department of Labor Regulations.

g. Section 4-16.950-425 is deleted and the following new sections are added:

Sec.
4-16.950-425 [Deleted]
4-16.950-425a Form AD-425a: Instructions to Contractors (Supplies and Services).
4-16.950-425b Form AD-425b: Instructions to Contractors (Construction).

h. Section 4-16.950-452 is revised to read as follows:

Sec.
4-16.950-452 Form AD-452: General Provisions (Research Agreements).

i. Section 4-16.950-454 is revised to read as follows:

Sec.
4-16.950-454 Form AD-454: Fiscal Report and Payment Authorization (Grant Authorities).

j. Section 4-16.950-456 is revised to read as follows:

Sec.
4-16.950-456 Form AD-456: Budget-Research Agreements-Estimated Costs.

k. The following sections are added:

Sec.
4-16.950-560 Form AD-560: Certification of Nonsegregated Facilities.
4-16.950-572 Form AD-572: Termination for Convenience of the Government (Fixed-Price Contracts for Supplies, etc.) (Clause).
4-16.950-573 Form AD-573: Termination for Convenience of the Government (Fixed-Price Construction Contracts) (Clause).
4-16.950-574 Form AD-574: Termination for Convenience of the Government (Fixed-Price Contract for Experimental, Developmental or Research Work) (Clause).
4-16.950-655 Form AD-655: Employment of the Handicapped (Clause).
4-16.950-700 Form AD-700: Requisition for Supplies, Equipment, or Services.
4-16.950-716 Form AD-716: Disabled Veterans and Veterans of the Vietnam Era.
4-16.950-744 Form AD-744: Purchase Order/Invoice/Voucher.

4-16.950-837 Form AD-837: Terms and Conditions of Purchase Order.
4-16.950-838 Form AD-838: Purchase Order.
4-16.950-838a Form AD-838a: Partial Receipt Notification.
4-16.950-838b Form AD-838b: Invoice-Receipt Certification.

§ 4-16.104 [Amended]

2. In § 4-16.104, paragraph (b), the "Director of Plant and Operations" is changed to "Director, Office of Operations."

3. Section 4-16.350 is deleted and the following new section is added:

**§ 4-16.350 Purchase Order (Agriculture Department Form 838).**

(a) *Required Use.* Agriculture Department Form 838, Purchase Order, is prescribed for use by all agencies of the Department for the issuance of purchase orders in lieu of Standard Forms 147 and 148. Instructions for use are contained in the National Finance Center Procedures Manual, "Purchase Orders," Title II, Section 5.1.

(b) *Type of form.* Form AD-838 is available in 9 or 10 part "Snap-out" sets. The various parts are identified as follows:

| Copy and Color | Use |
|---|---|
| Original, white | NFC. |
| First, white | Seller's original. |
| Second, third, and fourth, green. | Receipt copies. |
| Fifth, yellow | Issuing office. |
| Sixth, goldenrod | Property. |
| Seventh and eighth, blue | For agency use. |
| Ninth, blue (optional) | For agency use. |

(c) *Related forms.* The following forms are used in conjunction with Form AD-838 when applicable:

AD-837 Terms and Conditions of Purchase Order.
AD-838a Partial Receipt Notification.
AD-838b Invoice-Receipt Certification.

(d) *Availability of forms.* Forms are available from the Central Supply Branch, Office of Operations.

§ 4-16.404 [Amended]

4. In § 4-16.404, paragraph (b), the "Director of Plant and Operations" is changed to "Director, Office of Operations."

5. Section 4-16.804-3, paragraphs (d) and (f), are revised to read as follows:

**§ 4-16.804-3 Standard Form 37, Report on Procurement by Civilian Executive Agencies.**

* * * * *

(d) *Selected types of procurement data to be reported.* Purchases under $10,000 shall be excluded from amounts reported in Part II except for construction contracts, where purchases under $2,000 shall be excluded.

* * * * *

(f) *Frequency and due date for submission of Standard Form 37.* Reports shall be prepared by each agency and submitted in duplicate to the Office of Operations (Procurement, Grants and Agreements Management Staff), by April 30 for the six-month period October 1 through March 31, and by October 31 for the 12-month period October 1 through September 30 of each fiscal year.

§ 4-16.804-5 [Amended]

6. Section 4-16.804-5, paragraph (c), is deleted.

§ 4-16.850 [Deleted]

7. Section 4-16.850 is deleted.

§ 4-16.950-225 [Deleted]

8. Section 4-16.950-225 is deleted.

9. Section 4-16.950-425 is deleted and the following new sections are added:

**§ 4-16.950-425a Form AD-425a: Instructions to Contractors (Supplies and Services).**

**§ 4-16.950-425b Form AD-425b: Instructions to Contractors (Construction).**

10. Section 4-16.950-452 is revised to read as follows:

**§ 4-16.950-452 Form AD-452: General Provisions (Research Agreements).**

11. Section 4-16.950-454 is revised to read as follows:

**§ 4-16.950-454 Form AD-454: Fiscal Report and Payment Authorization (Grant Authorities).**

12. Section 4-16.950-456 is revised to read as follows:

**§ 4-16.950-456 Form AD-456: Budget-Research Agreements—Estimated Costs.**

13. The following sections are added:

**§ 4-16.950-361 Form AD-361: Service Contract Act of 1965; Labor Standards Provisions.**

**§ 4-16.950-369 Form AD-369: Equal Opportunity (Clause).**

**§ 4-16.950-372 Form AD-372: Department of Labor Regulations.**

**§ 4-16.950-560 Form AD-560: Certification of Nonsegregated Facilities.**

**§ 4-16.950-572 Form AD-572: Termination for Convenience of the Government (Fixed-Price Contracts for Supplies, etc.) (Clause).**

**§ 4-16.950-573 Form AD-573: Termination for Convenience of the Government (Fixed Price Construction Contracts) (Clause).**

**§ 4-16.950-574 Form AD-574: Termination for Convenience of the Government (Fixed-Price Contract for Experimental, Developmental or Research Work) (Clause).**

**§ 4-16.950-655 Form AD-655: Employment of the Handicapped (Clause).**

**§ 4-16.950-700 Form AD-700: Requisition for Supplies, Equipment or Services.**

**§ 4-16.950-716 Form AD-716: Disabled Veterans and Veterans of the Vietnam Era.**

**§ 4-16.950-744 Form AD-744: Purchase Order/Invoice/Voucher.**

**§ 4-16.950-837 Form AD-837: Terms and Conditions of Purchase Order.**

**§ 4-16.950-838 Form AD-838: Purchase Order.**

**§ 4-16.950-838a Form AD-838a: Partial Receipt Notification.**

**§ 4-16.950-838b Form AD-838b: Invoice-Receipt Certification.**

14. Section 4-16.5001, paragraph (a), is revised to read as follows:

**§ 4-16.5001 General Provisions (Service Contract) (Agriculture Department Form 377).**

(a) *Use.* Agriculture Department Form 377, General Provisions (Service Contracts), is prescribed for use in conjunction with Standard Form 33 for contracts for services, including aerial photography.

* * * * *

(5 U.S.C. 301, 40 U.S.C. 486(c).)

Done at Washington, D.C., this 21st day of September 1977.

E. ALVAREZ,
*Director, Office of Operations.*

[FR Doc.77-27972 Filed 9-23-77;8:45 am]

## CHAPTER 9—ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

### Procurement Regulations

AGENCY: Energy Research and Development Administration.

ACTION: Final Rule.

SUMMARY: This document consolidates, modifies, and reorganizes the Energy Research and Development Administration's Procurement Regulations. The present procurement regulations have not been updated since October 7, 1975. Since that date there have been a number of temporary regulations, procurement letters, immediate action directives, and procurement instructions issued which are not reflected in the existing procurement regulations. This consolidation will simplify and update the procurement regulations, incorporate all the regulatory material into one document for easy reference, and will bring the Energy Research and Development Administration's Procurement Regulations in line with the Federal Procurement Regulations.

EFFECTIVE DATE: September 26, 1977.

ADDRESS: Please address requests for copies of the consolidated ERDA-PR to:

Martin Kestenbaum, Division of Procurement, Rm. C-167, USERDA, Washington, D.C., 301-353-4541.

FOR FURTHER INFORMATION CONTACT:

Martin Kestenbaum, 301-353-4541.

SUPPLEMENTARY INFORMATION: A copy of the consolidated ERDA-PR has been filed with the Office of the Federal Register rather than published in the FEDERAL REGISTER, in order to save on printing costs for this large volume of regulations. The consolidated ERDA-PR consists of approximately 550 pages and

a normal press run of a FEDERAL REGISTER issue is over 50,000 copies. ERDA's previous experience indicates that less than 2,000 copies of ERDA-PRs and/or temporary regulations covering distribution to both internal and external organizations have actually been requested and furnished. Thus, the cost of promulgating the consolidated ERDA-PRs in the usual manner will be extremely high. Therefore, to facilitate publication of the consolidated ERDA-PRs and to save on printing costs, it has been decided:

1. Not to print the full text of the consolidated ERDA-PR in the daily issue of the FEDERAL REGISTER.

2. To provide a copy of the consolidated ERDA-PR to the Office of the Federal Register to be filed as part of this document. This copy is to be printed in the Code of Federal Regulations (CFR).[1]

3. To offer free distribution of the consolidated ERDA-PR to all subscribers to the FEDERAL REGISTER who make application within 45 days of the date of publication (November 10, 1977) for copies and to the general public at nominal cost. Please address requests for copies of the consolidated ERDA-PR to Martin Kestenbaum, Division of Procurement, Rm. C-167, USERDA, Washington, D.C. 20545.

Since the inception of ERDA on January 19, 1975, 35 temporary regulations have been prepared as ERDA temporary regulations. Of this number, Temporary Regulation Nos. 1 through 8 were carried over from the Atomic Energy Commission and redesignated as ERDA temporary regulations and Temporary Regulation No. 28 was prepared but never formally issued. All of the temporary regulations, including No. 28, have, where considered applicable, been incorporated in whole or in part into the consolidated ERDA-PR. In addition to the temporary regulations, there were certain internal documents that have also been incorporated into the procurement regulations. A summary of the consolidated material, by specific part, is set forth below.

| *Part affected* | *Summary of consolidated material* |
|---|---|
| 9-1 | Incorporated Temporary Regulation No. 6, Value Engineering Incentive Programs, 40 FR 47069—10/7/75; and Temporary Regulation No. 35, General Policy for the Avoidance of Organizational Conflicts of Interest, 42 FR 32232—6/24/77. Regulations pertaining to file documentation requirements in support of contract actions were transferred from Part 9-55 to § 9-1.313. This part was also rewritten in descriptive terms rather than stating specific organizational titles. |
| 9-2 | Incorporated a proposed revised policy regarding the treatment of mistakes in bids to accommodate a recent revision to the FPRs on this subject. |
| 9-3 | Incorporated Temporary Regulation No. 8, Increase of Negotiation Authority to $10,000 for Small Purchases, 40 FR 47076—10/7/75; Temporary Regulation No. 12, Interim Source Evaluation and Selection Handbook, 40 FR 46343—10/7/75; Temporary Regulation No. 17, Establishing and Negotiating Profits and Fees, 41 FR 15062—4/9/76; Temporary Regulation No. 22, Cost-Plus-Award-Fee Contracts, 41 FR 36021—8/26/76; Temporary Regulation No. 31, Noncompetitive Procurement, 42 FR 25732—5/19/77; Temporary Regulation No. 33, Requirement for Preaward Audit, 42 FR 27600—5/31/77; and Immediate Action Directive No. 9100-8, Procurement Actions Subject to Formal SEB Process in Accordance with the SEB Handbook and Designation of Source Selection Officials, 6/6/77. |
| 9-4 | Incorporated Temporary Regulation No. 5, Selection and Award of Architect-Engineer Contracts, 40 FR 47063—10/7/75; Temporary Regulation No. 10, Program Opportunity Notices and Unsolicited Proposals for Commercial Demonstrations, 40 FR 47081—10/7/75; Temporary Regulation No. 16, Program Research and Development Announcements, 41 FR 10606—3/16/76; Temporary Regulation No. 21, Unsolicited Proposals, 41 FR 30330—7/23/76; Temporary Regulation No. 26, Unsolicited Proposals, 42 FR 4125—1/24/77; Temporary Regulation No. 27, Selection of Contractors for Architect-Engineering Services, 42 FR 10688—2/23/77; and Immediate Action Directive No. 9100-5, Contracts for Support Services, 11/18/76. Also incorporated material to expand on our multiyear procurement policy. |
| 9-5 | In this part, we made no major revisions to our basic policy. We did differentiate between general application policies and those which pertain only to operating and onsite service contracts. Deletes obsolete provisions requiring clearance before sale of gold and ADP equipment requirements that are in FPR. |
| 9-6 | In this part, we made no major revisions to our basic policy. |
| 9-7 | This part was restructured to follow the format used by FPR and it contains certain ERDA clauses to be used in addition to or in place of FPR clauses. |
| 9-8 | In this part, we made no major revisions to our basic policy. |
| 9-9 | Incorporated Temporary Regulation No. 9, Modification, in part, of ERDA Part 9-9, Patents and Copyrights, 40 FR 47077—10/7/75 and material regarding 9-9 printed at 42 FR 36120—7/13/77. |
| 9-10 | In this part, we made no major revisions to our basic policy, except Subpart 9-4.50 was transferred to Subpart 9-10.50. |
| 9-11 | Transferred Part 9-11 to Subpart 9-50.11. |
| 9-12 | In this part, we made no major revisions to our basic policy. |
| 9-14 | Portions were transferred to Subpart 9-18.8 and the remainder was deleted. |
| 9-15 | This part was rewritten to follow the format of the FPRs. Incorporated Temporary Regulation No. 25, ERDA Contract Cost Principles, 42 FR 2963—1/14/77 and Temporary Regulation No. 30, ERDA Cost Principles, 42 FR 23507—5/9/77. |
| 9-16 | Incorporated Temporary Regulation No. 20, Procurement Request Form, 42 FR 30645—7/26/77; Temporary Regulation No. 31, Noncompetitive Procurement, 42 FR 25732—5/19 77; and Immediate Action Directive No. 9100-4, Procurement Request Form, 7/23/76. |
| 9-17 | In this part, we revised position titles and described the levels of which various extraordinary contractual actions to facilitate national defense can be approved. |
| 9-18 | In this part, we made no major revisions to our basic policy. |
| 9-30 | In this part, we made no major revisions to our basic policy. |
| 9-50 | Part 9-50 consolidates material previously contained throughout the ERDA-PR for operating and onsite service contracts. |
| 9-51 | Incorporated Temporary Regulation No. 32, Requirements for Independent Review of Proposed Contracts and Subcontracts, 42 FR 27247—5/27/77. |
| 9-52 | The requirement for monthly reporting of subcontract data was removed. The frequency for submitting ERDA 330A and 330B forms was changed from semiannually to quarterly. The type of prime contractors required to submit 330A forms has been revised from cost-type contractors to those prime contracts which contain the provisions described in FPR subsections 1-1.710-3(b) and 1-1.1310-2(b). |
| 9-53 | Incorporated Temporary Regulation No. 18, Procurement Instrument, Solicitation and Procurement Request Numbers, 41 FR 26219—6/25/76 and Temporary Regulation No. 19, same subject, 41 FR 30011—7/21/76. |
| 9-55 | This part was relocated to Subpart 9-1.30, Part 9-50 and Part 9-51, as appropriate. |
| 9-56 | This part was relocated to Subpart 9-3.8 and Part 9-50, as appropriate. |

Temporary Regulations Nos. 1, CASB Rules and Regulations; 14, Cost Accounting Standards, Filing of Disclosure Statements; and 23, same subject as No. 14, were not implemented. Coverage for this section is contained in FPR 1-3.12.

[1] The Code of Federal Regulations volume for Title 41 Chapter 9 will be revised as of October 1, 1977.

Temporary Regulation No. 2, Stabilization of Prices, Rents, Wages, and Salaries, was canceled by temporary regulation No. 3, Cancellation of AECPR Temporary Regulation No. 2.

Temporary Regulation No. 4, Determinations, Findings, and Authorities, was previously incorporated into the permanent procurement regulations.

Temporary Regulations Nos. 11 and 13, ERDA Cost Principles, were superseded by Temporary Regulation No. 25, ERDA Contract Cost Principles.

Temporary Regulations Nos. 15, Use of ERDA Facilities, and 34, Prison-made and Blind-made Products, deleted sections of the permanent procurement regulations, therefore, no incorporation is necessary.

Temporary Regulation No. 24, Review and Approval of Contract Actions, was superseded by Temporary Regulation No. 31, Noncompetitive Procurement.

Temporary Regulation No. 28, Other Mistakes Disclosed Before Award, was never issued.

Temporary Regulation No. 29, General Policy for the Avoidance of Organizational Conflicts of Interest, was superseded by Temporary Regulation No. 35, same subject.

Therefore, the Energy Research and Development Administration Procurement Regulations, 41 CFR Chapter 9, are revised as set forth in the original document which is filed with the Office of the Federal Register.

Date: September 16, 1977.

M. J. TASHJIAN,
*Director of Procurement.*

[FR Doc.77-28004 Filed 9-23-77;8:45 am]

## Title 43—Public Lands: Interior

### CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5626; NM-25103]

#### NEW MEXICO

**Partial Revocation of Air Navigation Site Withdrawal No. 51; Revocation of Public Land Order No. 2508; Correction**

AGENCY: Bureau of Land Management, Interior.

ACTION: To correct final rule.

SUMMARY: This order will correct Public Land Order No. 5625 as it appeared in FR Vol. 42, No. 169 of Wednesday, August 31, 1977, page 43841.

EFFECTIVE DATE: September 26, 1977.

FOR FURTHER INFORMATION CONTACT:

Eldon Hayes, 202-343-8731.

That part of the heading of Public Land Order No. 5625 which reads: Revocation of Public Land Order No. 2508 should be corrected to read: Revocation of Public Land Order No. 2608.

GUY R. MARTIN,
*Assistant Secretary of the Interior.*

SEPTEMBER 16, 1977.

[FR Doc.77-27922 Filed 9-23-77;8:45 am]

## Title 46—Shipping

### CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 76-154]

### PART 182—MACHINERY INSTALLATION

**Filling and Sounding Pipes for Gasoline and Diesel Fuel Tanks**

AGENCY: Coast Guard.

ACTION: Final rule.

SUMMARY: The amendments in this document eliminate the requirements of the small passenger vessel regulations that overflow of liquid or vapor must discharge overboard. The regulations require that filling and sounding pipes be so arranged that any overflow of liquid or vapor cannot escape to the inside of the vessel, but will be discharged overboard. By eliminating the requirement that the overflow be discharged overboard, the regulations will be no longer in conflict with the Federal Water Pollution Control Act.

DATES: These amendments become effective on October 26, 1977.

FOR FURTHER INFORMATION CONTACT:

Captain George K. Greiner, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590 (202-426-1477).

SUPPLEMENTARY INFORMATION: A notice of proposed rule making was published in the March 17, 1977 issue of the FEDERAL REGISTER (42 FR 14888). Interested persons were given until April 28, 1977 to submit written comments. Three comments were received.

The three comments received expressed concern that the Coast Guard was advocating protection of the environment at the expense of safety. All three commentors stated that requiring the overflow of liquids into the vessel would create a safety hazard since explosive fumes would be able to accumulate in the vessel's bilges or cockpit areas.

The regulations, as proposed, would still prohibit the escape of any overflow of fuel to the inside of the vessel. The only difference in the proposed regulations and the current regulations is the elimination of the mandatory requirement that any overflow be discharged into the water, which could result in a violation of the Federal Water Pollution Control Act (86 Stat. 862, as amended; 33 U.S.C. 1321).

Due to the various configurations of small passenger vessels, the Coast Guard does not plan to require on deck containment of overflows. Instead, the proposal allows the vessel's owner to determine the best method of keeping the overflow from liquid fuel from entering the vessel, and carries out the Department's policy of eliminating excessive regulations.

The person filling a fuel tank on a small passenger vessel should exercise caution to prevent any overflow, because, if an overflow does occur, the regulation prohibits the liquid from reaching the inside of the vessel. If the flow discharges overboard, the operator may be liable for clean-up of the spill and a penalty for polluting the navigable waters of the United States.

After considering all comments, the Coast Guard has determined that the amendments should be adopted as proposed so §§ 182.15-30(b) and 182.20-30(b) will no longer be in conflict with the Federal Water Pollution Control Act. Accordingly, the amendments as proposed are adopted without change.

DRAFTING INFORMATION

The principal persons involved in drafting this rule are: Lieutenant Commander Paul K. Anderson, Project Manager, Office of Merchant Marine Safety, and Stanley M. Colby, Project Attorney, Office of Chief Counsel.

In accordance with the foregoing, Part 182 of Title 46, Code of Federal Regulations, is amended as follows:

1. By striking in the first sentence of § 182.15-30(b) and in the first sentence of § 182.20-30(b) the words ", but will discharge overboard".

(Sec. 3, 70 Stat. 152 (46 U.S.C. 390(b)); sec. 6(b)(1), 80 Stat. 937 (49 U.S.C. 1655(b)(1)); 49 CFR 1.46(b).)

NOTE.—The Coast Guard has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended, and OMB Circular A-107.

Dated: September 20, 1977.

O. W. SILER,
*Admiral, U.S. Coast Guard Commandant.*

[FR Doc.77-28016 Filed 9-23-77;8:45 am]

## Title 47—Telecommunication

### CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[RM-1701; FCC 77-642]

### PART 73—RADIO BROADCAST SERVICES

**Maximum Effective Radiated Power Above Horizontal Plane for Television Broadcast Stations**

AGENCY: Federal Communications Commission.

ACTION: Memorandum opinion and order.

SUMMARY: In a petition, the broadcast equipment section of the Industrial Electronics Division, Electronic Industries Association requests that the Commission update its rules concerning the maximum permissible effective radiated power above the horizontal for Television Broadcasting Stations. This Order grants EIA's petition by re-wording the

provision to accommodate the radiation characteristics of a television transmitting antenna with beam tilt by limiting the effective radiated power above the horizontal to be no greater than that radiated at either the horizontal or below the horizontal, whichever is greater.

EFFECTIVE DATE: September 30, 1977.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Ralph H. Smith, Policy and Rules Division, Broadcast Bureau (202-632-9660).

SUPPLEMENTARY INFORMATION:

MEMORANDUM OPINION AND ORDER—PROCEEDING TERMINATED

Adopted: September 15, 1977.

Released: September 20, 1977.

In the matter of Amendment of Part 73, § 73.614(b)(4) of the Commission's rules concerning maximum effective radiated power above the horizontal plane for Television Broadcast Stations, RM-1701.

1. The Commission has for its consideration a petition filed by The Broadcast Equipment Section of The Industrial Electronics Division, Electronic Industries Association ("EIA") which seeks amendment of § 73.614(b)(4) of the rules restricting the maximum effective power permitted to be radiated above the horizontal plane by a Television Broadcast Station. Specifically, this petition requests a re-wording of § 73.614(b)(4) to accommodate the radiation characteristics of high-gain television broadcast antennas that use beam tilt to control and shape the vertical radiation pattern.

2. Vertical radiation pattern control accomplished by beam tilt is achieved through either electrical [1] or mechanical [2] means, or a combination of both. For great heights over the terrain, beam tilt may be valuable in increasing the local field, in order to optimize service area coverage, by depressing the maximum radiation lobe below the horizontal. Presently, § 73.614(b)(4) requires that the maximum effective power radiated in any direction above the horizontal plane by a television broadcast antenna shall be as low as the state of the art permits and may not exceed the effective power radiated in the horizontal direction in the same vertical plane. This requirement, written before high-gain antennas with beam tilt were developed, is intended to assure that the station does not radiate excessive power above the horizontal.

3. EIA points out that, inconsistent with § 73.614(b)(4), antenna beam tilt may cause the power radiated by a minor lobe at some angle above the horizontal to exceed the power radiated in the horizontal direction, although such power in any direction above the horizontal plane will be below the maximum power radiated by the main lobe that is tilted downward to achieve better service area coverage. Petitioner's proposed amendment would provide for these radiation characteristics by specifying that effective radiated power above the horizontal plane shall be as low as the state of the art permits, and in the same vertical plane may not exceed the maximum effective radiated power in the main lobe which can be either in the horizontal direction or below the horizontal in the event beam tilt is employed. The Commission agrees with the petitioner and we are hereby amending § 73.614(b)(4) in accordance with the material set forth below.

4. Authority for this amendment is contained in sections 4(i), 303 (g) and (r) of the Communications Act of 1934, as amended. Prior notice of rulemaking and public participation therein are unnecessary pursuant to the Administrative Procedure and Judicial Review Act, 5 U.S.C. 553, inasmuch as the amendment ordered herein is interpretative in nature and does not impose additional burdens or raise new issues upon which comments would serve any useful purpose.

5. *Accordingly, it is ordered,* That effective September 30, 1977, Part 73 of the Commission's rules and regulations IS AMENDED as set forth below.

6. *It is further ordered,* That this proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; (47 U.S.C. 154, 303).)

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
*Secretary.*

1. In § 73.614, paragraph (b)(4) is amended to read as follows:

§ 73.614 Power and antenna height requirements.

* * * * *

(b) * * *

(4) The effective radiated power at any angle above the horizontal shall be as low as the state of the art permits, and in the same vertical plane may not exceed the effective radiated power in either the horizontal direction or below the horizontal, whichever is greater.

* * * * *

[FR Doc.77-27997 Filed 9-23-77;8:45 am]

[1] Sec. 73.681 Definitions—Antenna electrical beam tilt. The shaping of the radiation pattern in the vertical plane of a transmitting antenna by electrical means so that maximum radiation occurs at an angle below the horizontal plane.

[2] Sec. 73.681 Definitions—Antenna mechanical beam tilt. The intentional installation of a transmitting antenna so that its axis is not vertical, in order to change the normal angle of maximum radiation in the vertical plane.

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[Docket No. 21261; FCC 77-624]

## PART 87—AVIATION SERVICES

### Allowance of More Than One Fixed Aviation Instructional Station To Be Authorized at Landing Area

AGENCY: Federal Communications Commission.

ACTION: Report and Order.

SUMMARY: Amendment of Part 87 of the rules to allow more than one fixed aviation instructional station to be authorized at a landing area; and to indicate that persons engaged in activities relating to the operation of free balloons are eligible for aviation instructional station licenses. This action is being taken to eliminate unnecessary restrictions and otherwise clarify the rules regarding aviation instructional stations.

EFFECTIVE DATE: October 31, 1977.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Robert H. McNamara, Safety and Special Radio Services Bureau, 202-632-7197.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of Part 87 of the rules relative to aviation instructional stations; Report and Order (Proceeding Terminated).

Adopted: September 14, 1977; released: September 20, 1977.

1. A Notice of Proposed Rule Making in the above-captioned matter was released on June 8, 1977, and published in the FEDERAL REGISTER on June 13, 1977 (42 FR 30222). The specified time for filing comments and reply comments has expired.

2. The proposed amendment was designed to remove the limitation in the rules which permitted only one aviation instructional station per landing area, and thereby allow all eligible applicants to become licensees regardless of other stations operating on the landing area. The Commission indicated that such an amendment would eliminate any potential for discrimination in the utilization of the facilities and provide for a more convenient service for the users. In that ground mobile instructional stations are permitted to operate on and in the vicinity of a landing area, and cooperative use of the fixed facilities is required by the rules, it is not expected that a significant congestion problem will develop in this service. In addition, it was proposed that the status of free balloons with respect to aviation instructional stations, be clarified by specifically recognizing the eligibility of persons engaged in free ballooning activities for instructional station licenses. Further, in the nature of an editorial change relative to aviation instructional frequency usage by private aircraft, it was proposed that a clause be deleted from Section 87.343 and a more general statement added in Section 87.183.

3. Comments were filed by the Aircraft Owners and Pilots Association (AOPA) representing more than 200,000 aircraft owners and pilots; the Norfolk Navy Flying Club, and Mr. Armond F. Cannella. All three of the commenters viewed the proposal most favorably. AOPA also stated that the rule amendment may result in a larger demand for instructional stations with a concomitant congestion problem in the future. Mr. Cannella expressed the opinion that no interference between subject stations would ensue. As indicated above, we do not foresee a

congestion problem in the immediate future. However, we fully intend to stay apprised of existing conditions in this service.

4. In light of the comments received and for the reasons expressed in the Notice of Proposed Rule Making as referenced above, we believe it is in the public interest and convenience to amend the rules relative to aviation instructional stations as proposed.

5. Accordingly, it is ordered, That, pursuant to the authority contained in Section 4(i) and 303 (b), (c), (d) and (r) of the Communications Act of 1934, as amended, the Commission's rules are amended, as set forth in the attached Appendix, effective October 31, 1977.

6. It is further ordered, That this proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
*Secretary.*

Part 87 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 87.183(m) is amended to read as follows:

**§ 87.183 Frequencies available.**

* * * * *

(m) 123.3, 123.5 and 121.95 MHz: These frequencies may be used by aircraft only for communications with aviation instructional stations when engaged in pilot training, soaring or free ballooning activities, in accordance with Subpart H of this part.

* * * * *

2. Section 87.341(a) is amended to read as follows:

**§ 87.341 Frequencies available.**

(a) The frequencies 123.3 and 123.5 MHz are available exclusively for assignment to ground and aircraft instructional stations. Mobile stations will be assigned both of these frequencies. However, mobile stations are authorized to operate only on a noninterference basis to fixed instructional stations. The frequency 121.95 MHz is also available to instructional stations. The Commission, as a matter of policy, will attempt to maintain a 1 mile separation between transmitters on 121.95 MHz and adjacent channel receivers. Applicants for authority to use 121.95 MHz should, therefore, coordinate their proposal with the appropriate FAA regional offices prior to submitting their application. A statement of the coordination effected should accompany the application. Applicants for fixed stations may request assignment of any *one* of the available frequencies, however, the Commission reserves the right to specify the frequency of assignment.

* * * * *

3. Section 87.343 is amended to read as follows:

**§ 87.343 Eligibility for license.**

An aviation instructional station license will be granted only to flying schools and to persons engaged in soaring or free ballooning activities. Each application shall be accompanied by a statement that the applicant is either the operator of a flying school or engaged in soaring or free ballooning activities.

4. Section 87.345 is amended to read as follows:

**§ 87.345 Scope of service.**

Communications shall be limited to the necessities of pilot training; coordination of soaring activities between gliders, tow aircraft and ground stations; coordination of activities between free balloons and ground stations; and the promotion of safety of life and property.

**§ 87.349 [Deleted]**

5. Section 87.349 is deleted.

**§ 87.351 [Deleted]**

6. Section 87.351 is deleted.

[FR Doc.77-27996 Filed 9-23-77;8:45 am]

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## Title 49—Transportation

## CHAPTER X—INTERSTATE COMMERCE COMMISSION

### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Service Order No. 1275]

### PART 1033—CAR SERVICE

### Erie Western Railway Co. Authorized to Operate over Tracks Abandoned by Consolidated Rail Corp.

SEPTEMBER 21, 1977.

AGENCY: Interstate Commerce Commission.

ACTION: Emergency order (Service Order No. 1275).

SUMMARY: Service Order No. 1275 authorizes Erie Western Railway Co. (EW) to operate over the former Erie Lackawanna (EL) line between Hammond and Decatur, Ind. via North Judson, Ind. Present operation of this portion of the line between Decatur and North Judson is being terminated September 24, 1977, because of cancellation of the subsidy agreement between the State of Indiana and ConRail. The portion between North Judson and Hammond has not been operated since March 31, 1976. Operation by the EW over these tracks of the former EL is necessary to provide rail service to shippers located adjacent to the line.

DATES: Effective 12:01 a.m., September 25, 1977. Expires 11:59 p.m., January 15, 1978.

FOR FURTHER INFORMATION CONTACT:

C. C. Robinson, Chief, Utilization and Distribution Branch, Interstate Commerce Commission, Washington, D.C. 20423. Telephone (202-275-7840). (Telex 89-2742).

SUPPLEMENTARY INFORMATION: The order is printed in full below.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C. on the 20th day September, 1977.

The Public Service Commission of Indiana has terminated the agreement for Rail Service Continuation Assistance with the Consolidated Rail Corporation over the former Erie Lackawanna (EL) line between North Judson, Indiana, and Decatur, Indiana, effective September 24, 1977.

If service over this line is not continued, numerous shippers on the line will be left without essential railroad service. The Erie Western (EW) is willing to operate the former El line between m.p. 249.6 at Hammond, Indiana, and m.p. 97.6 at Decatur, Indiana, via North Judson, Indiana, a distance of approximately 152.0 miles, subject to the consent to the trustees of the estate of the EL for the use of its track between Hammond, and Decatur, Indiana, via North Judson. In the opinion of the Commission, operation by the EW over these tracks of the EL is necessary in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

*It is ordered*, That:

**§ 1033.1275 The Erie Western Railway Company authorized to operate over tracks abandoned by Consolidated Rail Corporation.**

(a) The Erie Western Railway Company (EW) is hereby authorized to operate over tracks abandoned by Consolidated Rail Corporation over the former Erie Lackawanna (EL) line between m.p. 249.6 at Hammond, Indiana, and m.p. 97.6 at Decatur, Indiana, a distance of approximately 152.0 miles.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign traffic.

(c) *Rates applicable.* Inasmuch as this operation by the EW over tracks previously operated by the Consolidated Rail Corporation (ConRail) and over tracks of the EL is deemed to be due to carrier's disability, the rates applicable to traffic moved over these lines shall be the rates applicable to traffic routed to, from, or via these lines which were formerly in effect on such traffic when routed via ConRail, until tariffs naming rates and routes specifically applicable via the EW become effective.

(d) In transporting traffic over these lines, the EW and all other common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to that traffic. Divisions shall be, during the time this order remains in force, those voluntarily

agreed upon by and between the carriers; or upon failure of the carriers to so agree, the divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(e) *Effective date.* This order shall become effective at 12:01 a.m., September 25, 1977.

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., January 15, 1978, unless otherwise modified, changed, or suspended by order of this Commission.

(49 U.S.C. 1, 12, 15 and 17(2).)

*It is further ordered,* That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

H. G. Homme, Jr.,
*Acting Secretary.*

[FR Doc.77-28010 Filed 9-23-77;8:45 am]

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[Ex Parte 252 (Sub No. 2)]

## PART 1036—INCENTIVE PER DIEM CHARGES ON BOXCARS AND GONDOLA CARS

### Incentive Per Diem Charges—Gondolas

AGENCY: Interstate Commerce Commission.

ACTION: Final rule.

SUMMARY: The Commission is amending its regulation to make such rules effective November 1, 1977, and to modify the method of identification of guaranteed gondola cars, and to make clear the fact that the incentive per diem guarantee will be applicable only on newly purchased or leased (equity and non equity) unequipped gondola cars that have been "built new," but will not have application on used gondola cars that have been subsequently resold or leased. The purpose of the incentive per diem charge is to encourage acquisition and maintenance of a car supply adequate to meet the needs of commerce and the national defense.

EFFECTIVE DATE: November 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Mrs. Janice M. Rosenak, phone 202-275-7693.

SUPPLEMENTARY INFORMATION: Upon reconsideration, the regulations prescribed in the report and order of the Commission in Ex Parte No. 252 (Sub-No. 2), decided March 21, 1977, and which appeared at pages 23511 through 23513 in the Federal Register of Monday, May 9, 1977 (Vol. 42, No. 82), have been modified by order of the Commission, dated September 14, 1977. The modified regulations adopts a suggestion of the Association of American Railroads (AAR) that rather than adding the suffix "I" to the "GB" car type as ordered by the Commission in its report, that a better and simpler method of identifying such guaranteed gondola cars, which would not require the railroads to stencil such a designation on the car itself, would be to modify the third numeric in the present AAR Car Types. The AAR suggestion in no way affects the merits of the Commission decision, but would help implement that decision without causing additional burdens and costs for the industry.

The regulations were also modified to make clear the fact that the guarantee will be applicable only on newly purchased or leased (equity and non equity) unequipped gondola cars that have been "built new," but will not be applied on used gondola cars that have been subsequently resold or leased.

The effective date of the new regulations is November 1, 1977.

By the Commission, Commissioner Christian dissenting in part.

H. G. Homme, Jr.,
*Acting Secretary.*

Sections 1036.1, 1036.6 and 1036.7 of Part 1036 of Chapter X of Title 49 of the Code of Federal Regulations are revised as follows:

### § 1036.1 Application.

Each common carrier by railroad subject to the Interstate Commerce Act shall pay to the owning railroads, including the owning railroads of Canada, the additional per diem charges set forth in § 1036.2 on all boxcars and gondola cars shown below, while in the possession of non-owning railroads and subject to per diem rules. These charges are in addition to all other per diem charges currently in effect or prescribed. Mexican owned-cars are exempt from the operation of these rules. The rules of this part shall apply regardless of whether the foregoing boxcars and gondola cars are in intrastate, interstate, or foreign commerce.

| *Mechanical designation* | *Code No.* |
|---|---|
| XM | B100-109, B200-209, B300-309 |
| XMI | B110-119, B210-219, B310-319 |
| XMIH | B120-129, B220-229, B320-329 |
| XF | A120, A220, A320, A420 |
| GB | G111, G112, G211, G212, G311, G312, G411, G412, G121, G122, G221, G222, G321, G322, G421, G422, G131, G132, G231, G232, G331, G332, G431, G432, G141, G142, G241, G242, G341, G342, G441, G442 |
| GB (Guaranteed Cars) | G113, G114, G213, G214, G313, G314, G413, G414, G123, G124, G223, G224, G323, G324, G423, G424, G133, G134, G233, G234, G333, G334, G433, G434, G143, G144, G243, G244, G343, G344, G443, G444 |

Plain gondola cars acquired after November 1, 1977, which are "guaranteed" cars and will be subject to incentive per diem payments from the date placed in service for a period of at least 15 years, should be identified in the AAR UMLER file with the new guaranteed car type codes shown above.

### § 1036.6 Guarantee of incentive per diem charges on new unequipped gondola cars.

New unequipped gondola cars purchased or leased (equity and non-equity) described in Section 1036.1 which have been delivered after November 1, 1977, will be guaranteed to earn for 15 years from the date of delivery, as a minimum, such incentive per diem charges so as to maintain an equivalent of the current basic per diem charge as prescribed in I.C.C. Docket No. 33145, effective April 1, 1977, *plus* the applicable incentive per diem set forth in 49 CFR 1036.2. Such guarantee will be subject to the caveat that for failure of a carrier to spend 85 percent of its incentive per diem funds generated on unequipped gondola cars will result in the suspension of the guarantee until the time such funds are spent.

### § 1036.7 Effective date.

The rules set forth in § 1036.1 and § 1036.2 shall apply for a 6-month period from September 1 of each year through February 28 of the following year on general service, unequipped boxcars, and on a year-round basis for XF cars. The rules set forth in §§ 1036.1, 1036.2, 1036.3, 1036.5, and 1036.6 shall apply on a year-round basis for gondola cars, effective November 1, 1977.

[FR Doc.77-28013 Filed 9-23-77;8:45 am]

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## Title 50—Wildlife and Fisheries

## CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

## PART 32—HUNTING

### Opening of Sherburne National Wildlife Refuge, Minnesota, to Public Hunting of Migratory Game Birds

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special Regulation.

SUMMARY: The Director has determined that the opening to public hunting of Sherburne National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: September 1 through November 14, 1977.

FOR FURTHER INFORMATION CONTACT:

A. W. Nidecker III, Acting Refuge Manager, Route 2, Zimmerman, Minnesota 55398, Phone 612-389-3323.

SUPPLEMENTARY INFORMATION:

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

Public hunting of ducks, coots, rails, Wilson snipe and woodcock on the Sherburne National Wildlife Refuge is permitted only on the areas designated by signs as open to hunting. These open areas, comprising approximately 7,510 acres for ducks, coots, rails, Wilson snipe and woodcock (designated Area B on map); and approximately 10,850 acres for Wilson snipe and woodcock (designated Area A on map), are delineated on a map available at refuge headquarters, Route 2, Zimmerman, Minnesota 55398, and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of these species subject to the following special conditions:

1. Steel shot is required to hunt ducks and coot regardless of shotgun gauge. Persons taking ducks and coots may not possess ammunition containing lead or other toxic shot.

2. All motorized conveyances are prohibited from traveling off of established roads and parking areas open to such travel.

3. Parking of vehicles is restricted to designated parking areas.

4. Practice and target shooting, overnight camping and open fires are prohibited.

5. Construction or use of any permanent artificial scaffold, platform, blind or other construction is prohibited.

6. Boats, without motors, may be used on the St. Francis River only from designated river access sites.

7. Boats and decoys must be removed from the refuge at completion of day's hunt.

8. Field possession of ducks and coots in area of refuge closed to hunting of ducks and coots is prohibited.

The provisions of this special regulation supplements the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32.

The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

Dated: September 16, 1977.

W. ELLIS KLETT,
*Acting Regional Director.*

[FR Doc.77-27942 Filed 9-23-77;8:45 am]

## PART 32—HUNTING

### Opening of Mark Twain National Wildlife Refuge, Iowa, to Migratory Game Bird Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special Regulation.

SUMMARY: The Director has determined that the opening to Migratory Game Bird hunting of Big Timber Division and Turkey Island Area of the Mark Twain National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: October 1-December 9, 1977.

FOR FURTHER INFORMATION CONTACT:

Howard A. Lipke, Refuge Manager, Mark Twain National Wildlife Refuge, P.O. Box 225, Quincy, Illinois 62301. Telephone: AC 217-224-8580.

SUPPLEMENTARY INFORMATION:

§ 32.12 Special regulations; migratory game bird hunting; for individual wildlife refuge areas.

Migratory Game Bird hunting is permitted on the Big Timber Division and Turkey Island Area of Mark Twain National Wildlife Refuge, Iowa, only on the areas designated by signs. These areas comprising 1760 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Migratory Game Bird hunting shall be in accordance with all applicable State regulations subject to the following condition:

(1) Blinds—no permanent structure, excluding wood or brush duck blinds, shall be permitted; no blinds shall be locked or otherwise sealed against public entry.

The provisions of this special regulation supplement the regulations which govern migratory game bird hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

Dated: September 14, 1977.

W. ELLIS KLETT,
*Acting Regional Director.*

[FR Doc.77-27943 Filed 9-23-77;8:45 am]

## PART 32—HUNTING

### Opening of Upper Mississippi River Wild Life and Fish Refuge, Illinois and Certain Other States to Migratory Game Bird Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special Regulation.

SUMMARY: The director has determined that the opening to Migratory Game Hunting of Upper Mississippi River Wild Life and Fish Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: September 1, 1977 through January 29, 1978.

FOR FURTHER INFORMATION CONTACT:

Jerry J. Schotzko, Refuge Manager, 122 West Second Street, Winona, Minnesota 55987, Phone 507-452-4232.

SUPPLEMENTARY INFORMATION:

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

The public hunting of migratory game birds on the Upper Mississippi River Wild Life and Fish Refuge, Illinois, Iowa, Minnesota and Wisconsin is permitted on the areas designated by signs as "open" to hunting. Hunting of migratory game birds is NOT permitted on the areas designated by signs as "closed" to hunting. The "open" areas comprising 153,000 acres are delineated on maps available at the refuge headquarters, Winona, Minnesota 55987, and from the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of migratory game birds.

The provisions of this special regulation supplement the regulations which govern hunting on the wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective until January 29, 1978. The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement un-

der Executive Order 11949 and OMB Circular A-107.

Dated: September 16, 1977.

W. ELLIS KLETT,
*Acting Regional Director.*

[FR Doc.77-27944 Filed 9-23-77;8:45 am]

## Title 45—Public Welfare

### CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### EDUCATIONAL LOAN AND GRANTS PROGRAM

### Determination of Financial Need for Indian and Native American Students—Treatment of Income and Assets; Correction

AGENCY: Office of Education, HEW.

ACTION: Correction; final regulation.

SUMMARY: In the regulation published in the FEDERAL REGISTER on June 23, 1977, Page 31793-94, reference to a section of Title 45 of the Code of Federal Regulations was cited incorrectly. This notice is to rectify that error.

EFFECTIVE DATE: July 30, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. Hubert S. Shaw, telephone 202-245-9719.

SUPPLEMENTARY INFORMATION: The Office of Education is correcting the document as follows: On Page 31794, first column, under Part 176 in the third line of the amendatory language, § 176.-12 should read § 176.15.

On page 31794, § 176.12 Coordination with Bureau of Indian Affairs grants-in-aid should read,

**§ 176.15 Coordination with Bureau of Indian Affairs grants-in-aid.**

Dated: September 19, 1977.

L. DAVID TAYLOR,
*Acting Deputy Assistant Secretary for Management Analysis and Systems.*

[FR Doc.77-28011 Filed 9-23-77;8:45 am]

## Title 18—Conservation of Power and Water Resources

### CHAPTER I—FEDERAL POWER COMMISSION

### SUBCHAPTER E—REGULATIONS UNDER NATURAL GAS ACT

[Docket No. RM76-15]

### PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND FOR ORDERS PERMITTING AND APPROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT

### Regulation of Small Producers

AGENCY: Federal Power Commission.

ACTION: Order Granting Rehearing for Purposes of Further Consideration and Granting Intervention.

SUMMARY: This order grants for purposes of further consideration applications for rehearing and clarification of amendments of regulations on exemption of certain small producers from filing requirements. These applications were filed by Texas Oil and Gas Corporation, et al., and American Liberty Oil Company. The order also permits American Liberty Oil Company to intervene in the proceeding. This action does not constitute a grant or a denial of the rehearing applications on their merit in whole or in part.

EFFECTIVE DATE: September 7, 1977.

FOR FURTHER INFORMATION CONTACT:

Kenneth F. Plumb, Secretary, 202-275-4166.

On July 14, 1977, the Commission issued its Order No. 568 amending Section 157.40 of its Regulations in an effort to resolve certain problems which had arisen in the administration of the small producer program (42 FR 39090, Aug. 2, 1977). On August 10, 1977, and August 15, 1977, respectively, applications for rehearing and clarification were filed by Texas Oil & Gas Corp., et al. (TXO) and American Liberty Oil Company (American Liberty). American Liberty also filed a petition for leave to intervene.

We shall grant the applications for rehearing solely for purposes of further consideration. This action does not constitute a grant or denial of the applications on their merits in whole or in part.

The Commission orders: (A) The applications for rehearing of our July 14, 1977 order filed by TXO and American Liberty are granted for purposes of further consideration.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27751 Filed 9-23-77;8:45 am]

## Title 32—National Defense

### CHAPTER I—OFFICE OF THE SECRETARY OF DEFENSE

### PART 289—AVAILABILITY TO THE PUBLIC OF DEPARTMENT OF DEFENSE DIRECTIVES, INSTRUCTIONS, CHANGES THERETO, AND INDICES

*Correction*

In FR Doc. 77-27395 appearing at page 47555 in the issue for Wednesday, September 21, 1977, the "Summary" paragraph should have read as set forth below:

SUMMARY: This rule updates DoD procedures for obtaining: (a) DoD Directives; (b) DoD Instructions; (c) Changes to DoD Directives and Instructions; and (d) the DoD Directives System Quarterly Index of DoD Issuances and Quarterly Index of Final Opinions, Statements of Policy, and Administrative Staff Manuals and Instructions which Affect the Public. It covers minor revisions in content, limitations in number of copies supplied, and address code.

# proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

### [ 7 CFR Part 1036 ]

[Docket No. AO-179-A43]

### MILK IN EASTERN OHIO-WESTERN PENNSYLVANIA MARKETING AREA

### Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Public hearing on proposed rulemaking.

SUMMARY: The hearing is being held to consider changes in the order that have been proposed by dairy farmer cooperatives and milk distributors. The key proposals would enlarge the marketing area, change the method of paying producers and cooperative associations, and lower the pool supply plant shipping requirements. Proponents contend that the requested order changes are needed to reflect changed marketing conditions and to insure orderly marketing in the area.

DATE: October 12, 1977.

ADDRESS: Port O'Call Motor Inn, 16161 Brookpark Road, Cleveland, Ohio 44142.

FOR FURTHER INFORMATION CONTACT:

Maurice M. Martin, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250 (202-447-7183).

SUPPLEMENTARY INFORMATION: Notice is hereby given of a public hearing to be held at the Port O'Call Motor Inn, 16161 Brookpark Road, Cleveland, Ohio 44142, beginning at 9:30 a.m., on October 12, 1977, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Eastern Ohio-Western Pennsylvania marketing area.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposal relative to a redefinition of the marketing area raises the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate. Additionally, Proposals 1 and 6, which involve payment dates for milk received from producers and from cooperative associations, raise the issue of the appropriateness of the two-day delay in applying charges on overdue accounts as provided in § 1036.78. The provisions of this section, therefore, are specifically open for consideration at the hearing.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

PROPOSED BY MILK, INC.

PROPOSAL NO. 1

Amend § 1036.31 to read:

**§ 1036.31 Payroll reports.**

(a) On or before the 18th day after the end of each month, each handler who elects pursuant to § 1036.73(d) to pay producers shall report to the market administrator the following information with respect to the handler's partial and final payments for producer milk received during such month:

(1) The identity of each producer;

(2) The amounts paid each producer; and

(3) The dates such payments were made.

(b) On or before the 20th day after the end of the month, each handler operating a partially regulated distributing plant who elects to make a payment pursuant to § 1036.76(a) shall report to the market administrator with respect to milk received from each dairy farmer who would have been a producer if the plant had been fully regulated the following information for such month:

(1) The name of each dairy farmer;

(2) The total pounds of milk received from each dairy farmer;

(3) The average butterfat content of such milk;

(4) The amount and nature of any deductions as authorized in writing by the dairy farmer, from the payment for such milk; and

(5) The rate of payment per hundredweight and the net amount paid each dairy farmer.

Amend § 1036.32 to read:

**§ 1036.32 Other reports.**

(a) On or before the 22nd day of each month each handler described in § 1036.9 (a), (b) and (c), except a cooperative association with respect to producer milk for which it elects to collect payments, shall report to the market administrator the following information with respect to its receipts of milk during the first 15 days of the month:

(1) The identity of each producer from whom milk was received;

(2) The total pounds of producer milk received from such producer;

(3) The amount and nature of any deductions, as authorized in writing by the producer, to be made from the partial payment for such milk;

(4) The total pounds of milk received from a handler described in § 1036.9(c); and

(5) The pounds of skim milk and butterfat in bulk fluid milk products received from a pool plant operated by a cooperative association.

(b) On or before the 8th day after the end of each month, each handler described in § 1036.9 (a), (b) and (c) shall report to the market administrator the following information with respect to its receipts of milk during such month:

(1) The identity of each producer from whom milk was received;

(2) The total pounds of producer milk received from such producer and its average butterfat content;

(3) Except in the case of producer milk for which a cooperative association is collecting payments, the amount and nature of any deductions, as authorized in writing by the producer, to be made from the final payment for such milk;

(4) The total pounds of skim milk and butterfat received from a handler described in § 1036.9(c); and

(5) The pounds of skim milk and butterfat in bulk fluid milk products received from a pool plant operated by a cooperative association.

(c) On or before the second day prior to the reporting dates specified in paragraphs (a) and (b) of this section, each cooperative association that operates a pool plant from which bulk fluid milk products were transferred or diverted to pool plants of other handlers within the time periods described in paragraphs (a) and (b) of this section shall report to each such pool plant operator the name and location of the transferor-plant and the total pounds and butterfat content of the bulk fluid milk products transferred or diverted from the plant.

(d) In addition to the reports required pursuant to paragraphs (a) through (c) of this section and §§ 1036.30 and 1036.31, each handler shall report such other information as the market administrator deems necessary to verify or establish such handler's obligation under the order.

(e) Each producer-handler shall report to the market administrator at such time and in such manner as the market administrator may prescribe.

(f) Each handler who operates another order plant shall report total receipts and utilization or disposition of skim milk and butterfat at the plant at such time and in such manner as the market administrator may require and shall allow verification of such reports by the market administrator.

Amend § 1036.70(a) to read:

**§ 1036.70 Producer-settlement fund.**

(a) The market administrator shall establish and maintain a separate fund known as the "Producer-settlement fund", into which he shall deposit the payments made by handlers pursuant to §§ 1036.71, 1036.76 and 1036.77 and from which he shall make all payments pursuant to §§ 1036.73 (a) through (f) and 1036.77.

* * * * *

Amend § 1036.71 to read:

**§ 1036.71 Payments to the producer-settlement fund.**

(a) Subject to paragraph (c) of this section, each handler shall pay to the market administrator on or before the third day prior to the end of each month an amount determined by multiplying the handler's receipts during the first 15 days of such month of producer milk (excluding, in the case of a handler described in § 1036.9(c), producer milk delivered to a pool plant) and milk from a handler described in § 1036.9(c) by the Class III price for the preceding month, less proper deductions authorized in writing by producers from whom the handler received milk, except that the amount deducted for each producer shall not exceed the value (at the Class III price) of the milk received from the producer during the 15-day period.

(b) Subject to paragraphs (c) and (d) of this section, each handler shall pay to the market administrator on or before the 16th day after the end of each month an amount equal to such handler's value of milk for such month determined pursuant to § 1036.60(a), as adjusted by the butterfat differential specified in § 1036.74, and pursuant to § 1036.60 (b) through (e), less:

(1) Payments made by the handler pursuant to paragraph (a) of this section for such month;

(2) Proper deductions for the months that were authorized in writing by producers from whom the handler received milk, except that the amount deducted for each producer shall not exceed the value of milk received from the producer during the month; and

(3) The value at the weighted average price applicable at the location of the plants from which received plus 5 cents with respect to other source milk for which a value is computed pursuant to § 1036.60(e).

(c) The following conditions shall apply with respect to the payments prescribed in paragraphs (a) and (b) of this section:

(1) Payments to the market administrator shall be deemed not to have ben made until such payments have been received by the market administrator; and

(2) If the date by which payments must be received by the market administrator falls on a Saturday or Sunday or on any day that is a national holiday, payments shall not be due until the next day on which the market administrator's office is open for public business.

(d) On or before the 25th day after the end of the month, each person who operated another order plant that was regulated during such month under an order providing for individual-handler pooling shall pay to the market administrator an amount computed as follows:

(1) Determine the quantity of reconstituted skim milk in filled milk in route disposition from such plant in the marketing area which was allocated to Class I at such plant. If there is such disposition from such plant in marketing areas regulated by two or more marketwide pool orders, the reconstituted skim milk allocated to Class I shall be prorated to each order according to such route disposition in each marketing area; and

(2) Compute the value of the reconstituted skim milk assigned in paragraph (d)(1) of this section to route disposition in this marketing area by multiplying the quantity of such skim milk by the difference betwen the Class I price under this part that is applicable at the location of the other order plant (but not to less than the Class III price) and the Class III price.

Amend Part 1036 by deleting § 1036.72 Payments from the producer-settlement fund, in its entirety.

**§ 1036.72 [Deleted]**

Amend § 1036.73 to read as follows:

**§ 1036.73 Payments to producers and to cooperative associations.**

(a) Subject to paragraphs (c) through (f) of this section, the market administrator shall pay each producer on or before the last day of each month for milk for which payment pursuant to § 1036.71(a) has been received by the market administrator. Such payment shall be at a rate per hundredweight equal to the Class III price for the preceding month less the authorized deductions and charges made by the handlers specified in § 1036.71(a).

(b) Subject to paragraphs (c) through (f) of this section, the market administrator shall pay each producer on or before the 18th day after the end of each month for milk for which payment pursuant to § 1036.71(b) has been received by the market administrator. Such payment shall be at the uniform price computed pursuant to § 1036.61 for the month, subject to the following adjustments:

(1) Any applicable adjustments pursuant to §§ 1036.74 and 1036.75;

(2) Less the payments described in paragraph (a) of this section;

(3) Less deductions for marketing services pursuant to § 1036.86;

(4) Less the authorized deductions specified in § 1036.71(b)(2); and

(5) Any adjustments for errors in calculating payments to an individual producer for past months.

(c) In making payments to producers pursuant to paragraphs (a) and (b) of this section, the market administrator, on or before the day prior to the dates specified in such paragraphs, shall pay to each cooperative association that so requests with respect to those producers for whom it markets milk and who are certified to the market administrator by the cooperative association as having authorized the cooperative association to receive such payment an amount equal to the sum of the individual payments otherwise due such producers pursuant to paragraphs (a) and (b) of this section.

(d) In making payments to producers pursuant to paragraphs (a) and (b) of this section, the market administrator, on or before the day prior to the dates specified in such paragraph shall pay to each handler who so requests for milk received by the handler from producers for whom a cooperative association is not collecting payments pursuant to paragraph (c) of this section an amount equal to the sum of the individual payments otherwise due such producers pursuant to paragraphs (a) and (b) of this section. The handler then shall pay the individual producers the amounts due them by the respective dates specified in paragraphs (a) and (b) of this section. Any handler who the market administrator determines is or was delinquent with respect to any payment and reporting obligation under this order shall not be eligible to participate in this payment arrangement until the handler has met all prescribed payment and reporting obligations for three consecutive months. In making payments to producers pursuant to this paragraph, the handler shall furnish each producer the following information:

(1) The identity of the handler and the producer and the month to which the payment applies;

(2) The total pounds and, with respect to final payments, the average butterfat content of the milk for which payment is being made;

(3) The minimum rate of payment required by the order and the rate of payment used if such rate is other than the applicable minimum rate;

(4) The amount and nature of any deductions from the amount otherwise due the producer; and

(5) The net amount of payment to the producer.

(e) The following conditions shall apply with respect to the payments prescribed in paragraphs (a) through (d) of this section:

(1) If the date by which such payments are to be made falls on a Saturday or Sunday or on any day that is a national holiday, such payments need not be made until the next day on which the market administrator's office is open for public business; and

(2) If the application of § 1036.71(c)(2) or paragraph (e)(1) of this section

results in a delay in the partial or final payments by handlers to the market administrator or by the market administrator to handlers, the corresponding partial or final payments prescribed in paragraphs (a) through (d) of this section may be delayed by the same number of days.

(f) If the market administrator does not receive the full payment required of a handler pursuant to § 1036.71, he shall reduce uniformly per hundredweight the payments due producers and/or cooperative associations for their milk received by such handler by a total amount not in excess of the amount due from such handler. The market administrator shall complete such payments on or before the next date for making payments pursuant to this section following the date on which the remaining payment is received from such handler. The market administrator shall first complete the payment to producers and/or cooperative associations who have the oldest outstanding payments due them.

(g) Subject to § 1036.71(c) (1) and (2), each handler who receives bulk fluid milk products from a pool plant operated by a cooperative association shall pay the following amount for such milk to the market administrator, who in turn, shall transmit such money to the cooperative association:

(1) On or before the third day prior to the end of each month, an amount determined by multiplying such receipts during the first 15 days of the month by the Class III price for the preceding month, as adjusted by the butterfat differential specified in § 1036.74 for the preceding month; and

(2) On or before the 16th day after the end of each month, an amount determined by multiplying the quantity of such receipts during the month that was classified in each class pursuant to § 1036.42 by the applicable class price, as adjusted by the butterfat differential specified in § 1036.74, less any payment made by the handler pursuant to paragraph (g)(1) of this section for such month. For the purpose of such computation, the applicable Class I price shall be the Class I prices applicable at the transferee-plant.

§ 1036.78 [Amended]

Amend § 1036.78 by inserting the reference "1036.73(g)" between §§ 1036.71 and 1036.76.

PROPOSAL NO. 2

Amend § 1036.7(b) to read:

§ 1036.7 Pool plant.

* * * * *

(b) A supply plant from which not less than 40 percent during the months of September, October and November and 30 percent in all other months, of the total quantity of milk approved by a duly constituted health authority for fluid consumption that is physically received at such plant from dairy farmers (including producer milk diverted from the plant but excluding milk received as diverted milk) and handlers defined in § 1036.9(c) is transferred or diverted to and physically received in the form of fluid milk products, except filled milk, at pool plants qualified under paragraph (a) of this section or disposed of as route disposition in the marketing area.

* * * * *

PROPOSAL NO. 3

Amend § 1036.85 to read:

§ 1036.85 Assessment for order administration.

As his pro rata share of the expense of administration of this part, each handler shall pay to the market administrator on or before the 16th day after the end of the month, 3 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to:

(a) Producer milk (including such handler's own production). For purposes of this paragraph, producer milk shall include all milk received from a cooperative association in its capacity as a handler pursuant to § 1036.9 and shall not be considered to be producer milk of such cooperative association;

(b) Other source milk allocated to Class I pursuant to § 1036.44(a) (7) and (12) and the corresponding steps of § 1036.44(b), except such other source milk on which no handler obligation applies pursuant to § 1036.44; and

(c) Route disposition in the marketing area from a partially regulated distributing plant that exceeds the skim milk and butterfat subtracted pursuant to § 1036.76(b)(2).

PROPOSED BY BABCOCK DAIRY, ELYRIA DAIRIES, INC., HAWTHORN MELODY FARMS DAIRY, LORAIN CREAMERY, INC., AND REITER FOODS, INC.

PROPOSAL NO. 4

§ 1036.2 [Amended]

Amend § 1036.2 Eastern Ohio-Western Pennsylvania marketing area, to provide that in addition to the territory now included in the marketing area, the following territory all within the State of Ohio, be added and included in Zone 2:

All the territory in the counties of Erie (including all of the city of Vermillion) and Huron (including the city of Bellevue); the remaining portions of Ashland, Lorain and Medina counties not now a part of the marketing area; in Ottawa County, the townships of Carroll, Salem, Erie, Bay, Portage, Danbury and Catawba Island; and in Sandusky County, the townships of Rice, Riley, Sandusky, Townsend, Ballville, Green Creek and York.

PROPOSED BY NATIONAL FARMERS ORGANIZATION

PROPOSAL NO. 5

Amend § 1036.13(e) as follows:

§ 1036.13 Producer milk.

* * * * *

(e) The following conditions shall apply to milk diverted from a pool plant to a nonpool plant that is not a producer-handler plant:

(1) Such milk shall be deemed to have been received by the diverting handler at the location of the nonpool plant to which diverted;

(2) To the extent that it would result in nonpool plant status for the pool plant from which diverted, milk diverted for the account of a cooperative association from the pool plant of another handler shall not be deemed to have been received at such pool plant and shall not be producer milk;

(3) During April through August the operator of a pool plant or a cooperative association may divert the milk production from a pool plant to a nonpool plant on any number of days during the month;

(4) During September through March the milk of a producer diverted by the operator of a pool plant or a cooperative association to a nonpool plant shall be limited as follows:

(i) The operator of a pool plant may divert the milk of producers (except producers for whom a cooperative association is diverting milk) for not more days of production of producer milk than is physically received at the pool plant from which diverted or he may divert an aggregate quantity not exceeding 40 percent of the milk of all such producers;

(ii) A cooperative association may divert the milk of individual producers for not more days of production of producer milk than is physically received at a pool plant or it may divert an aggregate quantity of the milk of producers not exceeding 40 percent of all such milk either caused to be delivered to pool plants or diverted to nonpool plants by the cooperative association;

(4) When milk is diverted in excess of the limit by a handler who elects to divert on the basis of days-of-production, only that milk of the individual producer which was received at a pool plant or which was diverted to a nonpool plant for not more days of production than is physically received at a pool plant shall be considered producer milk;

(5) When milk is diverted in excess of the percentage limit by a handler who elects to divert on a percentage basis, eligibility as producer milk shall be forfeited on a quantity of milk equal to such excess. In such instances the diverting handler shall specify the dairy farmers whose milk is ineligible as producer milk. If the handler fails to designate such dairy farmers whose milk is ineligible, producer milk status shall be forfeited with respect to all milk diverted to nonpool plants by such handler; and

(6) Milk diverted to an other order plan shall be producer milk only if a Class II or Class III clasification is designated for such milk pursuant to the provisions of another order issued pursuant to the Act and such milk is not subject to the pricing and pooling provisions of such order.

PROPOSED BY THE GREATER PITTSBURGH DAIRY INDUSTRY ASSOCIATION

PROPOSAL NO. 6

§ 1036.73 [Amended]

Amend § 1036.73 *Payments to producers and to cooperative associations,* to provide that each handler shall make

final payment to producers on or before the 25th day after the end of the month.

PROPOSED BY THE DAIRY DIVISION, AGRICULTURAL MARKETING SERVICE

PROPOSAL NO. 7

Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Cleo C. Taylor, P.O. Box 30128, Cleveland, Ohio 44130; or from the Hearing Clerk, Room 1077–South, United States Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C. on September 20, 1977.

WILLIAM T. MANLEY,
*Deputy Administrator,*
*Program Operations.*

[FR Doc.77-27971 Filed 9-23-77;8:45 am]

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## [ 7 CFR Part 1250 ]

## EGG RESEARCH AND PROMOTION

### Proposed Rulemaking

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed Rule.

SUMMARY: This amendment would require egg producers who are collecting handlers to remit assessments on their nest run eggs sold to other collecting handlers in addition to remitting assessments on eggs that they grade, carton, or break. Such action will facilitate the remittance of assessments to the Egg Board. An additional amendment would require that all refund applications be mailed to the Board within 90 days after the end of the calendar month during which the assessment obligation was due and collectible, rather than 90 days after the end of the calendar month during which the assessment obligation was paid. This amendment will make the Rules and Regulations consistent with the Egg Research and Promotion Order and the Egg Research and Consumer Information Act.

DATES: Comments due October 26, 1977.
ADDRESS: Send two copies of comments to the Hearing Clerk, U.S. Department of Agriculture, Room 1077, South Building, Washington, D.C. 20250. Comments will be made available for public inspection at the Office of the Hearing Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT:

William C. Paddock, U.S. Department of Agriculture, Room 3950, South Building, Washington, D.C. 20250. Phone: 202–447–5767.

SUPPLEMENTARY INFORMATION: Paragraph (a) (3) of § 1250.516, Collecting handlers and collection, provides, in part, that an egg producer who grades, cartons, or breaks eggs of his own production shall be responsible for remitting the assessment to the Board on that portion of his eggs which he grades, cartons, or breaks and that the assessment on the producer's remaining nest run eggs shall be remitted by the person handling the nest run eggs.

To facilitate the remittance of assessments, it is proposed to provide in paragraph (a) (3) of § 1250.516 that producers who grade, carton, or break shall remit assessments to the Board on their remaining nest run eggs as well as the eggs which they grade, carton or break.

To be consistent with the proposed change to paragraph (a) (3) of § 1250.516, it is proposed to provide in paragraph (a) (4) (b) of § 1250.516 that the producer who grades, cartons, breaks, or otherwise prepares for marketing a portion of the eggs of his own production shall be the collecting handler and shall remit the assessment on his total production of the Board.

To further facilitate the remittance of assessments and to allow for exemptions to be consistent with the proposed changes in paragraphs (a) (3) and (a) (4) (b) of § 1250.516, it is proposed to provide in paragraph (a) (2) of § 1250.516 that exemptions be allowed for eggs for which there is certification of exemption or eggs for which there is a statement indicating that an assessment has already been paid. In addition, it is proposed to provide in paragraph (a) (4) (c) of § 1250.516 that exemptions be allowed for eggs for which there is a statement indicating that an assessment has already been paid.

Concerning the time period in which producers are, if they so desire, to file for refunds, the Act provides, in part, in section 13 "* * * That such demand shall be made * * * but in no event more than 90 days after the end of the month in which the assessments are due and collectable. * * *" The Order provides in § 1250.349, Producer refunds, "* * * in no event should such period be more than 90 days after the end of the month in which the assessments are due and collectable." Inadvertently, the Rules and Regulations provide in paragraph (b) of § 1250.523, Procedure for obtaining refunds, that "* * * within 90 days after the end of the calendar month during which the assessment obligation was paid * * *" instead of due and collectable. Therefore, language to make the Rules and Regulations consistent with the Act and Order is proposed.

The proposed amended paragraphs (a) (2), (a) (3), (a) (4) (b), and (a) (4) (c) of § 1250.516 and the proposed amended paragraph (b) of § 1250.523 read as follows:

§ 1250.516 Collecting handlers and collection.

(a) * * *

(2) A person who buys or receives nest run eggs from a producer and who does not grade, carton, or break such eggs. Such person shall collect the assessment from the producer and remit to the Egg Board on all such eggs, except eggs for which there is a certification of exemption or eggs for which there is a statement indicating that an assessment has already been paid;

(3) Except as otherwise provided in paragraph (a) (4) of this section, a producer who grades, cartons, or breaks eggs of his own production shall be responsible for remitting the assessment to the Board on all eggs produced. This would include the eggs which he grades, cartons, or breaks as well as the nest run eggs which are graded, cartoned, or broken by another handler. Such a producer who remits the assessment on nest run eggs to the Board shall provide the handler specified in paragraph (a) (1) or (2) of this section with a written statement that the assessment has already been paid on the nest run eggs; or

(4) * * *

(i) Producer grades, cartons, breaks, or otherwise prepares for marketing a portion of the eggs of his own production and delivers the remaining portion of his nest run eggs to a shell egg packer or breaker—the producer is the collecting handler and shall remit the assessment on his total production to the Board; (ii) producer sells all or a portion of his eggs in nest run form to a handler who is not a shell egg packer or breaker—the handler is responsible for collecting the assessment and remitting it to the Egg Board except for eggs covered by a statement indicating that an assessment has already been paid;

* * * * *

§ 1250.523 Procedure for obtaining refunds.

(b) Every refund application must be mailed to the Board within 90 days after the end of the calendar month during which the assessment obligation was due and collectable.

* * * * *

Dated: September 21, 1977.

WILLIAM T. MANLEY,
*Deputy Administrator,*
*Program Operations.*

[FR Doc.77-27970 Filed 9-23-77;8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

## [ 14 CFR Part 71 ]

[Airspace Docket No. 77-EA-71]

## ROANOKE, VA.

### Proposed Alteration of Control Zone & Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rule Making.

SUMMARY: This notice proposes to alter the Roanoke, Va., Control Zone & Transition Area. These alterations will provide protection to aircraft executing a new instrument approach which has been developed for the Roanoke Municipal Airport. An instrument approach procedure requires the designation of controlled airspace to protect instrument

aircraft utilizing the instrument approach.

DATES: Comments must be received on or before October 27, 1977.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430.

FOR FURTHER INFORMATION CONTACT:

Frank Trent, Airspace & Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone 212-995-3391.

The docket may be examined at the following location: FAA, Office of Regional Counsel, AEA-7, Federal Building, J.F.K. International Airport, Jamaica, New York 11430.

COMMENTS INVITED

Interested parties may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430. All communications received on or before October 27, 1977, will be considered before action is taken on the proposed amendment. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

AVAILABILITY OF NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Chief, Airspace & Procedures Branch, AEA-530, Eastern Region, Federal Aviation Administration, Federal Building, Jamaica, New York 11430, or by calling 212-995-3391.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

THE PROPOSAL

The FAA is considering an amendment to Subparts F and G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the control zone and transition area over Roanoke Municipal Airport, Roanoke, Va. The alteration will add an area of approximately 4 miles in depth and 6 miles in width southwest of the airport to the control zone and an area approximately 5 miles in depth and 2 miles in width southwest of the airport to the transition area.

DRAFTING INFORMATION

The principal authors of this document are Frank Trent, Air Traffic Division, and Thomas C. Halloran, Office of the Regional Counsel.

THE PROPOSED AMENDMENT

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Section 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. Amend Section 71.171 of Part 71 of the Federal Aviation Regulations so as to amend the description of the Roanoke, Va., control zone by adding the following: "; within 4 miles each side of the Roanoke Municipal Airport LDA RWY 5 course, extending from the OM to 4 miles southwest of the OM."

2. Amend Section 71.181 of Part 71 of the Federal Aviation Regulations so as to amend the description of the Roanoke, Va., 700-foot floor transition area as follows: After the phrase, "307° bearing from the airport" insert, "; within 9.5 miles northwest and 4.5 miles southeast of the Roanoke Municipal Airport LDA RWY 5 course, extending from 5 miles southwest of the OM to 23.5 miles southwest of the OM."

(Section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348(a)) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821 as amended by Executive Order 11949 and OMB Circular A-107.

Issued in Jamaica, New York, on September 9, 1977.

L. J. CARDINALI,
*Acting Director, Eastern Region.*

[FR Doc.77-27810 Filed 9-23-77;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

### [ 25 CFR Part 36 ]

### MAINTENANCE AND CONTROL OF STUDENT RECORDS IN BUREAU SCHOOLS

### Administrative Regulations and Procedures

SEPTEMBER 13, 1977.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau proposes to add a new Part 36 to Subchapter E, Chapter I of Title 25 of the Code of Federal Regulations. The new part will prescribe administrative regulations and procedures to govern the maintenance and control of student records in all educational institutions under the jurisdiction of the Bureau of Indian Affairs, whether operated under contract or otherwise. The recent passage of the Privacy Act of 1974 and the Buckley Amendment created the need for these regulations.

DATES: Comments must be received on or before October 26, 1977.

ADDRESSES: Written comments should be directed to: Acting Deputy Commissioner, Bureau of Indian Affairs, Attention: Student Records Task Force, 1951 Constitution Avenue NW., Washington, D.C. 20245, or by hand delivery to the Acting Deputy Commissioner of Indian Affairs, Attention: Student Records Task Force, Department of the Interior Building, Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Max Harriger, Office of Indian Education Programs, telephone 202-343-3151.

SUPPLEMENTARY INFORMATION: The primary author of this document is Mr. Dave Young, Education Specialist, Indian Education Resources Center, 123 4th Street SW., Albuquerque, N. Mex. 87103, telephone 505-766-3354. Recent enactments of Congress have reflected a strong legislative intent that agencies of the Executive Branch of our Government take strong administrative measures to protect the privacy of records kept on individuals. Recent enactments include: (1) The Privacy Act of 1974 (Pub. L. 93-579). That Act contains special provisions restricting the Federal Government's collection and use of information kept on individuals, and gives the individual greater rights over the access and control of such information; and (2) Section 438 of the General Education Provisions Act of 1974, as amended (Pub. L. 93-380), commonly referred to as the Buckley Amendment, which provides that no Office of Education funds shall be made available to any educational agency or institution which denies parents and/or eligible students the right to inspect and review their educational records. The Buckley Amendment contains special provisions designed to protect the privacy rights of parents and students with respect to such records, and to promote the maintenance of only such records as are accurate and essential.

In order to insure that the spirit of these recent enactments reaches all student records maintained by the Bureau of Indian Affairs, it is deemed necessary and desirable that special regulations be promulgated to apply to the Bureau of Indian Affairs school system. Also, the promulgation of such regulations would serve to alleviate problems existing as to the applicability of the Buckley Amendment to Bureau schools.

The authority for the Commissioner to issue these regulations is contained under the Act of April 30, 1908 (35 Stat. 72, 25 U.S.C. 295), Pub. L. 93-380, as amended, and (5 U.S.C. 301), and sections 463 and 465 of the revised statutes (25 U.S.C. 2 and 9), and 230 DM 1 and 2.

It is proposed to add a new part 36 to Subchapter E, Chapter I of Title 25 of the Code of Federal Regulations to read as follows:

## PART 36—MAINTENANCE AND CONTROL OF STUDENT RECORDS IN BUREAU SCHOOLS

Sec.

36.1 Purpose and scope.
36.2 Definitions.
36.3 Student rights.
36.4 Annual notification of rights.
36.5 Access to records.
36.6 Limitations on access.
36.7 Access rights.
36.8 Destruction of records.
36.9 Procedures for granting access.
36.10 Right to challenge.
36.11 Informal proceedings.
36.12 Right to a hearing.
36.13 Right of appeal.
36.14 Consent.
36.15 Content of consent.
36.16 Copy to be provided to parents or eligible students.
36.17 Release of information for health or safety emergencies.
36.18 Record of access.
36.19 Transfer of information by third parties.
36.20 Directory information.
36.21 Standards for collection and maintenance of student records.
36.22 Assuring integrity of records.
36.23 Conduct of employees.

AUTHORITY: 35 Stat. 72 (25 U.S.C. 295); Pub. L. 93-579, 88 Stat. 1896; Sec. 438, Pub. L. 93-380, as amended.

### § 36.1 Purpose and scope.

This Part contains the regulations of the Bureau of Indian Affairs, U.S. Department of the Interior governing the maintenance, control, and accessibility of student records. This Part will apply to all educational institutions under the jurisdiction of the Bureau of Indian Affairs, whether operated under contract or otherwise.

### § 36.2 Definitions.

As used in this part:

(a) "Commisisoner" means the Commissioner of Indian Affairs.

(b) "Educational institution" means any institution operated under the jurisdiction of the Bureau of Indian Affairs either directly or by contract. Including, but not limited to, schools or dormitories from which Indian students attend public schools.

(c) "Eligible student" means a student who has become eighteen years of age or is attending an institution of post-secondary education. When a student becomes an "eligible student", the permission required of and the rights given to the parents of the student shall thereafter only be required of and given to the student.

(d) "Parent" means a natural parent, an adoptive parent, the legal guardian or a legal custodian of a student. (Where the natural parents are unavailable, a required written parental consent may be obtained from the person who has assumed custody of the student.)

(e) "Student records" means those records, files, documents, and other materials which contain information directly related to a student and which are maintained by an educational institution, or by a person acting for that institution. The term does not include:

(1) Records of any educational personnel which are in the sole possession of the maker and which are not accessible or revealed to any other person except a substitute.

(2) Records made and maintained in the normal course of business which relate exclusively to persons who are employed in an educational institution but do not attend that institution.

(3) Directory information as given in § 36.20.

(4) Records on a student which are made or maintained by a physician, psychiatrist, psychologist, school social worker, or other recognized professional or para-professional acting in his professional or para-professional capacity, or assisting in that capacity, and which are made, maintained, or used only in treating the student, and are not available to anyone other than persons providing the treatment. However, such records can be personally reviewed by the appropriate professional or para-professional of the parent or eligible student's choice.

### § 36.3 Student rights.

The regulations in this part do not prevent educational institutions from giving non-eligible students rights similar to those given to parents and eligible students. Educational institutions may do so at their discretion.

### § 36.4 Annual notification of rights.

(a) Each educational institution to which this part applies and which maintains records on students shall inform parents or eligible students of the rights given them by this part.

(b) In meeting the requirement in paragraph (a) of this section, the educational institution shall give notice to parents and eligible students at least annually of the following:

(1) The types of education records and information contained in them which are directly related to students and maintained by the institution.

(2) The name and position of the official responsible for maintaining each type of record, the persons who have access to those records, and the purpose for which they have access.

(3) The policies of the institution for reviewing and expunging those records.

(4) The procedures established by the institution under § 36.5.

(5) The procedures for challenging the content of education records including those in § 36.10.

(6) The cost, if any, which will be charged to the parent or eligible student for reproducing copies of records under § 36.5.

(7) The categories of information which the institution has designated as "directory information" under § 36.20.

(c) The notice given to a parent or eligible student under this section shall be in a language considered by the institution to be understandable by the parent or eligible student.

### § 36.5 Access to records.

Educational institutions shall give parents of students or eligible students, who are or have been in attendance at the institutions, access to student records, except as stated in § 36.6.

### § 36.6 Limitations on access.

Educational institutions are not required to make available to students the following materials:

(a) Financial records of the parents of the student or any information contained in those records.

(b) Confidential letters and statements of recommendation, which were placed in any student's record prior to January 1, 1975, and which are not used for purposes other than those for which they were specifically intended.

(c) Those records listed in § 36.2(e) which are exempt from the definition of "student records".

### § 36.7 Access rights.

The right of access specified in § 36.5 shall include:

(a) The right to obtain a list of the types of student records which are maintained by the institution.

(b) The right to inspect and review the content of those records.

(c) The right to obtain copies of those records, the cost, if any, not to exceed the actual cost to the educational institution of reproducing the copies.

(d) The right to a response from the institution to reasonable requests for explanations and interpretations of those records.

(e) The right to an opportunity for a hearing to challenge the content of records.

(f) If any material or document in the record of a student includes information on more than one student, the right to inspect and review only that portion of such material or document as relates to that particular student or to be informed of the specific information contained in such part of such materials.

### § 36.8 Destruction of records.

This Part does not prevent educational institutions from destroying any records, if not otherwise prevented by law. However, access shall be granted under § 36.5 before destroying student records where the parent or eligible student has requested access. Only records which are no longer relevant or necessary may be destroyed, subject to § 36.23(c).

### § 36.9 Procedures for granting access.

Each educational institution shall establish appropriate procedures for granting a request by parents for access to the records of their children or by eligible students for access to their own records within a reasonable period of time. In no case shall access be withheld more than forty-five days after the request has been made.

### § 36.10 Right to challenge.

Each educational institution shall give parents of students and eligible students, who are or have been in attendance at the institution an opportunity to challenge the content of student's records to:

(a) Insure that the records are not inaccurate, misleading, or otherwise violating the privacy or other rights of students.

(b) Provide an opportunity for correcting or deleting any inaccurate, misleading, or otherwise inappropriate data in the record.

(c) Insert into such records a written comment by the parents or eligible students pertaining to the content of such records.

§ 36.11 Informal proceedings.

Educational institutions may attempt to resolve differences with the parent of a student or the eligible student regarding the content of the student's records through informal meetings and discussions with the parent or eligible student.

§ 36.12 Right to a hearing.

Upon the request of the educational institution, the parent or eligible student, a hearing shall be conducted under the procedures adopted and published by the institution. Such procedures shall include at least the following elements:

(a) The hearing shall be conducted and decided within a reasonable period of time following the request for the hearing.

(b) The hearing shall be informal and a verbatim record of proceedings will not be necessary.

(c) The hearing shall be conducted by an institutional official or other party who does not have a direct interest in the outcome of the hearing.

(d) The parents or eligible student shall be given a full and fair opportunity to present evidence relevant to the issues raised under § 36.10.

(e) Within a reasonable period of time after the hearing ends, the hearing official shall make his recommendation in writing to the head of the educational institution. Within 20 days after receipt of the recommendation, the head of the institution shall issue his decision in writing to the parent or eligible student.

§ 36.13 Right of appeal.

If any parent or eligible student is adversely affected by the decision of the head of the institution, that party shall have appeal rights as given in 25 CFR Part 2. However, each official decision shall be issued within 30 days from receipt of the appeal.

§ 36.14 Consent.

Educational institutions shall not permit access to or the release of student records or personally identifiable information contained in them, other than directory information of students, without the written consent of the parents or of an eligible student, to any party other than the following:

(a) Local school officials, including teachers within the educational institution, who have been determined by the institution to have legitimate educational interests in the records.

(b) Officials of other schools or school systems at which a student is interested in enrolling. The student or parent must be notified of such release except in cases involving Bureau of Indian Affairs schools. All Bureau of Indian Affairs schools are considered to be components of one school system whether operated under contract or otherwise.

(c) Persons having official involvement with a student's application for or grant of financial aid.

(d) Parents of a dependent student as defined in Section 152 of the Internal Revenue Code of 1954, as amended.

(e) Accreditation agencies in order to carry out their accrediting functions.

(f) U.S. Office of Education officials and other Governmental education officials when deemed necessary by the institution to carry out their official functions.

(g) An education Testing Center or similar institution as a part of its validation research which has been authorized by the school.

(h) In an emergency, any person to whom the information is necessary in the discretion of the school's administration in order to protect the student's health and safety, subject to § 36.17.

(i) Indian groups, contractors and grantees when necessary to carry out an official function authorized by the Bureau of Indian Affairs.

(j) Pursuant to the order of a court of competent jurisdiction; however, the parent or eligible student must be notified of such order in advance of compliance therewith by the educational institution.

§ 36.15 Content of consent.

The consent of a parent or eligible student requested under this part for the release of student records shall be in writing, signed and dated by the person giving the consent. The consent shall include:

(a) A specification of the records to be released.

(b) The reasons for release.

(c) The names of the parties to whom the records will be released.

§ 36.16 Copy to be provided to parents or eligible students.

Where the consent of a parent or eligible student is required under this part for the release of student records, a copy of the records to be released shall be provided on request to:

(a) The student's parents or the eligible student.

(b) The student who is not an eligible student, if desired by the parents.

§ 36.17 Release of information for health or safety emergencies.

(a) Educational institutions may release information from student records to appropriate persons in an emergency if the information is necessary to protect the health or safety of a student or other person. The factors to be used in determining whether records may be released under this section include the following:

(1) The seriousness of the threat to the health or safety of the student or other persons.

(2) The need for those records to meet the emergency.

(3) Whether the persons to whom the records are released are in a position to deal with the emergency.

(4) The extent to which time is of the essence in dealing with the emergency.

§ 36.18 Record of access.

(a) Each educational institution shall maintain a record, kept with the student records of each student, which will indicate all parties other than those specified in § 36.14 which have requested or obtained access to those records and which will indicate specifically the legitimate interest that each party has in obtaining this information.

(b) A record of access shall be available only to:

(1) Parents or eligible students.

(2) The school official and his or her assistants who are responsible for the custody of such records.

(3) Persons or organizations authorized in and under the conditions of § 36.14.

§ 36.19 Transfer of information by third parties.

(a) Educational institutions shall not release personal information on a student except on the condition that the party to which the information is being transferred will not permit any other party to have access to the information without the written consent of the parents or of the eligible students.

(b) With any information released to a party under paragraph (a) of this section, educational institutions shall include a written statement which informs the party of the requirement in paragraph (a) of this section.

§ 36.20 Directory information.

(a) Any educational institution making public directory information shall make a reasonable effort to individually notify the parent or eligible student of the categories of information which it has designated as directory information. The institution shall allow a reasonable period of time after notice has been given for a parent or eligible student to inform the institution that any or all of the information designated should not be released without the prior consent of the parent or eligible student.

(b) Directory information may include the following: A student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student, tribe, Agency, Area, name of parent, sex, and classification (grade). No other information may be included. Educational institutions have the right to limit the content of directory information.

§ 36.21 Standards for collection and maintenance of student records.

(a) Records shall contain only information about an individual which is relevant and necessary to accomplish a purpose of the Bureau required to be accom-

plished by statute or Executive Order of the President.

(b) Student records which are used in making any determination about any student shall be maintained with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the student in making the determination.

(c) Information which may be used in determining a student's rights, benefits, and privileges under Federal programs shall be collected directly from that student or his parents, to the greatest extent practicable. In deciding whether collection of information from a parent or eligible student, as opposed to a third party source, is practicable, the following factors, among others, may be considered:

(1) Whether the nature of the information sought is such that it can only be obtained from a third party.

(2) Whether the cost of collecting the information from the parent or student is unreasonable, when compared with the cost of collecting it from a third party.

(3) Whether there is a risk that information collected from third parties, if inaccurate, could result in an adverse determination to the student concerned.

(4) Whether the information, if supplied by the parent or student, would have to be verified by a third party.

(5) Whether provisions can be made for verification by the parent or student of information collected from third parties.

(d) Each individual parent or eligible student who is asked to supply information about himself which will be added to a system of student records shall be notified of the basis for requesting the information, how it may be used, and what the consequences, if any, are of not supplying the information. At a minimum, the notice to the parent or eligible student must state:

(1) The authority (whether granted by statute or Executive Order of the President) which authorizes requesting the information and whether disclosure of such information is mandatory or voluntary.

(2) The principal purpose or purposes for which the information is intended to be used.

(3) The routine uses which may be made of the information.

(4) The effects, if any, of not providing all or any part of the requested information.

(e) When information is collected on a standard form, the notice to the parent or eligible student shall be on the form or on a tear-off sheet attached to the form or on a separate sheet, whichever is most practical.

(f) When information is collected by an interviewer, the interviewer shall provide the parent or eligible student with a written notice which the individual may retain. If the interview is conducted by telephone, however, the interviewer may summarize the notice for the individual and need not provide a copy to the individual unless the individual requests that a copy be mailed to him.

(g) A parent or eligible student may be asked to acknowledge, in writing, that he has been given the notice required by this section.

(h) No student records may be maintained describing how any individual exercises rights guaranteed by the First Amendment to the Constitution unless:

(1) Expressly authorized by statute or by the individual about whom the student record is maintained; or

(2) Pertinent to and within the scope of an authorized law enforcement activity.

§ 36.22 Assuring integrity of records.

(a) Student records shall be maintained with appropriate administrative, technical and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained.

(b) When maintained in manual form, student records shall be maintained, at a minimum, subject to the following safeguards, or safeguards giving comparable protection:

(1) Areas in which the student records are maintained or regularly used shall be posted with an appropriate warning stating that access to the records is limited to authorized persons. The warning shall also summarize the requirements of § 36.23 and state that employees may be subject to a criminal penalty for the unauthorized disclosure of student records.

(2) During working hours, the area in which the student records are maintained or regularly used shall be occupied by authorized personnel, or access to the student records shall be restricted by their storage in locked metal file cabinets or a locked room.

(3) During non-working hours, access to the student records shall be restricted by their storage in locked metal file cabinets or a locked room.

(4) Where a locked room is the method of security provided for a system, the educational institution responsible for the system shall, no later than December 31, 1976, supplement that security by:

(i) Providing lockable file cabinets or containers for the student records, or

(ii) Changing the lock or locks for the room so that they may not be opened with a master key. For the purpose of this paragraph, a master is a key which may be used to open rooms other than the room containing student records unless those rooms are used by officials or employees authorized to have access to the student records.

(c) When maintained in computerized form, student records shall be maintained, at a minimum, subject to safeguards based on those recommended in the National Bureau of Standards' booklet "Computer Security Guidelines for Implementing the Privacy Act of 1974" (May 30, 1975), and any supplements to it, which are adequate and appropriate to assure the integrity of records in the system.

(d) The education institution responsible for a system of student records shall be responsible for assuring that specific procedures are developed to assure that the student records in the system for which it is responsible are maintained with security meeting the regulations in this section. These procedures shall be in writing and shall be posted or otherwise periodically brought to the attention of employees working with the student records contained in the system.

§ 36.23 Conduct of employees.

(a) Employees whose duties require handling of student records shall, at all times, take care to protect the integrity, security and confidentiality of these records.

(b) No employee of the educational institution may disclose student records unless disclosure is permitted under § 36.14 or made to the parent of the student or eligible student to whom the record pertains.

(c) No employee of the educational institution may alter or destroy a student record, unless:

(1) Alteration or destruction is properly undertaken in the course of the employee's regular duties, or

(2) Alteration or destruction is required by an authorized administrative decision or the decision of a court of competent jurisdiction.

(d) The educational institution responsible for a system of student records shall be responsible for assuring that employees with access to the system are made aware of the requirements of this section.

NOTE.—It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with Executive Order 11821.

RAYMOND V. BUTLER,
*Acting Deputy Commissioner of Indian Affairs.*

SEPTEMBER 13, 1977.

[FR Doc.77-27941 Filed 9-23-77;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Geological Survey

### [ 30 CFR Part 252 ]

### OUTER CONTINENTAL SHELF OIL AND GAS INFORMATION PROGRAM

AGENCY: U.S. Geological Survey, Interior.

ACTION: Proposed rule.

SUMMARY: The proposed rule would add Regulations to prescribe policies, procedures, and requirements for implementation of President Carter's directive of May 23, 1977, to: Develop regulations, operating Orders, and lease provisions specifying the information required from industry about offshore and onshore impacts on prospective OCS development.

DATES: Comments are due on or before October 26, 1977.

ADDRESS: Interested persons are invited to participate in the proposed rulemaking by the submittal of written comments, recommendations, and objections. Responses should identify the subject matter and be directed to Richard Q. Foote, Office of the Director, U.S. Geological Survey, National Center, Mail Stop 171, Reston, Virginia 22092.

FOR FURTHER INFORMATION CONTACT:

Richard Q. Foote, Office of the Director, U.S. Geological Survey, National Center, Mail Stop 171, Reston, Virginia 22092 (703–860–6081).

SUPPLEMENTARY INFORMATION: These Regulations are being issued under the authority of Section 5 of the Outer Continental Shelf Lands Act and the amendments thereto (43 U.S.C. 1334). The proposed Regulations were drafted by a task force of Geological Survey personnel under the direction of Richard Q. Foote and Gerald D. Rhodes of the National Center.

AUTHORS

The authors of these regulations include John Long, John Price, Stanley Radack, Donald Ross, and Robert Surcouf.

Proposed new Part 252 of Chapter II of Title 30 of the Code of Federal Regulations reads as follows:

## PART 252—OUTER CONTINENTAL SHELF (OCS) OIL AND GAS INFORMATION PROGRAM

Sec.

252.1 Purpose.
252.2 Definitions.
252.3 Oil and gas data and information to be provided.
252.4 Summary report to affected States.
252.5 Lease sale planning information to be made available to affected States.
252.6 Protection of privileged information.

AUTHORITY: The provisions of this part 252 are issued under the general authority of the Secretary of the Interior contained in the Outer Continental Shelf Lands Act of August 7, 1953 (43 U.S.C. § 1334).

### § 252.1 Purpose.

The purpose of this part is to prescribe policies and procedures whereby all relevant oil and gas data and information resulting from exploration, development, and production operations for oil and gas on the Outer Continental Shelf, that are provided to the Director, U.S. Geological Survey, and are subject to the constraints contained in § 252.6, may be made available to the Governors of affected States, and, upon request, to interested local government executives.

### § 252.2 Definitions.

As used in the regulations in this part:

(a) Director. The Director of the United States Geological Survey or his delegate.

(b) Outer Continental Shelf. All submerged lands which lie seward and outside of the area of lands beneath navigable waters as defined in the Submerged Lands Act (43 U.S.C. §§ 1301 and 1302) of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

(c) Lease. The contract or agreement under which the leasehold rights are held by the lessee, or the land covered by the contract or agreement, whichever is required by the context.

(d) Lessee. The party authorized by a lease, or an approved assignment thereof, to develop and produce the leased deposits in accordance with the regulations in Part 250 hereof, including all parties holding such authority by or through him.

(e) Affected State means, with respect to any program, plan, lease sale, or other activity, proposed, conducted, or approved pursuant to the provisions of the Outer Continental Shelf Lands Act, any State:

(1) The laws of which are, pursuant to section 4(a)(2) of the Outer Continental Lands Act, laws of the United States for the portion of the Outer Continental Shelf on which such activity is, or is proposed to be, conducted;

(2) Which is, or is proposed to be, directly connected by transportation facilities to any artificial island or structure referred to in section 4(a)(1) of the Outer Continental Shelf Lands Act;

(3) Which is receiving, or in accordance with the proposed activity will receive, oil for processing, refining, or transshipment which was extracted from the OCS and transported by means of vessel; or by a combination of means including vessels;

(4) Which is designated by the Secretary of the Interior as a State in which there is a substantial probability of significant impact on or damage to the coastal, marine, or human environment, or a State in which there will be significant changes in social, governmental, or economic infrastructure, resulting from the exploration, development, and production of oil and gas anywhere on the Outer Continental Shelf; or

(5) In which the Secretary of the Interior finds that because of such activity there is, or will be, a significant risk of serious damage, due to factors such as prevailing winds and currents, to the marine and coastal environment in the event of any oil spill, blowout, or release of oil or gas from vessels, pipelines, or other transshipment facilities.

(f) The term "Governor" means the Governor of a State or the person or entity designated by, or pursuant to, State law to exercise the powers granted to such Governor relevant to the Outer Continental Shelf Lands Act or the Coastal Zone Management Act.

(g) The term "exploration" means those activities performed as part of the process of searching for oil or natural gas. Such activities include (1) geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of such resources; and (2) any drilling, whether on or off known geological structures, including the drilling of a well in which a discovery of oil or natural gas in paying quantities is made, the drilling of any additional delineation wells after such discovery is made when such wells are needed to delineate reservoirs or are needed to enable the lessee to determine whether to proceed with development and production activities.

(h) The term "development" means those activities which take place following discovery of oil or natural gas in paying quantities. Said activities include geophysical activity, drilling, platform construction, and construction and operation of all near-shore and onshore support facilities which are for the purpose of ultimately producing the resources discovered.

(i) The term "production" means those activities which take place after successful completion of any means for the removal of resources, including such removal, field operations, transfer of oil, or natural gas to shore, operation monitoring, maintenance, and work-over drilling.

(j) Data. Facts and statistics or samples which have not been analyzed or processed.

(k) Analyzed geological information. Data which have been subjected to some analytical process such as identification of lithologic and fossil content, core analysis, laboratory analysis of physical and chemical properties, logs or charts of electrical, radioactive, sonic, and other well logs, and descriptions of hydrocarbon shows or hazardous conditions.

(l) Processed geophysical information. Data which has been subjected to a change in form so as to facilitate interpretation. Processing operations may include, but are not limited to, applying corrections for known perturbing causes, rearranging or filtering data, and combining or transferring data elements.

(m) Interpreted geological information. Knowledge, often depicted in the form of maps and cross sections, developed by determining the geological significance of data and analyzed geological information.

(n) Interpreted geophysical information. Knowledge, often depicted in the form of maps and cross sections, developed by determining the geological significance of geophysical data and processed geophysical information.

(o) Information. This term, used without a qualifying adjective, includes analyzed geological information, processed geophysical information, interpreted geophysical information, and interpreted geological information.

(p) Act. The Outer Continental Shelf Lands Act, 67 Stat. 462, (43 U.S.C. Secs. 1331–1343).

### § 252.3 Oil and gas data and information to be provided.

Any person conducting any activity which is conducted in the exploration for, or development or production of, oil and gas on the OCS shall make all data and information obtained or developed as a result of such activity, including geological and geophysical data, analyzed geological data, processed geophysical data, and interpreted geological and geophysical information available to

the Oil and Gas Supervisor, U.S. Geological Survey, for his inspection and review, and shall provide copies of such specific data and information and any interpretation of any such data and information as the Supervisor my request. Any person submitting interpreted geological or geophysical data or information, where such data or information has been submitted in good faith, shall not be held responsible for any consequence of the use of or reliance upon such interpretations.

§ 252.4 Summary Report to affected States.

(a) The Director, after analysis, interpretation, and compilation of the oil and gas data and information furnished by the lessees, permittees or other Government agencies, shall make available to the affected States and, upon request, to the executive of any local government whose jurisdiction covers an area impacted by OCS activities, a summary of data designed to assist them in planning for the near-shore and onshore impacts of possible oil and gas development and production. When appropriate, based upon the stage of development activities at the time of submittal, such information shall include:

(1) Estimates of the oil and gas reserves together with projected rates and volumes of oil and gas to be produced from leased areas and from areas which the Secretary plans to offer for lease;

(2) The size and timing of development, if and when oil or gas, or both, is found;

(3) The location of pipelines; and

(4) The general location and nature of near-shore and onshore facilities;

(b) At least once each year, the Director shall prepare and distribute an updated summary to each affected State.

(c) If the Director determines that transmittal of data or information contained in such a summary would unduly damage the competitive position of the person who provided the oil and gas data or information which the Director has processed, analyzed, or interpreted, or should not be disclosed for any other valid reason, then said data and information shall be deleted from the summary that is transmitted to the affected States.

§ 252.5 Lease sale planning information to be made available to affected States.

(a) The Director shall make available on a regular basis to each affected State and, upon request, to the executive of any local government, a copy of an index which lists, to the best of his knowledge, all relevant, actual or proposed, programs, plans, reports, environmental impact statements, and other lease sale information, any similar type of relevant information, but no information transmitted by the Director shall identify any particular tract with the name or names of any particular party so that it will not compromise the competitive position of any party or parties participating in the nominations.

(b) If the Director determines that transmittal of certain data or information would unduly damage the competitive position of the person who provided the oil and gas data or information to the Director, then said data or information shall not be included in the data and information transmitted to the affected States.

§ 252.6 Protection of privileged information.

The Director shall assure that the confidentiality of privileged information received by him or his delegate under any Part of this Chapter II is maintained in accordance with the "Freedom of Information Act," 5 U.S.C. 552 and Part 2 of Title 43 of the Code of Federal Regulations. No information determined to be exempted from public disclosure will be transmitted to any affected State or to the executive of any local government unless either the person from whom such information was obtained agrees to its release, or there does not exist a valid reason to withhold such information.

It is hereby determined that this (proposed) rulemaking is not a major Federal action significantly affecting the quality of the human environment. No detailed statement pursuant to Section 102(2) (c) of the National Environmental Policy act is required.

NOTE.—The Department of the Interior has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821 and OMB Circular A-107.

CECIL D. ANDRUS,
*Secretary of the Interior.*

SEPTEMBER 20, 1977.

[FR Doc.77-28012 Filed 9-23-77;8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[ 40 CFR Part 52 ]

[FRL 796-8]

### APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS, MASSACHUSETTS

### Proposed Change in the Sulfur Content of Fuel Burned by Three Large Fuel Burning Sources in the Southeastern Massachusetts Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The proposed revision to the Massachusetts Implementation Plan would permit three large fuel burning sources in the Southeastern Massachusetts Air Pollution Control District (SEMAPCD) to burn approximately 2.2 percent sulfur content residual fuel oil or its equivalent of approximately 1.4 percent sulfur content coal until May 1, 1978. These three sources presently burn residual oil with a maximum allowable sulfur content of approximately 1.0 percent. The Massachusetts Department of Environmental Quality Engineering (the Massachusetts Department) submitted this revision pursuant to a state law which requires periodic review of the State Implementation Plan (SIP) to determine if any of the regulations are more stringent than necessary to attain and maintain National Ambient Air Quality Standards (NAAQS).

DATES: Comments must be received on or before October 26, 1977.

ADDRESSES: Copies of the Massachusetts submittal and EPA's evaluation are available for public inspection during normal business hours at the Environmental Protection Agency, Region I, Room 2113, JFK Federal Building, Boston, Mass. 02203; Public Information Reference Unit, Environmental Protection Agency, 401 M Street SW., Washington D.C. 20460; and Massachusetts Department of Environmental Quality Engineering, 600 Washington Street, Boston, Massachusetts 02111 (state data only on file).

Comments should be submitted to the Regional Administrator, Region I, Environmental Protection Agency, Room 2203, JFK Building, Boston, Massachusetts 02203.

FOR FURTHER INFORMATION CONTACT:

Wallace Woo, Air Branch, EPA, Region I, Room 2113, JFK Building, Boston, Mass. 02203 (617-223-5609).

SUPPLEMENTARY INFORMATION: On May 31, 1972 (37 FR 10872), pursuant to Section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved, with exceptions, the Massachusetts Implementation Plan for the attainment of NAAQS.

On December 30, 1976, the Massachusetts Secretary of Environmental Affairs submitted a revision to Regulation 5.1, "Sulfur Content of Fuels and Control Thereof," which would allow large fuel burning sources in the SEMAPCD to burn higher sulfur content fuel until May 1, 1978. Existing SIP regulations permitted the burning of fossil fuel with a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1.0 percent sulfur content residual fuel oil by weight). The revision would permit fossil fuel utilization facilities having an energy input capacity rated at one hundred million Btu per hour or greater to burn fossil fuel with a sulfur content not in excess of 1.21 pounds per million Btu heat release potential (approximately equivalent to 2.2 percent sulfur content residual fuel oil by weight) until May 1, 1978. All other sources would continue to burn 1.0 percent sulfur content (oil equivalent) fuel. The revision also would require that the use of the higher sulfur fuel by each source be approved, and a permit be granted by the Massachusetts Department prior to use, in order to insure that the NAAQS will not be violated.

The Massachusetts Department submitted information pertaining to the 17 sources located in the SEMAPCD which were in the size category under consideration to burn the higher sulfur fuel. On September 2, 1977 (42 FR 44235),

EPA published final rulemaking which approved the use of the higher sulfur content fuel for 10 of the 17 sources, and disapproved its use for 4 of the 17 sources. No action was taken on the remaining 3 sources pending further evaluation of their air quality impact. These three sources are:

1. Harodite Finishing Company, Dighton
2. Montaup Electric Company, Somerset Station, Somerset
3. New England Power Company, Brayton Point Station, Somerset

In this Notice, the Administrator is proposing to approve the use of the higher sulfur content fuel for these three sources. The Massachusetts Department has agreed to incorporate certain conditions into the approval permits for these sources. A discussion of these conditions, as well as a summary of EPA's further evaluation of these three sources follows:

The SEMAPCD is the same geographic area as the Massachusetts portion of the Metropolitan Providence Interstate Air Quality Control Region (AQCR). EPA has designated the SEMAPCD as "attainment" for sulfur dioxide ($SO_2$) standards, based on no recent violations of the primary or secondary NAAQS for $SO_2$ in this area. EPA has designated the SEMAPCD as "non-attainment" for total suspended particulates (TSP) standards, based on a primary 24-hour TSP violation and several secondary 24-hour TSP violations in the area.

By a March 4, 1977 letter to the Massachusetts Department, EPA officially notified the State of the non-attainment designation, and called upon the Massachusetts Department to evaluate whether or not a more stringent SIP for TSP should be devised in order to attain standards. The results of that evaluation, together with any necessary changes in the SIP, will be submitted to EPA by November 1, 1978. However, this date may be extended to January 1, 1979, the date called for by the August 7, 1977 amendments to the Clean Air Act. This plan will also contain provisions to insure the maintenance of both the $SO_2$ and TSP air quality standards.

Prior to final approval of this SIP revision, the Administrator must find that the revision will not allow any concentration of pollutants to exceed any NAAQS. Although the regulation which has been submitted for approval will directly affect only the emission limitation for $SO_2$, it is believed that some additional TSP emissions would result from the switch from 1 percent to 2.2 percent sulfur fuel. Accordingly, EPA has projected the anticipated effects for both $SO_2$ and TSP in reviewing the impact of the proposed SIP revision.

### Discussion: Sulfur Dioxide

The Agency's present conclusions about the $SO_2$ impacts of each of three sources affected by this proposed SIP revision are as follows:

1. *Harodite Finishing Company.* The source presently has raincaps on its stacks. The Massachusetts Department, using the PTMTP model, predicted that this source could cause $SO_2$ standards violations if the raincaps on its stacks prevent plume rise; without the raincaps, modeling predicts that this source could burn 2.2 percent sulfur content residual fuel oil without causing violations of any NAAQS. The Massachusetts Department has agreed to require the removal of the raincaps as a permit condition for burning higher sulfur fuel.

2. *Montaup Electric Company, Somerset Station.* The Massachusetts Department submitted modeling performed by a private contractor using a proprietary model which predicted the plant would cause violations of the primary 24-hour $SO_2$ standard, both when operating by itself and when interacting with the Brayton Point Station. The Massachusetts Department has agreed that, as a condition of its permit to Somerset Station, it will require that no more than 75 percent of the plant capacity be used in any day, thus reducing the modeled concentrations below the standards for both the single source and interaction cases. EPA therefore projects that no $SO_2$ violation would occur.

3. *New England Power Company, Brayton Point Station.* The previously mentioned proprietary modeling study predicted that the Brayton Point Station would not cause any violations of the primary or secondary NAAQS for $SO_2$. However, in a supplementary modeling analysis using the CRSTER model, EPA predicted that Brayton Point Station, interacting with the Duro Finishing Company (Duro) plant in Fall River, might contribute to violations of the 24-hour SO standard. However, interpretation of modeling results in the vicinity of Duro is complicated by local topography and micro-meteorology. The impact of the Duro plant itself is clear; the model predicts the plant will cause violations of the primary and secondary NAAQS for $SO_2$ while burning fuel in compliance with the existing SIP emission regulations (i.e., 1 percent sulfur content residual oil). Duro Finishing Company was previously disapproved from burning high sulfur fuel (42 FR 44235), and was referred to the Massachusetts Department for further evaluation because of predicted ambient air quality violations under the present SIP. Interaction of the plumes from the Duro and Brayton Point plants such as to cause a violation of the primary 24-hour $SO_2$ standard is predicted by the modified PTMTP model to occur under moderate to strong northwesterly winds (wind blowing from direction of Brayton to Duro) and under slightly unstable to neutral stability conditions. EPA feels that sufficient uncertainty exists as to the probability of a violation occurring, that the SIP revision herein proposed can be approved. The Massachusetts Department has agreed to require the location of a monitor at the point where maximum impact from the plume interaction of the Brayton and Duro plants is predicted to occur by EPA. EPA believes that should the monitoring indicate the existence of a violation, adequate authority exists in Section 121 of the recent Clean Air Act Amendments to enable the state to require an increase in Duro's stack height if necessary to correct such a violation. EPA further believes that the public health would be adequately protected since the Brayton Point Station would be required by the Massachusetts Department to permanently switch back to the lower sulfur fuel if the monitor measures one excursion over the level of the primary 24-hour standard and emissions from Brayton Point are shown to contribute to the excursion. Thus, no violation of the primary standard, being the second such excursion, would be allowed to occur.

As an additional condition of approval for these three sources, the Massachusetts Department has agreed to require the establishment of a network of TSP and continuous ambient $SO_2$ monitors at specified locations in the vincinity of the facilities eligible to burn the higher sulfur content fuel as necessary. Exceedance of any NAAQS for $SO_2$ or TSP recorded by any monitor would be grounds for an immediate and permanent return to the use of lower sulfur fuel by the source involved, as determined by the Massachusetts Department and EPA on a case by case basis.

### Discussion: Total Suspended Particulates

Although the SIP revision herein proposed does not permit an increase in the particulate emission limitation under the SIP, EPA believes that use of fuel with 2.2 percent sulfur content could cause up to 50 percent higher particulate emissions than use of 1.0 percent sulfur content fuel. It is also believed that increased TSP loadings in the atmosphere may result from secondary aerosol formations. The Massachusetts Department will require stack testing in connection with the conversion to higher sulfur fuel, as a condition to the sources' permits to burn such fuel. None of the sources for which approval is being granted will be permitted to continue burning higher sulfur content fuel if the source has particulate emissions in excess of the emission limitation contained in the present SIP.

Particulate emissions at the present time, with sources burning 1 percent sulfur fuel, are below the level permitted by the SIP (now permitted to be up to .12 pounds per million BTU). Burning 2.2 percent fuel would result in source emissions at or just below the permitted level. The sources are legally permitted to burn at this higher level at the present time; this condition would remain unaffected by the proposed SIP revision. These projected particulate increases are an issue because the Brayton Point and Somerset plumes contribute to the TSP loadings in areas of the City of Fall River where TSP violations have been occurring.

Monitoring data for 1975 and 1976 show 16 days when TSP levels exceeded the national secondary ambient air quality standard of 150 micrograms per cubic meter. On three of those days TSP levels exceeded the primary TSP standard of 260 micrograms per cubic meter. These readings resulted in one violation of the primary standard in 1976 and eleven violations of the secondary standard in 1975 and 1976.

EPA has concluded that the ten instances of levels above the secondary standard recorded in 1975 would not be representative of actual conditions in the area of Brayton Point for the purposes of evaluating the impact of this SIP revision, primarily because both Brayton Point (Units No. 1, No. 2, and No. 3), and Somerset Station (Unit No. 8) were given temporary suspensions permitting them to burn coal during all or a portion (varying from unit to unit) of the period in which the exceedances were recorded. Emissions from those units were far higher in TSP during the coal-burning period due to the ash content (approximately 15 percent for Brayton and 10 percent for Somerset) of the fuel and the fact that both plants were allowed to exceed the SIP emission limitation during the period. Accordingly, EPA's analysis of the projected air quality impact of this SIP revision is based on 1976 data. The following table shows the dates, monitoring sites and TSP levels involved:

| Date | Monitoring site | Concentration (Microgram per cubic meter) |
|---|---|---|
| Dec. 5, 1976 | Plymouth Ave. | 422 |
| June 11, 1976 | North Main St. | 175 |
| Apr. 9, 1976 | do. | 213 |
| Apr. 15, 1976 | Plymouth Ave. | 153 |
| Feb. 9, 1976 | do. | 468 |
| Feb. 12, 1976 | do. | 173 |

EPA has performed laboratory analyses of each of the hi-vol filters showing exceedances of TSP standards during 1976. The results of these analyses are available in the form of a technical report entitled "Evaluation and Validation of Total Suspended Particulate NAAQS Exceedances, Fall River, Mass., 1975–76" which will be made available upon request at the Regional address shown above. The laboratory analyses consisted of optical microscopy performed by a consultant, as well as x-ray fluorescence spectography and chemical analyses performed by EPA. By using these methods, EPA was able to identify not only the elemental chemical composition of the material in the filters (i.e., iron, nickel, etc.) but also to characterize the physical state in which the elements appeared (i.e., sand particles, soot, fly ash, etc.). EPA also checked the dates on which the City of Fall River was sanding, sweeping or salting in the vicinity of the monitoring sites and obtained samples from the City's sand storage area for comparison purposes. EPA also reviewed meteorological data for each day in question. This evidence tends to suggest that the chemical and physical properties of the material found on the filters matches the properties of the material taken from the City's sand piles. The optical microscopic analysis, though subjective, attempted to distinguish between soot (caused by low temperature combustion sources) and fly ash (caused by high temperature combustion sources such as power plants) and concluded that low levels of fly ash (ranging from 3.8 percent to 12.1 percent) are present. Thus, power plants contributed at most only a fraction of the filter loadings. Further, while the fuels used at Brayton Point and Somerset contain relatively high levels of nickel and vanadium, the analyses showed low levels of both on the filters. Finally, meteorological data on the days in question showed that on only one day (June 11, 1976) of the days showing violations of the secondary standard was the wind blowing within 30° from the direction of Brayton Point, and on only two days (February 9 and April 9, 1976) was the wind blowing within 30° from the direction of Somerset.

From the above, EPA has concluded that the non-attainment status of the SEMAPCD is due principally to road sanding operations plus wind-caused reentrainment of sand and other materials. Nevertheless, as indicated by the presence of fly ash in the analysis described above, it can be concluded that the two power stations affected by the SIP revision do contribute to the problem. Consequently, though EPA believes the problem would persist even if both power plants were not in operation, justification exists for continuing to require stringent levels of TSP control at both plants.

As to projected particulate levels associated with the burning of higher sulfur fuels, it is EPA's belief, subject to the results of the State's TSP study, a projected EPA Region I study on particulate nonattainment, as well as other projected and ongoing national studies identifying particulate control measures for both traditional (stationary) and non-traditional sources (including road dust reentrainment), that such incremental amounts could be more than offset by reductions in TSP levels obtained through better controls over sanding and sweeping. In furtherance of this, EPA has required that the Massachusetts Department demonstrate progress towards the development of the TSP attainment plan due in November, 1978, which plan would include measures recommended by the above mentioned studies. In order to assure this, EPA will carefully monitor the development of this plan by the Massachusetts Department. The failure of the Massachusetts Department to satisfactorily demonstrate progress towards the development or submission of the plan as scheduled could impact on the time required to review the terms for a permanent SIP revision after expiration of this temporary revision in May, 1978.

The Massachusetts Department will require particulate stack testing for all sources permitted to burn the higher sulfur fuel and will work with EPA in requiring sulfate testing as necessary. The existing opacity and particulate emission limitation will continue to be enforced by both the Massachusetts Department and EPA. Any source exceeding such particulate regulations will be subject to State and EPA enforcement action, and will not be permitted to continue burning higher sulfur fuel. In addition, the Massachusetts Department has broad authority to require the sources to collect and analyze additional data including sulfate and meteorological data, and will work with EPA in requiring such data as necessary.

The Administrator's decision to approve or disapprove this SIP revision will be based on whether it meets the requirements of sections 110(a)(2)(A) and 110(a)(3) of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 51. This revision is being proposed pursuant to sections 110(a) and 301 of the Clean Air Act, as amended (42 U.S.C. 1857–(5)(a) and 1857(g)). The EPA solicits comments regarding the approvability of the regulations being considered, especially comments relating to particulate matter consequences and the proposed means of assuring attainment of the $SO_2$ standards in the vicinity of the Duro Finishing plant.

It is therefore proposed to amend 40 CFR Part 52 in the manner set forth below.

Dated: September 21, 1977.

ROBERT C. THOMPSON,
*Acting Regional Administrator,*
*Region I.*

In § 52.1126 paragraph (d) is revised to read as follows:

§ 52.1126 Control strategy; sulfur oxides.

* * * * *

(a) Massachusetts Regulation 5.1 for the Southeastern Massachusetts Air Pollution Control District is approved except as to the following sources which remain subject to the previously approved requirements of Regulation 5.1 which stipulates that sources are permitted to burn fossil fuel having a sulfur content not in excess of 0.55 pounds per million BTU heat release potential (approximately equivalent to 1.0 percent sulfur content residual fuel oil by weight):

Facility formerly operated by Olin Chemicals and now owned by Polaroid Corp., Freetown Mass.
Duro Finishing Co., Fall River, Mass.
Stevens Realty Co., Fall River, Mass.
Taunton Municipal Light, West Water Street plant, Taunton, Mass.

[FR Doc.77-28033 Filed 9-23-77;8:45 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

### [ 43 CFR Part 3300 ]

### OUTER CONTINENTAL SHELF LEASING

### Oil and Gas Information Program

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rulemaking.

SUMMARY: The proposed rulemaking adds a new § 3301.8 to Subpart 3301 to set up the procedures for the release of specified information with respect to any program, plan, lease, sale or other activity proposed, conducted or approved relating to the Outer Continental Shelf (OCS) to the States affected by such activity. This information is needed so the affected States can determine the impact the OCS programs will have and can plan accordingly.

DATE: Comments are due on or before October 26, 1977.

ADDRESS: Send comments to Director (210), Bureau of Land Management, 1800 C Street NW., Washington, D.C. 20240.

Comments will be available for public review in Room 5555 of the above address during regular business hours (7:45 a.m. to 4:15 p.m.).

FOR FURTHER INFORMATION CONTACT:

Robert C. Bruce, 202-343-8735.

SUPPLEMENTARY INFORMATION: This proposed rulemaking is being issued under the authority of section 5 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334). It specifies the types and kind of information that the Bureau of Land Management will make available to States affected by activities on the Outer Continental Shelf and the conditions under which such information will be provided. This information is needed so the affected States can determine the impact the OCS programs will have and can plan accordingly.

The public's attention is specifically directed to section 3301.8(c) of these proposed regulations, which provides that the Department shall keep confidential the names of the particular parties nominating particular tracts, in order not to compromise the competitive position of any party. This provision is very similar to one included in the OCS Lands Act Amendments of 1977 now being considered by Congress. We concur with the approach taken in S. 9, as appropriate to not compromising competitive positions and to preserving for the Federal owners of the resource full access to tract-specific industry estimates of where the most promising oil and gas prospects are located. This is a different approach than that adopted by the Department in the case of coal, where industry nominations have been made public. The difference reflects differences in the two situations—in the case of coal, industry interest is substantially known already as a result of acquisition of surface rights or adjacent coal, and the government has considerably more information on the location of the resource than it does on the Outer Continental Shelf. also, owners of private surface overlying Federal coal have an interest in learning the identity of nominators which is not paralleled by any interest in the OCS.

The principal author of this proposed rulemaking is Chris Oynes, Division of Minerals Resources, assisted by members of the Bureau's OCS Task Force.

NOTE.—The Department of the Interior has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Analysis under Executive Order 11821 and OMB Circular A-107.

It is hereby determined that the publication of this amendment is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C) is required.

Under the authority of section 5 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334) it is proposed to amend Part 3300, Group 3300, Subchapter C, Title 43 of the Code of Federal Regulations as set forth below:

### Subpart 3301—Leasing Areas

* * * * *

§ 3301.8 Oil and gas information.

(a) For the purposes of this section, an affected State with respect to any program, plan, lease sale, or other activity proposed, conducted or approved pursuant to the Act, is any State:

(1) The laws of which are declared, pursuant to section 4(a)(2) of the Act, to be the law of the United States for the portion of the Outer Continental Shelf on which such activity is, or is proposed to be conducted;

(2) Which is, or is proposed to be, directly connected by transportation facilities to any artificial island or structure referred to in section 4(a)(1) of the Act;

(3) Which is receiving, or in accordance with the proposed activity, will receive, oil for processing, refining, or transshipment which was extracted from the Outer Continental Shelf and transported by means of vessels or by a combination of means including vessels;

(4) Which is designated by the Secretary as a State in which there is a substantial probability of significant impact on or damage to the coastal, marine, or human environment, or a State in which there will be significant changes in social, governmental or economic conditions resulting from the exploration, development and production of oil and gas anywhere on the Outer Continental Shelf; or

(5) In which the Secretary finds that because of such activity there is, or will be, a significant risk of serious damage, due to factors such as prevailing winds and currents, to the marine and coastal environment in the event of any oilspill, blowout, or release of oil or gas from vessels, pipelines or other transshipment facilities.

(b) The Director shall transmit to any affected State a copy of an index which lists all relevant actual or proposed Departmental programs, plans, reports, environmental statements, lease sale information, and any other similar type of relevant information.

(c) The Director shall transmit to any affected State a copy of any comment or negative nomination timely filed in response to a Call for Nominations and Comments for a proposed sale and shall also provide specific industry interest information on tracts nominated for sale, except that no particular tract shall be identified with the name or names of any particular party so that it will not compromise the competitive position of any party or parties participating in the nominations.

(d) Any information on nominations for the proposed lease sale that would be available to the public under the Freedom of Information Act shall be available to the State without restriction. Information that is not available to the public under that Act and that the Department would not disclose in the exercise of administrative discretion may be made available to the State: *Provided*, That (1) the Director finds no special circumstances that demand withholding; (2) assurance is given by the State that State law would not require disclosure of the information to the public; and (3) assurance is given by the State that the information would, in fact, be held in confidence.

(e) Cross reference 30 CFR Part 252.

CECIL D. ANDRUS,
*Secretary of the Interior.*

SEPTEMBER 20, 1977.

[FR Doc.77-27915 Filed 9-23-77;8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Parts 91 and 93 ]

[Docket No. 21395; RM-2702; FCC 77-627]

### PERMITTING INTERSERVICE GEOGRAPHIC SHARING OF CERTAIN 450 MHz BAND TAXICAB RADIO SERVICE CHANNELS

AGENCY: Federal Communications Commission, Washington, D.C. 20554.

ACTION: Notice of proposed rule making.

SUMMARY: The Federal Communications Commission proposes to amend the regulations to permit interservice geographic sharing of certain frequencies allocated to the Taxicab Radio Service. The proposal is in response to a petition by Forest Industries and is intended to relieve frequency congestion in certain areas.

DATES: Comments must be received by October 31, 1977, and reply comments by November 10, 1977.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Mr. Herbert Zeiler, Industrial and Public Safety Rules Division, Safety and Special Radio Services Bureau, 202-632-6497.

In the matter of amendment of Parts 91 and 93 of the Commission's Rules to permit interservice geographic sharing of certain 450 MHz band Taxicab Radio Service Channels.

Adopted: September 15, 1977; released: September 21, 1977.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. Forest Industries Telecommunications (FIT) has filed a petition requesting amendment of Parts 91 and 93 of the Commission's Rules and Regulations to permit persons eligible in the Forest Product Radio Service to share certain frequencies allocated to the Taxicab Radio Service.[1] Under the FIT proposal, twelve 150 MHz band taxicab tertiary frequencies would be available for Forest Products Radio Service use in areas located outside of standard metropolitan areas (SMA) of 50,000 or more population in eleven different states.[2] Twenty-four 450 MHz band taxicab frequencies (12 pairs) would be made available to entities eligible in the Forest Products Radio Service on a shared basis in the states of Oregon, Washington, Idaho, and Montana. Comments in opposition to the petition were filed by the International Taxicab Association (ITA). FIT filed reply comments.

3. In support of the petition, FIT states that licensing in the Forest Products Radio Service in recent years has experienced rapid growth in the pacific northwest and south.[3] It is argued that such growth has caused severe frequency crowding and congestion in these two areas. Complicating the matter further, according to FIT, is the fact that in the northwest along the U.S./Canadian border, Canadian operation has precluded the use of a number of Forest Products channels while in the south, shortages are experienced because of the required sharing of frequencies with the Petroleum and Manufacturers Radio Services, both heavy users in that area. FIT concludes that since most of Forest Products radio use is rural in nature and Taxicab use is predominately located in and around urban areas, some sort of interservice geographic sharing plan would be the logical approach to relieving the congestion in these areas.

4. ITA opposes the petition. It argues that FIT does not present any channel usage data to document its claims of frequency congestion. In addition, it states that FIT's assumption that taxicab usage is limited to urban areas is not factual and notes, "Taxicab Radio Service licensees make exceptionally intensive use of their frequencies to the point where any sharing is difficult."

5. We have carefully considered the petitioner's request along with comments filed and have concluded that the public interest would be best served by making additional use of 450 MHz band taxicab frequencies, however, only in the more rural areas of the country. Such use would afford some relief to the petitioner. However, for the reasons summarized below we are denying the request for shared use of the 150 MHz band frequencies.

6. The six taxicab frequency pairs sought by FIT are tertiary frequencies, that is to say frequencies separated from the next assignable frequency by only 15 kHz. The 15 kHz adjacencies in this case, are available in the Business Radio Service in areas outside standard metropolitan areas of 50,000 or more population. As business entities, forest industries are eligible to use these frequencies on the same basis as other eligibles in the Business Radio Service. Further, while in all of the other private land mobile services (Parts 89, 91, and 93) assignments with 15 kHz separation are made in the 150-160 MHz band, 30 kHz separations are required in the Business Radio Service. The reasons for this are discussed in the Commission's Report and Order in Docket 17703 (FCC 71-606) and Order in Docket 13930 (FCC 72-312). Basically, 15 kHz assignments require close coordination to assure sufficient geographical separation between systems on 15 kHz adjacencies. In these proceedings, the Commission concluded that this was not practical in the Business Radio Service. The same rationale applies here.

7. The twelve 450 MHz band frequency pairs asked for in the petition are available for taxicab base/mobile operations nationwide, and on a secondary basis for fixed operations under Parts 89 and 91. We have carefully examined the loading on these frequencies and find that they are not used extensively for taxicab operations outside of population centers.

It appears that some of the stated requirements of the petitioner's members could be satisfied on these frequencies without seriously affecting existing or future taxicab use. Accordingly, we propose to grant this portion of the petition. We are, therefore, proposing to make the twelve taxicab frequency pairs[4] in the 450-470 MHz band available for assignment for base/mobile operations in the Forest Products Radio Service in the states of Washington, Oregon, Idaho, and Montana in areas outside standard metropolitan areas of 50,000 or more population. A list of those areas is attached.[5] In those areas, the frequencies, as before, will be available for taxicab operations. To keep taxicab users on par with Forest Products operations in these more rural areas, the maximum transmitter output power will be limited to what is permitted under Part 93, 75 watts.

8. We realize this action will impact secondary use of these base/mobile frequencies under Parts 89 and 91 in these four states. However, with the number of other frequencies available for fixed use, we do not anticipate any problems.[6]

9. Accordingly, the FIT petition is granted to the extent indicated above and in all other respects is denied.

10. Authority for these proposed amendments, as set forth in the Appendix, is contained in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

11. Pursuant to applicable procedures set forth in Section 1.415 of the Commission's Rules, interested persons may file comments on or before October 31, 1977, and reply comments on or before November 10, 1977. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this Notice.

12. In accordance with the provisions of Section 1.419 of the Commission's Rules an original and five copies of all statements, briefs, or comments filed

[1] See the following MHz frequencies: 152.285, 152.315, 152.345, 152.375, 152.405, 152.435, 157.545, 157.575, 157.605, 157.635, 157.665, 157.695, 452.050, 452.100, 452.150, 452.200, 452.225, 452.250, 452.275, 452.300, 452.350, 452.400, 452.450, 452.500, 457.050, 457.100, 457.150, 457.200, 457.225, 457.250, 457.275, 457.300, 457.350, 457.400, 457.450, 457.500.

[2] Oregon, Washington, Idaho, Montana, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, and North Carolina.

[3] The growth last year was 18 percent.

[4] See the following MHz frequencies: 452.050, 452.100, 452.150, 452.200, 452.225, 452.250, 452.275, 452.300, 452.350, 452.400, 452.450, 452.500, 457.050, 457.100, 457.150, 457.200, 457.225, 457.250, 457.275, 457.300, 457.350, 457.400, 457.450, 457.500.

[5] This list should be used regardless of future population changes.

[6] All fixed use under Parts 89 and 91 on these frequencies would be secondary to forest products base/mobile operations as well as taxi operations.

shall be furnished the Commission. Responses will be available for public inspection during regular business hours in the Commission's Broadcast and Docket Reference Room at its Headquarters in Washington, D.C.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
*Secretary.*

I. Part 91 of the rules is amended as follows:

Section 91.354(a) table is amended by changing the class of station on several frequencies and adding the limitation (36), and paragraph (b)(36) to read as follows:

§ 91.354 Frequencies Available.

(a) * * *

*Forest products radio service frequency table*

| Frequency (Megahertz) or band | Class of station(s) | Limitations |
|---|---|---|
| * | * * * | * |
| 451.750 | dot | 11, 32 |
| 452.050 | Base or mobile | 36 |
| 452.100 | do | 36 |
| 452.150 | do | 36 |
| 452.200 | do | 36 |
| 452.225 | do | 36 |
| 452.250 | do | 36 |
| 452.275 | do | 36 |
| 452.300 | do | 36 |
| 452.350 | do | 36 |
| 452.400 | do | 36 |
| 452.450 | do | 36 |
| 452.500 | do | 36 |
| * | * * * | * |
| 456.750 | Base or mobile | 5, 33 |
| 457.050 | Mobile only | 33, 36 |
| 457.100 | do | 33, 36 |
| 457.150 | do | 33, 36 |
| 457.200 | do | 33, 36 |
| 457.225 | do | 33, 36 |
| 457.250 | do | 33, 36 |
| 457.275 | do | 33, 36 |
| 457.300 | do | 33, 36 |
| 457.350 | do | 33, 36 |
| 457.400 | do | 33, 36 |
| 457.450 | do | 33, 36 |
| 457.500 | do | 33, 36 |
| * | * * * | * |

(b) * * *

(36) This frequency is shared with the Taxicab Radio Service. It is available for assignment in this service only in the states of Washington, Oregon, Idaho and Montana in areas outside standard metropolitan areas of 50,000 or more population. The maximum output power is limited to 75 watts.

* * * * *

II. Part 93 of the rules is amended as follows:

Section 93.402(c) is amended as follows:

§ 93.402 Frequencies below 952 MHz available for base and mobile operations.

* * * * *

(c) The following frequency pairs are available for assignment to base stations or mobile stations in the Taxicab Radio Service, on a shared basis with other stations in the same service. For two-frequency systems, separation between base and mobile transmit frequencies is 5 MHz; however a mobile station may be assigned the frequency of an associated base station. (Such operation may, however, subject the single-frequency system to interference that would not occur to a two-frequency system.) The frequencies are also available in the Forest Products Radio Service in the states of Washington, Oregon, Idaho, and Montana in areas outside standard metropolitan areas of 50,000 or more population.

| Base and mobile (MHz) | *Mobile only (MHz)* |
|---|---|
| 452.050 | 457.050 |
| 452.100 | 457.100 |
| 452.150 | 457.150 |
| 452.200 | 457.200 |
| 452.225 | 457.225 |
| 452.250 | 457.250 |
| 452.275 | 457.275 |
| 452.300 | 457.300 |
| 452.350 | 457.350 |
| 452.400 | 457.400 |
| 452.450 | 457.450 |
| 452.500 | 457.500 |

* * * * *

STANDARD METROPOLITAN AREAS OF OVER 50,000 POPULATION

The states below have one or more counties listed which are Standard Metropolitan Areas having 50,000 or more population.

| WASHINGTON | OREGON |
|---|---|
| Clackamas | Clark |
| Multnomah | King |
| Washington | Pierce |
| | Snohomish |
| | Spokane |

The states of Idaho and Montana have no metropolitan areas of more than 50,000 population.

[FR Doc.77-27993 Filed 9-23-77;8:45 am]

## DEPARTMENT OF TRANSPORTATION

### Materials Transportation Bureau, Office of Pipeline Safety Operations

### [ 49 CFR Part 195 ]

[Notice No. 77-6, Docket No. OPSO-48]

### TRANSPORTATION OF LIQUIDS BY PIPELINE

### Seams on Adjacent Pipe Lengths

AGENCY: Materials Transportation Bureau, Office of Pipeline Safety Operations, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Materials Transportation Bureau (MTB) is considering revoking the requirement contained in § 195.218 that the longitudinal seams on adjacent pipe lengths be offset. This notice of proposed rulemaking sets forth the MTB's reasoning why it does not consider the requirement any longer necessary and solicits public comments concerning the proposed action.

DATE: Comments must be received on or before November 1, 1977.

ADDRESS: Comments should be sent to: Director, Office of Pipeline Safety Operations, Department of Transportation, Trans Point Building, 2100 Second Street SW., Washington, D.C. 20590. All comments received will be available for inspection and copying at Docket Room 6500, Trans Point Building.

FOR FURTHER INFORMATION CONTACT:

Peggy Hammond, 202-426-0135.

SUPPLEMENTARY INFORMATION: In connection with construction of the Trans-Alaska Pipeline System, the Alyeska Pipeline Service Co. (Alyeska) twice requested waivers from compliance with the general requirements of § 195.-218 for a total of eight girth welds. The information furnished by Alyeska in support of their requests and by welding engineering experts outside the government, supported MTB's granting (41 FR 38202, September 9, 1976, and 42 FR 42943, August 25, 1977) the requested waivers. In addition to finding that the waivers were not inconsistent with pipeline safety and were in the public interest, MTB concluded that the requirement of § 195.218 does not appear necessary for safety. Because of the significance of these decisions and their impact on pipelines to be constructed by others, MTB is considering removing the requirement of § 195.218 from 49 CFR Part 195. MTB is of the opinion that the advancement of technology for pipe manufacturing and pipe welding has made obsolete the need to offset the longitudinal seam when welding lengths of pipe together. MTB's opinion is based upon the following reasons:

1. The ductility of the pipe and girth weld metals presently in general use provides for localized yielding where high residual stresses may exist and thereby prevents fracture initiation and failure of the weld. (Section 195.218 was adopted when pipe and weld materials in general use were less ductile than materials in general use at present.)

2. The similarity of mechanical properties between the girth weld and pipe metals that are presently in general use minimizes the likelihood of any concentration of residual stresses existing at the intersection of welds and surrounding heat affected zone.

3. The fact that longitudinal seams are ground flush with the inside pipe circumference at the joint mitigates the likelihood of any concentration of residual stresses caused by excess metal at the intersection of welds.

MTB invites all interested persons to participate in this proposed rulemaking by submitting in triplicate such written comments, data, and information as they may desire not later than November 1, 1977. All comments received by the close of the comment period will be considered so far as practicable in developing the final rule. Communications should identify the docket and notice numbers and be submitted to the above address. This proposal may be changed in light of comments received. No hearing is contemplated, but one may be held at a time and place set in a later notice in the FEDERAL REGISTER if requested by an interested person desiring an opportunity to comment orally at a public hearing and raising a genuine issue.

IMPACT EVALUATION: MTB has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821, as amended, and OMB Circular A-107.

Principal authors: Ralph T. Simmons, Regulations Specialist, and Robert L. Beauregard, Attorney.

In consideration of the foregoing, it is proposed to amend Title 49 CFR by revoking and reserving § 195.218.

(18 U.S.C. 831-835, 49 U.S.C. 1655, 49 CFR 1.53(a) and paragraph (b)(1) of App. A to Part 102.)

Issued in Washington, D.C., on September 21, 1977.

CESAR DELEON,
*Acting Director, Office of Pipeline Safety Operations.*

[FR Doc.77-28080 Filed 9-23-77;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

### [ 50 CFR Part 17 ]

### ENDANGERED AND THREATENED WILDLIFE AND PLANTS

### Proposed Threatened Status for Greenback Cutthroat Trout

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rulemaking.

SUMMARY: The Service issues a proposed rulemaking pursuant to the Endangered Species Act of 1973, which would reclassify from Endangered status to Threatened status the greenback cutthroat trout (*Salmo clarki stomias*). Conservation efforts by State and Federal agencies on behalf of this species have restored it to the point where it is no longer endangered. Threats from hybridization and habitat alteration exist but are not serious enough to require an Endangered status; they do indicate, however, that the trout is Threatened. The greenback cutthroat trout occurs only in Colorado and this proposed rulemaking would permit the species to be taken in accordance with the laws of that State.

DATES: All comments and materials with regard to this proposed rulemaking received no later than December 27, 1977, will be considered.

ADDRESSES: Comments and materials concerning this proposed rulemaking should be sent to the Director (FWS/OES), U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

Comments and materials received will be available for public inspection during normal business hours at the Service's Office of Endangered Species, Suite 1100, 1612 K Street NW., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT:

Mr. Keith Schreiner, Associate Director, Federal Assistance, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240 (202-343-4646).

BACKGROUND

SUPPLEMENTARY INFORMATION:

The greenback cutthroat trout is currently classified as an endangered species. It was originally listed as endangered under the Endangered Species Conservation Act of 1969, and evidence on hand at that time indicated that it was endangered due to competition from hybridization with introduced species of trout and deterioration of its habitat. We now have evidence that the greenback cutthroat trout is no longer endangered as defined by the Endangered Species Act of 1973 and should be reclassified as Threatened.

Greenback cutthroat trout populations have been located or reintroduced in a number of waters within its former range in the headwaters of the South Platte and Arkansas River drainages, and efforts to eliminate introduced species of trout in selected areas which could hybridize with the greenback cutthroat trout are succeeding. The greenback cutthroat trout is not presently in danger of extinction throughout all or a significant portion of its range.

Section 4(a) of the Act states:

General.—(1) The Secretary shall by regulation determine whether any species is an endangered species or a threatened species because of any of the following factors:

(1) The present or threatened destruction, modification, or curtailment of its habitat or range;

(2) Overutilization for commercial, sporting, scientific, or educational purposes;

(3) Disease or predation;

(4) The inadequacy of existing regulatory mechanisms; or

(5) Other natural or manmade factors affecting its continued existence.

This authority has been delegated to the Director.

SUMMARY OF FACTORS AFFECTING THE SPECIES

Specifically, we have evidence that conditions (1) and (5) above are pertinent to determination that the greenback cutthroat trout be classed as threatened.

(1) *The present or threatened destruction, modification, or curtailment of its habitat or range.* The greenback cutthroat trout is less tolerant of adverse conditions than are other trouts such as brown trout or rainbow trout. Optimum conditions of oxygen, temperature, water purity, etc., from the greenback cutthroat trout appear to be more stringent than for other trouts. The original distribution of the greenback cutthroat trout was the headwaters of the South Platte and Arkansas River basins. Permanent populations were restricted to the mountains and foothills because the warm, turbid conditions in the South Platte and Arkansas Rivers in the plains did not provide suitable habitat. The extirpation of the greenback cutthroat trout proceeded very rapidly due to competition and hybridization with introduced trouts and loss and degradation of habitat from mining, logging, grazing, and irrigation projects. By 1930, the greenback cutthroat trout in its pure form was commonly assumed to be extinct.

Protection of presently occupied habitat varies. Como Creek and Black Hollow Creek are on Roosevelt National Forest lands with the exception of a few hundred yards of the head of Como Creek, which is on the grounds of the Arctic and Alpine Research Institute of the University of Colorado. Bear Lake, Forest Canyon, Hidden Valley, and Caddis Lake are on lands of the Rocky Mountains National Park; Island Lake and the Boulder Watershed Lakes are on land owned by the City of Boulder. The headwaters of the Little South Platte River is on Roosevelt National Forest and Rocky Mountain National Park. South Huerfano Creek is on a private ranch surrounded by San Isabel National Forest and Florence Creek is on the Uintah and Ouray Indian Reservations. The habitats on public lands appear to be safe from degradation. Waters on private land either known to contain greenback cutthroat trout or in the historic range and possibly containing undiscovered populations continue to be threatened by habitat destruction due to logging, mining, grazing, or water development projects.

(5) *Other natural or manmade factors affecting its continued existence.* The greenback cutthroat trout is not likely to coexist successfully with other species of trout. The introduction of nonnative trout within the range of the greenback cutthroat trout presents the most serious threat to its continued existence. Hybridization usually occurs with other subspecies of cutthroat trout and with rainbow trout. Eastern brook trout do not hybridize with greenback cutthroat trout wherever the two species occur together. Introduction of nonnative trout into greenback cutthroat habitat by fishermen is a threat to the species, as is destruction of barrier dams.

In spite of the above problems, there is evidence that the greenback cutthroat trout would benefit from regulated taking by noncommercial fishing in some areas. Regulated fishing on streams and lakes which have reached their carrying capacity would be beneficial to the population and increases public support for further restoration projects on public lands.

The Director intends that finally adopted rules be as responsive as possible to the conservation of the greenback cutthroat trout; he therefore desires to obtain the comments and suggestions of the public, other concerned governmental agencies, and private interests on these proposed rules.

Final promulgation of these regulations will take into consideration the comments received by the Director. Such comments and additional information received may lead the Director to adopt final regulations that differ from this proposal.

EFFECT OF THE RULEMAKING

The effects of this determination and rulemaking include, but are not necessarily limited to, those discussed below.

Endangered species regulations already published in Title 50 of the Code of Federal Regulations set forth a series of general prohibitions and exceptions which apply to all endangered species. All of these prohibitions and exceptions also apply to any threatened species unless a special rule pertaining to the threatened species has been published and indicates otherwise. In the case of the greenback cutthroat, a special regulation has been proposed which would allow "take" of the species in accordance with State laws.

This proposed rulemaking, if finalized, would not change the eligibility of the greenback cutthroat trout for the protection provided by section 7 of the Act. That section reads as follows:

INTERAGENCY COOPERATION

The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal departments and agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act and by taking such action necessary to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of such endangered species and threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical.

Although no Critical Habitat has yet been determined for this species, the other provisions of section 7 are applicable.

Pursuant to section 4(b) of the Act, the Director will notify the Governor of Colorado, with respect to this proposal and request the comments and recommendations before making final determinations.

PUBLIC COMMENTS SOLICITED

The Director intends that the rules finally adopted will be as accurate and effective as possible in the conservation of any Endangered or Threatened species. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interest, or any other interested party concerning any aspect of these proposed rules are hereby solicited. Comments particularly are sought concerning:

(1) Biological or other relevant data concerning any threat (or lack thereof) to the greenback cutthroat trout;

(2) The location of and reasons why any habitat of the greenback cutthroat trout should or should not be determined to be Critical Habitat as provided for by section 7 of the Act;

(3) Additional information concerning the range and distribution of the greenback cutthroat trout.

Final promulgation of the regulations on the greenback cutthroat trout will take into consideration the comments and any additional information received by the Director and such communications may lead him to adopt final regulations that differ from this proposal.

An environmental assessment has been prepared in conjunction with this proposal. It is on file in the Service's Office of Endangered Species, 1612 K Street NW., Washington, D.C. 20240, and may be examined during regular business hours or can be obtained by mail. A determination will be made at the time of final rulemaking as to whether this is a major Federal action which would significantly affect the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969.

This proposed rulemaking is issued under the authority contained in the Endangered Species Act of 1973 (16 U.S.C. 1531–1543; 87 Stat. 884), and the primary authors are Sandy Hamilton and Dr. James D. Williams, Office of Endangered Species (202–343–7814).

Accordingly, it is hereby proposed to amend Part 17, Subchapter B of Chapter I, Title 50 of the Code of Federal Regulations, as set forth below:

It is proposed to amend § 17.11 by adding in alphabetical order the following to the list of animals:

**§ 17.11 Endangered and threatened wildlife.**

| Species | | | Range | | | | |
|---|---|---|---|---|---|---|---|
| Common name | Scientific name | Population | Known distribution | Portion of range where threatened or endangered | Status | When listed | Special rules |
| Fishes: Trout, greenback cutthroat. | *Salmo clarki stomias.* | NA | U.S.A. (Colorado) | Entire | T | | 17.44(f) |

§ 17.44 [Amended]

Section 17.44 is amended by adding a new § (f) as follows:

* * * * *

(f) Greenback cutthroat trout (*Salmo clarki stomias*).

(1) All provisions of § 17.31 apply to this species, except that it may be taken in accordance with applicable State law.

(2) Any violation of State law will also be a violation of the Act.

NOTE.—The Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A–107.

Dated: September 20, 1977.

LYNN A. GREENWALT,
*Director, Fish and Wildlife Service.*

[FR Doc.77-28003 Filed 9-23-77;8:45 am]

# notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

### PRIVACY ACT OF 1974

#### Systems of Records

Notice is hereby given that the Advisory Council on Historic Preservation which was made an independent agency on September 28, 1976 (Pub. L. 94-422, 90 Stat. 1313) is now assuming management of its systems of records subject to Section 3 of the Privacy Act of 1974 (5 U.S.C. 522(a) Pub. L. 93-579) which have been maintained by the National Park Service. This transfer includes all systems except personnel records which will remain under the Department of the Interior system of records. The Council will continue to operate under the Privacy Act rules of the Department of the Interior (43 CFR Part 2).

System Name. Advisory Council on Historic Preservation Membership—Advisory Council on Historic Preservation, Executive Office, 1.

System Location. Suite 510, 1522 K Street NW., Washington, D.C. 20005.

Categories of individuals covered by the system: Past and present Council Members.

Categories of records in the system: Contains biographical information, confidential statements of employment and financial interests, personnel papers, and travel record for individual members.

Authority for maintenance of the system. 16 U.S.C. 4701 Pub. L. 89-665, Pub. L. 91-243; 18 U.S.C. 201 et seq., Pub. L. 87-849.

Routineuse of records maintained in the system. (1) Maintaining necessary records on expenses of members in the conduct of Council business, determination of conflicts of interest and providing public information on the individual members of the Council. (2) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (3) Transfer, in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, or license, whether civil, criminal or regulatory in nature, to the appropriate agency or agencies, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order or license violated or potentially violated.

Storing, retrieving, accessing, retaining and disposing of records in the System. (1) Storage—standard letter file. (2) Retrievability—Indexed by name. (3) Safeguards—Maintained with safeguards meeting requirements of 43 CFR 2.51 for manual records. (4) Retention and disposal—retained indefinitely.

System Manager and Address. Administrative Officer, Advisory Council on Historic Preservation, Suite 510, 1522 K Street, N.W., Washington, D.C. 20005.

Notification Procedure. Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures. A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures. A petition for amendment should be addressed to the system manager and must meet the content requirements of 43 CFR 2.71.

Record source categories. Biographical data provided by individual members and officials travel forms, etc., maintained by Administrative Officer.

System name. Congressional Correspondence—Advisory Council on Historic Preservation—Office of General Counsel—2.

System location. Suite 510, 1522 K Street, NW., Washington, D.C. 20005.

Categories of individuals covered by the system. Representatives and Senators with whom the Council has corresponded.

Categories of records in the system. Contains copies of correspondence between the Council and Congressional offices.

Authority for maintenance of the system. 16 U.S.C. 4701, Pub. L. 89-665 and Pub. L. 91-243.

Routine use of records maintained in the system: (1) Retrieval by Council staff of correspondence between Council and Congressional offices on Council business. (2) Transfer to the U.S. Department of Justice in the event of litigation or potential litigation involving the records or the subject matter of the records.

Storing, retrieving, accessing, retaining and disposing of records in the System. (1) Storage—originals and carbon copies maintained in standard letter file. (2) Retrievability—indexed by name. (3) Safeguards—maintained with safeguards meeting requirements of 43 CFR 2.51 for manual records. (4) Retention and disposal—retained indefinitely.

System manager and address. Congressional Liaison Officer, Advisory Council on Historic Preservation, Suite 510, 1522 K Street, NW., Washington, D.C. 20005.

Notification procedure. Inquiries regarding the existence of records should be addressed to the System Manager, a written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

Record access procedures. A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

Contesting record procedures. A petition for amendment should be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

Record source categories. Correspondence to and from individual Representatives and Senators.

ROBERT M. UTLEY,
*Deputy Executive Director.*

[FR Doc.77-28021 Filed 9-23-77;8:45 am]

## DEPARTMENT OF AGRICULTURE

### Forest Service

### LAND MANAGEMENT PLAN; PINKHAM-FORTINE-ALKALI PLANNING UNIT

#### Availability of Final Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Land Management Plan—Pinkham-Fortine-Alkali Planning Unit, Forest Service Report No. USDA-FS-R1(14)-DES-Adm-R1-77-8.

The environmental statement concerns the proposed implementation of a revised Land Management Plan for the Pinkham-Fortine-Alkali Planning Unit, Rexford and Fortine Ranger Districts, Kootenai National Forest, Lincoln County, Mont. About 152,901 acres of National Forest land are affected. The planning unit is divided into nine subunits of similar resource potential and limitations to management. Significant values, management direction, and specific statements to guide land management have been developed for each subunit.

This final environmental statement was transmitted to CEQ on September 16, 1977.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. & Independence Ave. SW., Washington, D.C. 20250.

USDA, Forest Service, Northern Region, Federal Building, Missoula, Mont. 59801.

USDA, Forest Service, Kootenai National Forest, P.O. Box AS, Libby, Mont. 59923.
USDA, Forest Service, Eureka Ranger Station, Eureka, Mont. 59917.
USDA, Forest Service, Murphy Lake Ranger Station, Fortine, Mont. 59918.

A limited number of single copies are available upon request to:

USDA, Forest Service, Kootenai National Forest, P.O. Box AS, Libby, Mont. 59923.
USDA, Forest Service, Eureka Ranger Station, Eureka, Mont. 59917.
USDA, Forest Service, Murphy Lake Ranger Station, Fortine, Mont. 59918.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

R. MAX PETERSON,
*Deputy Chief.*

SEPTEMBER 16, 1977.

[FR Doc.77-27957 Filed 9-23-77;8:45 am]

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### Office of the Secretary

### NATIONAL PLANT GENETIC RESOURCES BOARD

#### Intent To Reestablish

The Department of Agriculture proposes to reestablish the National Plant Genetic Resources Board for a 2-year period.

This Board was originally established in July 1975 under the Secretary's own authorship.

The purpose of the Board is to advise the Secretary of Agriculture and officers of the National Association of State Universities and Land Grant Colleges in order to assess national needs and identify high priority programs for conserving and utilizing plant genetic resources, including such things as collection, maintenance and description of genetic stocks, and utilization of the stocks in plant improvement programs.

The Secretary has determined that continuation of the Board is necessary and in the public interest in order to assure adequate supplies of food, feed, and fiber by minimizing the genetic vulnerability of crops.

Comments of interested persons concerning the reestablishment of this Board may be submitted to Dr. C. F. Lewis, Staff Scientist, National Program Staff, Agricultural Research Service, U.S. Department of Agriculture, BARC-West, Beltsville, Maryland 20705 on or before October 11, 1977 (15 days after publication).

All written submissions made pursuant to this notice will be made available for public inspection at the Staff Scientist's office during regular business hours (7 CFR 1.27(b)).

This notice is given in compliance with Pub. L. 92-463.

Done at Washington, D.C., this 21st day of September 1977.

HOWARD W. HJORT,
*Director of Economics, Policy Analysis and Budget.*

[FR Doc.77-28019 Filed 9-23-77;8:45 am]

## CIVIL AERONAUTICS BOARD

[Docket No. 29058]

### NORFOLK-ATLANTA SUBPART M PROCEEDING

#### Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in this proceeding, now scheduled to be held on October 4, 1977, (42 FR 45015, September 8, 1977), is hereby postponed to December 6, 1977, at 9:30 a.m. (local time) in Room 1003, Hearing Room B, Universal North Building, 1875 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Ronnie A. Yoder.

Dated at Washington, D.C., September 15, 1977.

RONNIE A. YODER,
*Administrative Law Judge.*

[FR Doc.77-27867 Filed 9-23-77;8:45 am]

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[Docket 30091; Order 77-9-64]

### BRITISH CALEDONIAN AIRWAYS LIMITED (BCAL)

#### Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 19th day of September, 1977.

Pursuant to Order 73-333 approved March 9, 1973, British Caledonian Airways Limited (BCAL) was granted a foreign air carrier permit authorizing it to engage in scheduled air service between the coterminal points London and Manchester, England, and Prestwick, Scotland, and the terminal point New York; and between London, England, the intermediate point Chicago, Illinois, and the terminal point Los Angeles, California. On November 19, 1976, BCAL requested amendment of its permit to enable it to operate foreign air transportation between points in the United Kingdom and Atlanta, Georgia, and Houston, Texas. The authority requested was not contemplated under the then existing Air Services Agreement between the United States and the United Kingdom. An answer in support of BCAL's application was filed by the City of Houston, and Delta Airlines has filed a petition for leave to intervene.

On August 1, 1977, the British Government designated BCAL to serve U.K. Routes 4 and 11 (Atlanta/Houston combination and All-Cargo services) contained in the new U.S.-U.K. Air Services Agreement signed July 23, 1977. As noted, BCAL's application for amendment of its foreign air carrier permit to include authority to operate between points in the United Kingdom and Atlanta, Georgia, and Houston, Texas, had been filed prior to signing of the new Agreement.

In view of the fact that BCAL has previously been granted a foreign air carrier permit by the Board (for New York/Chicago/Los Angeles authority), and that the United Kingdom has now designated the carrier to operate the Atlanta and Houston services under the new Agreement, we see no valid reason to conduct lengthy hearings to amend BCAL's permit in accordance with the Agreement and the current U.K. designation. On at least two past occasions (Dockets 24509 and 23972), the Board found that BCAL was substantially owned and effectively controlled by citizens of the United Kingdom, that it was financially and operationally fit, and that it was in the public interest to grant BCAL's requests for transatlantic authority. We are aware of no changes in BCAL's structure or operations which would require us to modify those findings.

BCAL's currently outstanding foreign air carrier permit authority is based on a designation to serve New York, Chicago, and Los Angeles. BCAL does not now operate scheduled services under its current permit. Moreover, BCAL's rights to operate to those points under the revised bilateral Air Transport Services Agreement will expire if it is not designated under the new Agreement to provide all or part of the rights contained in its present permit by November 1, 1977. The Government of the United Kingdom has not expressed its intentions with regard to BCAL's present operating authority. It would not be in the public interest to leave such authority outstanding in an amended permit should BCAL's rights under the new bilateral to operate its presently authorized scheduled services terminate. Accordingly, we will provide in the amendment permit that BCAL's authority to serve New York, Chicago, and Los Angeles will terminate if, and to the extent that, BCAL is not designated by the United Kingdom to serve these points on or prior to November 1, 1977. This would place BCAL's permit authority in conformance with the new U.S.-U.K. Agreement.

In view of the foregoing and all the facts of record, the Board tentatively finds and concludes that:

(a) British Caledonia Airways Limited (BCAL) is substantially owned and effectively controlled by citizens of the United Kingdom.

(b) It is in the public interest to amend the foreign air carrier permit issued to BCAL pursuant to Order 73-3-33;

(i) To authorize the carrier, subject to conditions, to engage in foreign air transportation with respect to persons, property and mail between the coterminal points London and Manchester, England, and Prestwick, Scotland, and the coterminal points Houston, Texas, and Atlanta, Georgia; and

(ii) To provide for termination of the currently outstanding authority of the carrier to serve New York, Chicago and Los Angeles on November 1, 1977; *Provided*, That such authority shall continue in effect if, but only to the extent that, on or prior to November 1, 1977, the holder is designated by the United Kingdom Government to exercise such

rights, or a part thereof, pursuant to the air services agreement between the United States and the United Kingdom, effective July 23, 1977.

(c) The public interest requires that the exercise of the privileges granted by such amended permit shall be subject to the terms, conditions and limitations contained in the specimen form of permit attached to this Order and to such other reasonable terms, conditions and limitations required by the public as may from time-to-time be prescribed by the Board.

(d) BCAL is fit, willing and able properly to perform the above-described foreign air transportation, and to conform to the provisions of the Act and the rules, regulations, and requirements of the Board thereunder.

(e) A hearing on the application of BCAL is not required in the public interest.

(f) Except to the extent granted, the application of BCAL, and all other requests in this proceeding should be denied.

The Board further tentatively finds, in view of the limited services proposed pursuant to rights granted in the bilateral agreement previously entered into, that amendment of BCAL's foreign air carrier permit would not constitute a "major" Federal action significantly affecting the quality of the environment within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA). Similarly, we tentatively find that our action would not be inconsistent with the policy objectives of the Energy Policy and Conservation Act of 1975 (EPACA).[1]

All interested persons will be given 15 days following the date of service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to direct their objections, if any, to specific issues and to support such objections with detailed analyses. If any evidentiary hearing is requested, each objector should name the specific markets or other issues with respect to which a hearing is requested and should state in detail why such a hearing is necessary and what relevant and material facts he would expect to establish through such a hearing. Vague, general or unsupported objections will not be entertained.

Accordingly, it is ordered that: 1. All interested persons are directed to show cause why the Board should not make final the tentative findings and conclusions set forth herein and why an amended foreign air carrier permit in the form of the attached specimen permit should not, subject to approval by the President pursuant to Section 801 of the Act, be issued to British Caledonian Airways Limited;

(a) Authorizing the carrier, subject to conditions, to engage in foreign air transportation with respect to persons, property and mail between the coterminal points London and Manchester, England, and Prestwick, Scotland, and the coterminal points Houston, Texas, and Atlanta, Georgia; and

(b) Providing for termination of the currently outstanding authority of the carrier to serve New York, Chicago, and Los Angeles on November 1, 1977; *Provided* that such authority shall continue in effect if, but only to the extent that, on or prior to November 1, 1977, the holder is designated by the United Kingdom Government to exercise such rights, or a part thereof, pursuant to the air services agreement between the United States and the United Kingdom, effective July 23, 1977.

2. Any interested persons having objections to the issuance, without hearing, of an order making final the tentative findings and conclusions herein, or to the issuance of the proposed amended foreign air carrier permit, shall, within 15 days after the date of service of this order, file with the Board and serve on the persons named in paragraph 5 a statement of objections specifying the part or parts of the tentative findings or conclusions objected to, together with a summary of testimony, statistical data and such evidence expected to be relied upon to support the statement of objections;

3. If timely and properly supported objections hereto are filed, full consideration will be accorded the matters or issues raised therein before further action is taken by the Board; *Provided*, that the Board may proceed to enter an order in accordance with the tentative findings and conclusions herein if it determines that there are no factual issues presented that warrant the holding of an evidentiary hearing.[2]

4. In the event no objections are filed to this order, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions herein; and

5. This order shall be served upon British Caledonian Airways Limited, Delta Air Lines, Pan American World Airways, the Ambassador of the Government of the United Kingdom of Great Britain and Northern Ireland, and the Department of State.

This order shall be published in the FEDERAL REGISTER and transmitted to the President.

By the Civil Aeronautics Board.[3]

PHYLLIS T. KAYLOR,
*Secretary.*

[1] BCAL's proposed new operations to Houston, as set forth in its application, will consume a maximum of some 18 million gallons of fuel annually. However, the public service benefits of the new service as well as the public interest in compliance with the revised U.S.-U.K. Bilateral Air Services Agreement greatly outweigh any likely negative effect on fuel consumption. Service to Atlanta, Georgia, may not be operated nonstop until July 23, 1980.

[2] Since provision is made for the filing of objections to this order, petitions for reconsideration will not be entertained.

[3] All Members concurred.

SPECIMEN PERMIT

PERMIT TO FOREIGN AIR CARRIER (AS AMENDED)

British Caledonian Airways Limited is hereby authorized, subject to the provisions hereinafter set forth, the provisions of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in foreign air transportation with respect to persons, property, and mail, as follows:

1. Between the coterminal points London and Manchester, England, and Prestwick, Scotland, and the coterminal points Houston, Texas, and Atlanta, Georgia.

2. Between the coterminal points London and Manchester, England, and Prestwick, Scotland; and the terminal point New York, New York.

3. Between the terminal point London, England; the intermediate point Chicago, Illinois; and the terminal point Los Angeles, California.

The holder shall be authorized to engage in charter trips in foreign air transportation, subject to the terms, conditions, and limitations prescribed by Part 212 of the Board's Economic Regulations.

The authority of the holder to engage in foreign air transportation with respect to persons, property and mail over segments 2 and 3 shall terminate November 1, 1977: *Provided, however*, that if on or prior to November 1, 1977, the holder is designated by the Government of the United Kingdom of Great Britain and Northern Ireland to exercise such rights, or a part thereof, pursuant to the Air Services Agreement between the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland, effective July 23, 1977, those rights for which the holder is designated will not terminate pursuant to this provision.

The holder shall not operate nonstop service to Atlanta, Georgia on segment 1 prior to July 23, 1980.

The holder shall not grant stopover privileges at Chicago, Illinois on flights over segment 3.

The holder shall not commence scheduled service between any of the points authorized herein, except pursuant to an initial tariff setting forth rates, fares and charges no lower than rates, fares or charges that are then in effect for any U.S. air carrier engaged in the same scheduled foreign air transportation.

The holder shall conform to the airworthiness and airman competency requirements prescribed by the Government of the United Kingdom of Great Britain and Northern Ireland for international air service.

This permit shall be subject to all applicable provisions of any treaty, convention, or agreement affecting international air transportation now in effect, or that may become effective during the period this permit remains in effect, to which the United States and the United Kingdom of Great Britain and Northern Ireland shall be parties.

By accepting this permit, the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against the holder in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of operations by the holder under this permit.

The holder shall keep on deposit with the Board a signed counterpart of CAB Agreement 18900, an agreement relating to liability limitations of the Warsaw Convention and the Hague Protocol approved by Board Order E-23680, May 13, 1966, and a signed counterpart of any amendment or amendments to such agreement which may be approved by the Board and to which the holder becomes a party.

The holder (1) shall not provide foreign air transportation under this permit unless there is in effect third-party liability insurance in the amount of $1,000,000 or more to meet potential liability claims which may arise in connection with its operations under this permit, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the third-party liability insurance provided, and (2) shall not provide foreign air transportation with respect to persons unless there is in effect liability insurance sufficient to cover the obligations assumed in CAB Agreement 18900, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the passenger liability insurance provided. Upon request, the Board may authorize the holder to supply the name and address of an insurance syndicate in lieu of the names and addresses of the member insurers.

The exercise of the privileges granted hereby shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

This permit shall be effective on _____, 1977. Unless otherwise terminated at an earlier date pursuant to the terms of any applicable treaty, convention or agreement, this permit shall terminate (1) upon the effective date of any treaty, convention or agreement, or amendment thereto, which shall have the effect of eliminating the routes authorized from the routes which may be operated by airlines designated by the Government of the United Kingdom of Great Britain and Northern Ireland (or in the event of the elimination of any part of a route or routes authorized, the authority granted shall terminate to the extent of such elimination), or (2) upon the effective date of any permit granted by the Board to any other carrier designated by the Government of the United Kingdom of Great Britain and Northern Ireland in lieu of the holder hereof, or (3) upon the termination or expiration of the Air Services Agreement between the Government of the United States and the Government of the United Kingdom of Great Britain and Northern Ireland effective July 23, 1977: *Provided, however*, That clause (3) of this paragraph shall not apply if, prior to the occurrence of the event specified in clause (3), the operation of the foreign air transportation herein authorized becomes the subject of any treaty, convention, or agreement to which the United States and the United Kingdom of Great Britain and Northern Ireland are or shall become parties.

In witness whereof, the Civil Aeronautics Board has caused this permit to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the _____.

*Secretary.*

(SEAL)

Issuance of this permit to the holder approved by the President of the United States
on _____
in Order _____

[FR Doc.77-27868 Filed 9-23-77;8:45 am]

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[Order 77-9-55; Docket 29123; Agreement CAB 26858, R-1 through R-5]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Relating to North Atlantic Passenger Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 16th day of September, 1977.

By tariff revisions filed for travel to commence on September 15, 23 or 26, 1977, Pan American World Airways, Inc. (Pan American), Trans World Airlines, Inc. (TWA), British Airways, Air-India, and Iran National Airlines Corporation (Iran Air) propose new standby, budget and super-APEX (advance purchase excursion) fares for use between New York and London. The budget and standby fares are proposed at $256 roundtrip, and the super-APEX at $290 roundtrip; all were filed to compete with Laker Airways' Skytrain service which is expected to begin operations September 26, 1977 at a New York-London fare of $236.48.[1]

Numerous complaints were filed by various parties, and the fares were later incorporated, with some changes, into an agreement among the members of the International Air Transport Association (IATA). Additional comments were received on the IATA agreement. On August 30 the Board gave notice that it would hear oral argument on the ITA agreement and the tariff filings. The oral argument was heard on September 7, 1977. This order deals with the IATA agreement. A separate order dealing with the tariffs now on file is being submitted to the President.

For the reasons explained below, the Board has decided to approve the standby fares, disapprove the super-APEX, and approve the budget fare subject to an increase to a more appropriate fare level.

#### The Proposals

Laker's New York-London one-way Skytrain fares are $135 eastbound and £59 westbound, or about $236.48 roundtrip from New York at current exchange rates. Briefly, the IATA agreement proposes three New York-London fares in competition with Laker: (1) a standby fare at $256 roundtrip; (2) a budget fare at $256 roundtrip; and (3) a super-APEX fare at $299 roundtrip. The standby fare would be available for sale beginning at 4 a.m. on the day of departure with a cutoff three hours before flight time (two hours in London).

The budget fare would require payment at least 21 days before the week of departure, with the exact selection of departure and return days and flights at the option of the carrier, which would inform the passenger not earlier than 10 days before the first day of the week of travel. Capacity for both fares combined would be limited to 700 seats in each direction, per week, for each of the third/fourth freedom carriers (Pan American, TWA and British Airways), while other carriers operating New York-London service would have lower limits.[2] The super-APEX fare is simply a reduction in the level of the current New York-London APEX fare from $350 to $299, basic season, and carries the customary APEX capacity restriction of 25 percent of a carrier's economy-class seats. Super-APEX fares would be made available at other U.S. and European points with a smaller reduction than would apply to New York-London. The IATA agreement was proposed to become effective September 1, 1977, with travel under the standby and budget fares to commence September 15, and super-APEX travel to commence October 1, 1977. A chart comparing the various fares is set out as Appendix A.

#### Positions of the Parties

Pan American, TWA and British Airways support fares proposed in the agreement as appropriate competitive responses to Skytrain, which the Board assured them it would allow in its order granting Laker's permit. However, each carrier is the proponent of a different option as the best competitive response: TWA, the standby; Pan American, the budget; and British Airways, the super-APEX.

Several parties oppose the proposals on the grounds that they would destroy the supplemental (charter-only) carriers and charter tour organizers, who are alleged to have been the only real competitive spur in providing low-cost transportation and price competition on the North Atlantic; that once the supplementals are eliminated there will be nothing to prevent the IATA carriers from dropping the discounts and raising fares to excessive levels. These parties allege generally that the proposed fares are an over-reaction to Skytrain, would be considerably more attractive to the public than either Skytrain or charters, and are below-cost, uneconomic and predatory. Arguing along these lines are the National Air Carrier Association (NACA), Brendan Tours, Inc. (Brendan), Charter Travel Corporation (CTC), The Educational Cooperative (TEC), the Air Charter Tour Operators of American (ACTOA) and United Buying Service, Inc. (UBS), Unitours, a California Corporation (Unitours), and Vouga Travel Agency (Vouga).

Laker asserts that the proposed fares are not an appropriate response to Skytrain and are essentially conventional reservations service, which is obviously more attractive to the public, offered at a reduced, below-cost level, and would not only destroy Skytrain but would wipe out the charter market as well.

The American Society of Travel Agents (ASTA) supports approval of the budget and super-APEX fares, alleging that they are distinguishable from conventional reservations service by their uncertainties and ticketing and service restrictions, which will also prevent them from being a serious threat to the charter market. ASTA asserts that the budget and super-APEX fares will maintain the value and flexibility of conventional marketing arrangements, and the expertise afforded by travel agents. In contrast, ASTA urges disapproval of the standby fare on the ground that it would not preserve these important values, and is not a proper way to market scheduled air transportation.

The United States Department of Justice (DOJ) opposes the fares with reluctance stating that, while the fares may offer low-price benefits to consum-

[1] Aerlinte Eireann Teoranta (Aerlinte) has also filed super-APEX fares for travel between the United States and Ireland.

[2] Air India, 350; Iran Air, 250; and El Al, 200.

ers in the short run, they are likely to be predatory with respect to charter services in the long run. Once the supplemental carriers are eliminated, DOJ argues, the IATA carriers could discontinue discounts and raise fares, and foreign regulatory and political hostility to charter competition could make subsequent re-entry of low-price competition impossible.

The Board's Office of the Consumer Advocate (OCA) expresses the same concerns as DOJ, but believes that the standby fare might be acceptable if offered at a higher level to reflect its greater value and cost than Skytrain.

The positions and arguments of the parties are set forth in greater detail in Attachment B. With the exception of Air India, Iran Air, Aerlinte, and Vouga, all of the parties participated in the oral argument.

FINDINGS

The Board has determined to approve the standby fare and to disapprove the super-APEX. We accept the concept of the budget fare, but will disapprove its use at the proposed level for the reasons set forth below. In reaching these results, we begin with one basic premise: that the scheduled carriers are entitled to make a competitive response to Laker and, more fundamentally, that the traveling public is entitled to the benefits of price competition, which should not necessarily be confined to merely passive imitations of Skytrain. The Board made this clear when we granted Laker's permit, and indicated that the present situation may be a golden opportunity to encourage imagination and innovation in the North Atlantic air travel market. As we stated in Order 77-6-68:

> Our "concern is to ensure that the experiment in low-fare scheduled service represented by Laker's proposed "Skytrain" will be conducted in a competitive environment in which U.S. carriers can take part on a fair and equal basis, one in which they not only are permitted to compete directly and on equal terms with Laker's service, but also are permitted to innovate and experiment with similar but not necessarily identical forms of low-fare scheduled service. In granting a permit for Laker's "Skytrain", we are by no means endorsing this particular concept as the only or even the best possible form of low-fare scheduled service. On the contrary, we tend to believe some of the restrictions imposed on Laker by its U.K. license are unnecessarily burdensome to the traveling public, and may even threaten the ultimate viability of the service. Others, such as the rigid predetermination of the capacity to be offered, are flatly contrary to U.S. policy, and we could not agree to such restrictions being imposed on U.S. carriers.
>
> "The carriers' response might comprise a separate low-fare service similar to Laker's, or it might comprise, for example, a standby service on presently scheduled flights. We see no reason why the latter alternative should be ruled out in advance. A standby service by definition does not displace normal-fare passengers, the economic vice of most promotional fares which allow or require booking well in advance of departure, and probably does not have the same tendency to induce increases in capacity as other discount fares do. (footnote omitted).
>
> "The foregoing does not necessarily exhaust the kinds of competitive responses to "Skytrain" by the existing scheduled carriers which might be deemed appropriate; it simply illustrates one possible kind of response which we would consider reasonably within the scope of an experiment in low-fare scheduled service."[3]

Given this proposition, the critical question for us to decide is whether the proposed fares do, in fact, constitute an appropriate competitive response; and, to advert to our more fundamental premise, whether they are a proper part of a healthy competitive process in the basic public interest. We have before us the contention, forcefully expressed, that they are not; that, because they would be much more attractive, both in price and quality, than either Skytrain or charters, they would result in the elimination of both Laker and the supplemental carriers from the market; and that without the low-price innovators, the market would be at the mercy of the IATA carriers, who would undoubtedly raise fares, free from the discipline of even potential price competition.

The proponents have alleged that all of the proposed fares offer, in the short run, the significant public benefits of innovation, low fares and a wide range of price/quality options; and that since there is no way of predicting precisely what will happen in the marketplace, the Board should approve all three fares and let the market itself, which alone is infallible, determine the outcome. On the other hand, we must give at least equal consideration to the question of long-run public interest, which hinges on the magnitude of the threat that the fares pose to Laker and the supplementals, and the risk that they will not be able to re-enter if once driven from the marketplace. In view of the hazard that the public may therefore be deprived of the benefits of price competition we cannot afford to be myopic.

With this resolve, we proceed to our evaluation of the long-run public interest implications of the IATA proposals. The largest and most crucial question is whether it is in fact necessary and desirable to offer some protection to the supplementals and Laker, thus putting ourselves in the uncomfortable position of balancing or fine-tuning competition among the different participants on the market. We believe it is. There is no doubt that the supplemental carriers have been the prime movers in genuinely cutting prices in this market, which is crucial to them, and their benefits to travelers and demonstrable. Neither is there doubt that, while the scheduled carriers have always played a large role in the charter business, their main interest has been to preserve the predominance of scheduled service, and it has been the supplemental carriers, with only charters to offer, who have played the major role as a good and stimulus in offering low-cost transportation to the public. The loss of this competitive spur, we believe, would involve too great a risk to the public, especially since supplemental carriers, once driven from the marketplace, would find it extremely difficult to re-enter given the historical attitude of many European governments. Finally, the theatre of competition on the North Atlantic has thus far been limited to a cast of two classes of carrier; it would be a genuine tragedy if the newest player, Laker, were knocked out in the first act of the new drama about to be performed. The Board has taken very large steps forward in recent years in making the North Atlantic market more responsive to the needs of the impecunious traveler. We are not now prepared to risk unraveling the thread of competition, already so painstakingly woven into the fabric of the market, for the sake of what would likely prove to be purely temporary gains. For the reasons explained below, the Board is convinced that the budget fare, as now constituted, and the super-APEX fare present a serious threat to the supplementals, as well to Laker.

Given our determination to preserve a reasonable balance in the competitive environment, the next question we must answer is: how serious is the potential threat to Laker and the supplementals. At this point we shall examine the three proposals separately to evaluate whether they are an appropriate response to Skytrain, and whether they would unduly threaten the supplementals. At the outset, we consider the contention raised by the complainants that the proposed fares are prima facie predatory and unreasonable because they are significantly below average fully-allocated scheduled-service costs, and should be disapproved for this reason alone. We reject this argument. The fares are designed as fill-up, and are applicable during a period which is predominantly off-season, when capacity levels are high in relation to demand.[4] Under these circumstances, we are not prepared to disapprove the fares on grounds of cost alone, where they are clearly in excess of marginal costs.

We have reviewed the B-747 cost experienced by Pan American and TWA for New York-London operations during Calendar 1976, using standard "Version 6" costing methodology, and find that, on a composite basis, their economy class total economic cost was $376.26 round-trip, at their experienced 58.8 percent load factor. At other load factors, this

[3] Order 77-6-68, June 14, 1977, pp. 20-25.

[4] This is clearly so with respect to the standby fare. Moreover, for present purposes we are assuming this is also the case with respect to the budget and super-APEX fares, both of which require the carrier to make advance projections of seat availability. Nevertheless, there is a serious question as to the carrier's ability to make such advance projections accurately, particularly in the case of the super-APEX which requires reservations and ticketing at least 45 days in advance. To the extent these fares would preempt higher-fare traffic, the use of only non-capacity costs (see fn. 5 infra) as a test of reasonableness would understate the costs properly attributable to this traffic.

per-passenger cost would range from a high of $395.12 at 55 percent to a low of $276.44 at 95 percent. These figures, however, reflect fully-allocated costs, including return, and as we have already observed, we regard it as improper to apply a fully-allocated cost test, when the marginal cost of this service is clearly much below that. At a 60 percent load factor, non-capacity costs represent about 37 percent of total cost, or approximately $140.09 on a roundtrip basis, a figure well exceeded by the proposed fare levels of $256 and $299, even allowing for cost inflation over recent months.[5] But it is evident that if we use short-run marginal cost as a test for evaluating scheduled fares offered in competition with charters, the supplementals will not be able to long survive such competition. The supplementals' average costs, while much lower than scheduled carriers' average costs, due to the charters' inherent economic advantage in operating at extremely high load factors and other efficiencies, will always be higher than the scheduled carriers' short-run marginal costs, i.e., the added cost of carrying additional passengers in otherwise empty seats.[5a] To permit the scheduled carriers to price on this basis would indeed place a powerful weapon in their hands. There is ample basis in regulatory theory for the proposition that rates in competitive situations such as these should cover long-run, not merely short-run, marginal costs.[5b]

Turning now to the issue of the fares' relative attractiveness and competitive impact on Laker and the supplementals, we find that the standby fare is the most appropriate response to Skytrain. It is clearly distinguishable from regular reservations service and is the closest imitator of Skytrain; although the standby passenger could get a confirmed seat between 4 a.m. and three hours before departure (two hours at Heathrow), he could not make advance reservations, and the carrier may close off standby sales for a particular flight at any time to satisfy the requirements of regular fare passengers already booked, and thereby comply with the weekly standby/budget fare capacity limit. On the other hand, it is clear that, in some respects, the standby fare could prove more attractive than Skytrain notwithstanding the $20 price differential. The standby fare offers a greater free baggage allowance; free meals; sales through agents and on credit cards;[6] and a confirmed seat after check-in beginning at 4 a.m. However, the free meals are more than adequately compensated for by the $20 price difference, and the other advantages over Skytrain stem from the limitations of Laker's U.K. permit. Laker is now seeking removal of restrictions relating to baggage, agent sales and time of check-in, and we certainly would not oppose suitable amendments of the Skytrain tariff on file with the Board if the Civil Aviation Authority grants Laker's request for such liberalizations, which would put Skytrain on an equal footing with the standby fares.

As for the charter market, it is composed primarily of conventional vocation travelers, many of whom travel in family groups, have fixed vacation times of limited duration, and must therefore plan in advance and purchase reserved hotel accommodations and other ground arrangements, which may require deposits. Often the air and ground portions are purchased together as part of an overall package put together by a tour organizer. Few such passengers would be able to take advantage of the standby fare, because of its uncertainties. The Board discounted the danger to charters from Skytrain for similar reasons when we granted Laker's permit, and since the standby closely approximates Skytrain its threat should not be significantly greater. Although there would be some inevitable overlapping of the markets attracted to each type of service, we believe that the standby fare would divert much less traffic from charters than would the super-APEX or budget fares, and we are not persuaded, considering also the other actions we are taking here, that approval of the standby fare would present any real threat to the supplemental carriers—let alone an unfair one.

The Board is convinced, however, that the super-APEX does pose a serious threat to the supplemental carriers. Even if it does not actually put them out of business during the duration of the IATA agreement (through March 31, 1978), it would seriously impair their competitive position in the North Atlantic market—which seems crucial to their continued viability—and would therefore weaken their overall financial position.[7]

There is little doubt that the super-APEX would divert significant amounts of traffic from charter services. The conditions of travel on the APEX are virtually identical to those of the ABC charter, and the APEX has the clear advantage of a lesser chance of cancellation and, in general, the greater certainty attached to scheduled service. The super-APEX passenger has complete freedom to select his departure and return dates within the 14/45-day minimum/maximum stay, particularly during the off-peak winter season when there is ample daily capacity available on scheduled service to assure him wide flexibility in making his travel plans. On the other hand, there are many fewer charter programs and seats available in the off-season, and the passenger must not only fit his plans to the available departure dates, but must also return with the same group to which he is assigned.

Further, the super-APEX fares would be available to every major point in Europe from every major U.S. interior point through the extensive network of

[5] Here we are using non-capacity cost as a proxy for short-run marginal costs, although there is a minute portion of capacity cost (i.e., increased fuel burn) which varies with the amount of traffic on board and is thus marginal, and a portion of non-capacity cost (i.e., depreciation, amortization, and general and administrative expenses) which falls into the category of long-run marginal cost.

[5a] We are not entirely persuaded that each of the fares here before us meets the condition of exceeding its short-run marginal cost. We have already (in footnote 4, above) described what we see as a genuine possibility that super-APEX, particularly, may preempt some regular-fare paying traffic; in such cases its short-run marginal cost (including the external effect of discommoding regular customers) could well exceed the proposed fare. There is another reason. It must be conceded that if the services merely fill seats that would otherwise go empty, the fares will unquestionably cover short-run marginal production cost by a wide margin. But it does not follow from this observation that these fares are justified even in terms of static economic efficiency. The offerings are held to a limited number of seats, in order to meet the stated condition. The consequence is a genuine possibility that the supply of those seats at these low rates will fall short—indeed, it seems almost inevitable that it will fall short at least at certain times—of demand, and the service will therefore have to be rationed on a first-come first-served basis. Under these conditions, the quoted price is quite definitely not the economically efficient price; this would be the price that clears the markets, i.e., that equates the available seats with the number demanded. In these circumstances the prices are not at the economically efficient short-run marginal social opportunity cost; the pertinent short-run marginal cost is the value of the seat to the particular customer who (a) fails to get one and (b) would have been willing to pay the highest price of all the excluded customers for it.

[5b] If the fares are for seats that would otherwise remain vacant, *and if the* additional traffic generated by these fares were to have no effect on the carriers' scheduling and other investment decisions, long- and short-run marginal cost would be the same. But this appears not to have been the historic pattern of carrier behavior on the North Atlantic; instead, various discount and promotional fares have repeatedly been introduced for the avowed purpose of filling empty seats, and traffic has steadily increased, in part at least in response to the various discount fares, yet scheduled load factors have remained relatively constant as the carriers have increased capacity in step with the growth of traffic. In the present circumstances, however, we do not find a basis for disallowing these fares because of this possibility. The standby and budget fares are so novel in their characteristics, and at such a low level, that we cannot assume that the carriers will add capacity in response to the added traffic they may generate, as they have in the past. Moreover, the Board does not lack the power to prevent this kind of behavior; the kinds of adjustments we make in passing on requests for fare increases could be so fashioned as to hold revenues per plane mile constant. In that event it would not be rational for the carriers to add capacity because of this additional traffic, and long-run incremental costs would not exceed short-run.

[6] Although we anticipate, and ASTA believes, that few standby seats would be sold through agents.

[7] Of the four affected supplemental carriers, only ONA is currently in an operating loss position. However, Capitol and World are in less than favorable positions and experienced losses last year. Only TIA is now enjoying a substantial operating profit.

scheduled-service routes, while charter programs, especially in the winter, are largely limited to originations at New York and other large U.S. gateways, and have a narrower choice of destinations on the European end. Finally, the super-APEX has less onerous penalties for cancellation before departure;[8] and all of the marketing advantages of the scheduled carriers' extensive reservations and ticketing systems. Moreover the proposed super-APEX fare level at $299 roundtrip, NewYork-London, is comparable to or lower than prevailing charter prices for the winter season. While the supplementals' tariffs indicate rates of about $190–$220 per seat to the charter, the price to the passenger is considerably higher due to the markup applied by the tour organizer. In consequence, the charter programs we have examined (including the ones cited by the parties) offer prices from $259 to $369, with most in the $259–$309 range. With a comparable level of $299 and the greater attractiveness of scheduled service, the super-APEX is clearly a superior service and thus would always be preferred by passengers whenever available.

There is no reason why the tour operator's markup should not itself be subject to the pressure of competition; and it is not our intention to eliminate that pressure. On the other hand, there is every reason to believe this market is already effectively competitive. There is no reason to believe it requires the unfair competition of super-APEX to hold those margins within reasonable bounds.[9]

We believe it is clear that the super-APEX is intended to compete primarily with charters, and not with Skytrain. That was the purpose of the APEX when originally introduced, and the Board approved it with great reluctance for that reason, accepting it primarily because it was set at a level significantly above prevailing charter prices.[10]

Of the three proposals, the super-APEX is clearly the least competitive with Laker and the most competitive with charters. When the Board stated its determination and that scheduled carriers be allowed the opportunity to compete with Skytrain, we did not contemplate a fare designed for an entirely different purpose. It seems obvious that the super-APEX is in fact designed to compete with charters rather than Laker, and the presence of Skytrain merely offers an opportune occasion for introducing it. In this we are persuaded not only by the fare itself and the charter parties cogent arguments, but also by our reading of the minutes of the IATA conference and British Airways' presentation at the oral argument, where it indicated that it has sought the introduction of a super-APEX in the U.S.-Europe market for some time, quite independently of the appearance on the scene of Skytrain.

While the Board is seeking to open up new fields for the supplementals such as the Pacific, at the same time we are not prepared to risk the loss of their single largest market.[11] We find it significant that, of the three proposals, only the super-APEX is not limited to London, but is proposed for virtually all major U.S.-Europe markets. For these reasons, and despite the uneasiness we feel about suspending any reduced fares, we must disapprove the super-APEX.

The budget fare presents a much more difficult problem. It is priced at the standby level but provide the passenger with a confirmed reservation in advance of the day of departure. For this reason, the market for this service would overlap that served by charters to a greater extent than it would the market attracted by Skytrain or standby. Its uncertainty is of a different character than that of Skytrain/standby service, since the passenger cannot (at least in theory) select the date of his reserved departure and return; the uncertainty as to the *return* date would seem to be the greater handicap. On the other hand, we are somewhat skeptical about the degree of uncertainty which will develop in actual practice, since the carrier may be able to offer a good deal of consideration to the passenger's expressed preference, given the amount of excess capacity available in the winter season. The Board is therefore convinced that the budget fare, as proposed, is not a reasonable response to Skytrain, and would also present a more serious threat to charters than would the standby fare. But we are reluctant to disapprove it outright, not only because our previous decision in the Laker case encouraged responses that were not perfectly duplicative of Skytrain, but also because the major virtue of the competitive process is that it encourages just such ingenuity among competitors as the budget fare reflects, and results in bringing benefits to broader strata of the market. It is clear that Skytrain and standby fares are narrowly confined in the kinds of travelers which they would benefit; in this we are influenced by ASTA's arguments.

What then, can we do to preserve the budget fare as an additional price/quality option for the traveling public? We have two basic choices before us. NACA suggests liberalization of various charter rules as a partial but far from sufficient equalizing measure. The other choice is to reduce the attractiveness of the budget fare in terms of price or conditions of travel. NACA, which contended in argument that the budget fare was the least objectionable of the three IATA proposals, suggests limiting it to off-peak periods in terms of season, direction, and day of week.

In seeking to restore a reasonable competitive balance our natural inclination is to prefer to liberalize one competitor's offering rather than further restrict his opponent's, since the latter course involves a tangible loss of benefits to the public.[12] However, the possibilities of liberalizing charter rules are fraught with great difficulties, not the least of which is the very obvious timing constraint. The changes urged by NACA would also present serious potential difficulties with foreign governments and, in these circumstances, this option is foreclosed as a practical matter. We are left then with the option of tinkering with the budget fare, a very distasteful game for advocates of competition, especially considering the real value of this proposed service innovation. NACA has suggested limiting the budget fare to off-peak periods, but the fare is already limited to the winter season, and we do not have before us sufficient information to feel confident in choosing "blackout" periods or days. Further, the whole basis for this fare is that the carrier will administer it to place traffic where it can be most readily accommodated; ideally, the limitation of the budget fare to flights with otherwise empty seats will be achieved anyway, without restrictions imposed by the Board.

Thus we are left only with price as a prospect for alteration. Although less attractive than charters, the budget fare appears to be, in almost every respect, a more attractive, higher quality product than the standby. It should be priced accordingly, for three reasons, first, being more attractive, it is more likely than the others to be characterized by an excess of demand over the available supply, which means its short-run marginal opportunity cost is higher than theirs. Second, it will almost certainly impose more administrative costs on the carrier for handling its complex reservations system, and on this account should be priced higher. Finally, the price of a higher-valued competitive response to Skytrain should be higher than that of a lower-valued service, if that competitive response is to be a proper one—designed to meet rather than destroy competition.

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[8] The cancellation penalty on the APEX is the greater of 10 percent or $50, while cancellation penalties imposed by the charter tour operators generally range from 50 to 100 percent of the total charter price in the event no substitute can be found from substitute lists or the general public.

[9] Pan American has stated that the typical wholesaler's markup is about $65, and implies that there should be ample flexibility in this figure for him to reduce charter prices without affecting the charter carrier. Through that markup, however, the tour organizer must cover the retail agent's commission, the cost of advertising and tour brochures, and provision for the shortfall represented by the typical 85–90 percent load factor, since the carrier's per-seat charge is based on a 100-percent load factor. Considering these matters, plus the highly competitive nature of the market, we are not persuaded that there is fat in the wholesaler markups, and therefore cannot conclude that charter could effectively compete with the super-APEX by simply cutting prices.

[10] See Order 75-3-101, March 27, 1975.

[11] During the year ended June 1976, U.S./Europe civilian traffic accounted for over 70 percent of system revenue passenger-miles for the four U.S. supplementals involved.

[12] Except for its reservations feature the advantages of the budget fare over Skytrain are the same as those of the standby fare, and the suggested liberalization of Skytrain discussed above would put it in a better position vis-a-vis budget as well.

On the question of relative quality Pan American's assertion that it has already received over 1,600 reservations on the underpriced in relation to demand for the available seats. The only aspect where the standby seems superior to the budget fare is its lack of a cancellation penalty, and the $50 cancellation fee on the budget fare might not be imposed very often considering that the passenger has already given up his freedom of choosing a departure date in return for the assurance of a confirmed reservation. It is this confirmed reservation that sets the budget fare apart from Skytrain and standby service, and puts it more on a par with charters, through the uncertainty in not being able to choose a departure and return date makes the budget fare less attractive than charters, particularly for those passengers on relatively short vacations who must have a precise itinerary.

On the question of relative costs, we observe that the standby fare would not be commissionable in actual practice, as pointed out by ASTA; the budget fare, in contrast, could be actively sold by agents, and their commission would reduce the net return to the carrier accordingly.[13] Further, reservations cost on the budget would likely be greater than usual due to its more complicated procedures, and the standby fare of course involves no reservations cost at all. On the other hand, the standby fare may also involve some extra cost as well, because of the off-airport checkin requirement imposed by the U.K. authorities.

In view of all these considerations, the Board concludes that a budget fare of not less than $280 would adequately reflect its greater value and attractiveness *vis-a-vis* the standby service, and its lesser value *vis-a-vis* charters, and would therefore constitute an acceptable competitive response to Skytrain and the charters.

### Disposition

For the reasons set out above, we will approve that portion of new IATA Resolution 071m which proposes New York-London standby fares. We will also approve that portion of the Resolution which contains the conditions of the proposed budget fare, but will not approve its $256 level.[14] The proposed amendments to Resolution 071p, which would reduce the levels of APEX fares, will be disapproved. We will also disapprove the proposed amendments to proportional fares establishing super-APEX levels to U.S. interior points, contained in Resolution 015. Concurrently, we are sending a proposed order of suspension to the President which would suspend the unilateral tariff filings of budget and super-APEX fares.

We will also impose record-keeping and reporting requirements relating to these fares similar to those imposed on Laker in Order 77-6-68.

### Conclusion

No agency that regards its principal responsibility as one of protecting the consumer can be happy about suspending proposed reductions in fares, or altering them in such a way as to make them less attractive to the public. Clearly DOJ and OCA are equally uncomfortable in advocating such action on our part. But we cannot ignore the fact that the super-APEX, and, to a lesser degree, the budget fare threaten the survival of what any impartial reader of recent history must agree has been the prime source of competition in this market—competition which has provided demonstrable low-fare benefits to travelers.

We must be careful not to confuse a policy of competition with a policy of laisse faire. The entire logic of our antitrust laws is that competition is not necessarily self-sustaining; that it is necessary to prescribe the rules of the game. This is all the more true where there exists in the market, beyond the reach of the antitrust laws, a collective body of all the major competitors, which serves as an agency for setting their rates in concert and even, as in this case, a limitation on capacity. The notion that we must in these circumstances blindly permit any and all rate reductions agreed upon by such a body, which create a genuine possibility of restoring the market more nearly exclusively to its tender mercies, can only be characterized as either disingenuous on naive.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Federal Aviation Act of 1958, makes the following findings:

1. It is not found that the following resolutions, incorporated in Agreement C.A.B. 26858 as indicated, are adverse to the public interest or in violation of the Act provided that approval is subject, where applicable, to conditions previously imposed by the Board:

| Agreement CAB | IATA No. | Title | Application |
|---|---|---|---|
| 26858: | | | |
| R-1 | 002kk | JT12 North Atlantic Special Amending Resolution (New) | 1/2. |
| R-3 | 022g | JT12/JT123 (North Atlantic) Adjustment Factors for Sales of Passenger Air Transportation (Amending). | 1/2. |

2. It is not found that the following resolution, incorporated in Agreement C.A.B. 26858 as indicated, is adverse to the public interest or in violation of the Act provided that approval is subject to the condition stated below:

| Agreement CAB | IATA No. | Title | Application |
|---|---|---|---|
| 26858: R-4 | 071m | Special Budget/Standby Fare Between London and New York provided that: Approval shall not extend to subpars (2)(a) and (2)(b) insofar as they would establish budget fare level between New York and London. | 1/2. |

3. It is found that the following resolutions, incorporated in Agreement C.A.B. 26858 as indicated, are adverse to the public interest and in violation of the Act:

| Agreement CAB | IATA No. | Title | Application |
|---|---|---|---|
| 26858: | | | |
| R-2 | 015 | North Atlantic Proportional Fares—North American (Amending) | 1/2. |
| R-5 | 071p | North Atlantic Advance Purchase Excursion Fares (Amending) | 1/2. |

Accordingly, it is ordered that: 1. Those portions of Agreement C.A.B. 26858 set forth in finding paragraph 1 above are approved subject, where applicable, to conditions previously imposed by the Board;

2. That portion of Agreement C.A.B. 26858 set forth in finding paragraph 2 above is aproved subject to the condition stated therein;

3. Those portions of Agreement C.A.B. 26858 set forth in finding paragraph 3 above are disapproved;

4. Carriers may file tariffs implementing that portion of Agreement C.A.B. 26858 approved in order paragraph 2 above on less than 30 days' notice for effectiveness not earlier than September 15, 1977. The authority in this paragraph shall expire on October 16, 1977;

5. Tariffs implementing those portions of Agreement C.A.B. 26858 approved herein shall be marked to expire not later than March 31, 1978;

6. All air carriers and foreign air carriers who have on file with the Board valid tariffs containing the fares approved herein shall comply with the following conditions:

(a) At the time of the sale of its tickets, obtain a written statement from each purchaser stating whether or not such purchaser has a confirmed reservation for alternative transportation on another scheduled airline, and, if so, the name of the airline. The holder shall notify the airline in question of the accommodation of the purchaser not less than two hours following the sale of such ticket;

[13] Of course, commission expense on the budget service would probably be somewhat less than on other reservations services due to the absence of tour overrides and the lesser incentive for agents to sell it, in view of its lower fare.

[14] We would, however, give favorable consideration to expeditious amendments to the IATA resolution and individual tariff filings which would raise the budget fare to an appropriate level.

(b) Compile and retain for three months from the date of any flight a list of the names of all persons carried on that flight and, following the departure of the flight, shall furnish a copy of such list to any air carrier or foreign air carrier within 48 hours of any request by it; and

(c) File in Docket 29123 monthly statements, within 30 days after the end of each month, listing by flight number and date: each flight operated, each flight cancelled (including the reasons for each cancellation), scheduled and actual departure times; seating capacity of the aircraft, seats available for sale at the fares approved herein, and seats sold at such fares; and the number of passengers on each flight who stated that they held confirmed reservations for alternative transportation on another airline; and

7. Copies of this order shall be served upon Pan American World Airways, Inc., Trans World Airlines, Inc., British Airways, Air India, Iran National Airways Corporation, Aerlinte Eireann Teoranta, the National Air Carrier Association, Brendan Tours, Inc., Charter Travel Corporation, The Educational Cooperative, the Air Charter Tour Operators of America, United Buying Service, Inc., Unitours, a California Corporation, Vouga Travel Agency, Laker Airways Limited, the American Society of Travel Agents, the United States Department of Justice, and the Office of the Consumer Advocate.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[16]

PHYLLIS T. KAYLOR,
*Secretary.*

[16] All Members concurred.

APPENDIX A.—*Comparison of present and proposed lowest individual scheduled service round trip fare (basic season 1977–78) New York to London*

| Fare | Present APEX | Skytrain | Super-APEX | Budget | Standby |
|---|---|---|---|---|---|
| Basic season level | $350 | $236.48 | $290 | $256 | $256. |
| Combination with arbitraries. | Yes | No | Yes | No | No. |
| Weekend surcharge | $15 each way | No | $15 each way | No | No. |
| Children's discounts | 1/3 | No | 1/3 | No | No. |
| Commissionable | Yes | No | Yes | Yes | Yes. |
| Reservation/ticketing provisions. | 45 d in advance. | Available for sale no more than 6 h before flight. | 45 d in advance. | 21 d prior to 1st d of week of travel; confirmed space selected by carrier not more than 10 d prior to week of travel. | From 4 a.m. but not later than 3 h prior to flight (2 h—London). |
| Penalty provisions | Higher of 10 pct or $50. | No refunds. | Higher of 10 pct or $50. | $50 in United States. £30 in United Kingdom. | None. |
| Capacity restricted | 25 pct capacity—on any 1 flight greater of 50 pct or 80 seats. | 189 seats per day. | 25 pct capacity—on any 1 flight greater of 50 pct or 80 seats. | 700 seats per week in total with standby.[1] | 700 seats per week in total with budget.[1] |
| Baggage allowance | Piece system | 33 lbs | Piece system | Piece system | Piece system. |
| Food service | Free | Charge | Free | Free | Free. |

[1] For Pan American, TWA, and British Airways (each); Air-India, 350; Iran-Air, 250; and El Al, 200.

APPENDIX B—POSITIONS OF THE PARTIES

British Airways asserts that it believes Skytrain service will not prove viable in long-haul markets, because it will only be available to passengers living close to the airport, and will require extremely high load factors to compensate for the low fare level, thus increasing the possibility of strandings and disruption of operations at high-density airports. However, it is necessary to provide an alternative to Skytrain, but with none of Skytrain's deficiencies, in order to prevent diversion from British Airways' own scheduled service. A reduced APEX, which would afford the passenger a firm reservation in both directions and could be marketed through agents, is seen as the best of the many options considered. Rather than introduce another fare into the already crowded fare structure, British Airways contends it is more logical to use the existing APEX fare, which is already capacity-controlled and whose conditions are known and accepted by the public, carriers, and governments. British Airways asserts further that the level of the proposed super-APEX fares may be easily understood by the public in terms of the cost differences between Skytrain and super-APEX service; i.e., it has considered meal cost at $10, reservations costs at $22, and commissions at 8 percent, bringing the net to the carrier approximately to the Laker level. The carrier also states that since APEX is a fare category easily recognizable at the time of booking and has a separate inventory of seats in the reservations system, there need be no concern over reduced access to seats for passengers paying higher fares; and that because normal economy fares are currently at levels lower than those which British Airways has cost-justified to the U.K. Civil Aviation Authority, there would be no cross-subsidization of APEX passengers by normal-fare passengers. Finally, British Airways supports the extension of super-APEX fares to U.S. points beyond New York as a means of treating all major U.S. markets equally, and states that it has sought to introduce super-APEX fares in the North Atlantic for years, as the best way to provide low-cost transportation to the public.

In support of the standby fare, TWA asserts that it is a carefully measured competitive response designed to minimize the significant impact of Skytrain, which TWA estimates would dilute about $8 million in revenues absent a competitive response; that the purported economics by Skytrain service cannot be matched by using narrow-body equipment for a separate, TWA Skytrain-type service; TWA could not mount a daily B–707 Skytrain operation without significant cutbacks in its regular scheduled service; and that the impact of the standby service will be limited by the capacity restrictions attached to its use as well as the ticketing arrangements, since TWA will sell far fewer standby fares than the number of empty seats it expects will be available each day in the upcoming winter season, and the timing of ticketing procedures will minimize airport congestion.[1] Finally, TWA states that it has not attempted to provide a detailed profit impact estimate since, as the Board pointed out in Order 77–6–68, any such forecast would be "highly speculative" in light of the lack of experience in evaluating fares such as those now proposed in the New York/London market.

Pan American states that a low-fare response to Laker is necessary in order to preserve the U.S. flag competitive position on the North Atlantic, and since there is no single scheduled fare that would appeal to all the market segments attracted to the Skytrain, different alternatives are appropriate. Pan American believes the budget fare to be the best response and in support of it alleges that, while in most industries supply can be adjusted to demand, in the airline business capacity is offered in large, discrete blocks and the only effective way to improve utilization is to adjust demand to fit supply; and the budget fare would achieve that end. Pan American asserts that with a sufficient price incentive passengers will give up their right to a particular flight, enabling the carrier to assign budget-fare passengers precisely to those low load-factor flights where additional traffic will result in the optimum improvement in utilization, as well as avoiding any reduction in the availability of seats for regular-fare passengers; that the budget fare will account for no more than five percent of Pan American's total traffic in the market, and plenty of excess capacity is available for budget-fare passengers; and that very few of the new passengers would be diverted from charter service since, to the typical charter passenger, the marginal savings offered by the budget fare would not be worth the uncertainties associated with it. The carrier also contends that the proposed refund penalty ($50 from New York) will substantially alleviate problems of speculative and double bookings, cancellations and no-shows.

Complaints against the tariff filings were submitted by the National Air Carrier Association (NACA), jointly by Brendan Tours, Inc. (Brendan) and Charter Travel Corporation (CTC), by the Educational Cooperative (TEC), by the Port Authority of New York and New Jersey (PONY),[2] and by Laker. An answer in support of the complaints of NACA, Brendan, CTC and TEC was filed by the U.S. Department of Justice (DOJ). Answers to the complaints were received from Pan American, TWA and British Air-

[1] Concerning ticketing, TWA contends that the 4 a.m. start of boarding-pass issuance will avoid peak-period congestion and inconvenience to regular passengers, and the cut-off three hours before flight time (two hours at Heathrow) will also minimize peak-period congestion as well as limiting revenue dilution from last-minute passengers showing up with both regular and standby tickets in hopes of using the latter.

[2] PONY's complaint, which raised no economic issues, was dismissed by Order 77–8–94, August 19, 1977, which also approved Laker's airport handling plan for Kennedy Airport.

ways. Additionally, comments opposing the IATA agreement in whole or in part were submitted by NACA, Brendan, CTC, TEC, Laker, DOJ, the Air Charter Tour Operators of America (ACTOA), Unitours, a California Corporation (Unitours), Vouga Travel Agency (Vouga), the American Society of Travel Agents (ASTA), and the Board's Office of the Consumer Advocate (OCA). Pan American submitted justification supporting the agreement in addition to its initial tariff justification.

NACA alleges that the super-APEX fares, which would be available in the total U.S./Europe market, are not a bona fide competitive response to Laker but are actually intended to compete with charters, the same purpose as the original APEX fares; that the super-APEX fares are far below scheduled-service costs; that if approved, they will have a devastating impact on North Atlantic charter services, since advance booking charters (ABC's), the primary charter mode, which are sold only through tour operators and are subject to burdensome marketing requirements,[3] would have to compete with a higher quality, more easily marketable scheduled fare at about the same price;[4] and that the Board approved the existing APEX fares only with reservations and after finding they would not unduly harm charter operations since they were priced at levels higher than ABC's. NACA also cites the Board's suspension of scheduled fares filed at levels comparable to the super-APEX, and contends further that the scheduled carriers are attempting to prejudge the issues in Docket 27918, *North Atlantic Fares Investigation*, by virtue of the radical changes proposed here.

Concerning the standby fare, NACA alleges that it is not a true standby fare at all, but rather a last-minute reserved seat priced at a level equivalent to Skytrain with a much higher value of service; and that it is prima facie below cost, and would divert considerable traffic from charter services as well as being counter-productive for the scheduled carriers due to self-diversion of higher-fare scheduled-service passengers. NACA believes the budget fare, with its substantial restrictions, to be less objectionable than the other two fares but alleges it is still at an uneconomic level, and that the total discretion allowed the carrier for assigning capacity levels lends itself to arbitrary and capricious administration. If the Board does not disapprove the budget fare NACA urges that it should be limited to off-peak periods in terms of season, day of week and direction, and that the supplemental carriers be authorized to provide some form of comparable low-fare services using the charter mode.

Brendan and CTC allege that the budget and super-APEX fares are not truly comparable to Skytrain, but are really designed to destroy plane-load charters; that all three of the proposed fares are below cost and should be disapproved; that the inability to select day of travel on the budget fare is outweighed by the shorter advance-purchase requirement (21–27 days compared to 45 days on ABC's); that the cancellation penalties for charters are higher than for the proposed scheduled fares; that the budget and super-APEX fares divert substantial traffic from charters; and if the Board approves them it should also liberalize charter rules by abolishing advance-booking rules on inclusive-tour charters (OTC's), adopting a simplified tour charter rule, and allowing charter operators to sell up to 40 percent of their seats after passenger lists are filled.

TEC, a travel agency which packages tours for students using ABC's, concurs with the arguments of Brendan and CTC, and alleges in addition that the seats allocated to the standby fare may be preempted by budget fare passengers, and thus the carriers would be holding out a product—the standby fare—which is not always available, a deceptive practice harmful to consumers. Moreover, TEC contends that the scheduled carriers could easily increase the prices of these discount fares after having vanquished the charter operators.

Laker alleges that the super-APEX, standby, and budget fares are essentially conventional reservation services, a vastly superior product which the IATA carriers propose to sell at or near Laker fare level, and are not a bona fide competitive response to Skytrain; that the combined carrier seat offerings at these fares, even assuming the ceilings attached to their use are enforced, are hardly a "limited" capacity offering; and that the fares are predatory and intended to destroy both Skytrain and conventional charter service. Elaborating on the character of the proposed fares, Laker asserts that there is clearly no difference between existing APEX service and the super-APEX other than price; that the budget fare is distinguished from regular economy service only by a gimmicky and costly advance-booking feature; that the standby fare is not a true standby fare at all but rather a late-booking, full-amenity economy-class service; and that in contrast to Laker's severely restricted Skytrain service, the IATA fares would all offer use of more convenient Heathrow airport, sales by agents and airline sales offices, sales on credit, full meals and other amenities, no weight limitation on baggage, and other auxiliary services.[5] Laker contends further that the fares would produce yields far below the scheduled carriers' costs of service, and cannot be accepted unless they cover fully-allocated costs, since they will account for about one-third of the scheduled carriers' total traffic between New York and London, much of which will be self-diverted from higher-fare categories. Finally, Laker alleges that Pan American is guilty of unfair competitive practices because it has already offered and sold the standby and budget fares, without even the customary notice that the fares are subject to government approval or any notice to the passenger that the fares are capacity-restricted.

DOJ, supporting the charter parties' complaints, states that while it has always supported the increased availability of low-cost transportation, nevertheless it has concluded that the proposed IATA fares are likely to be predatory with respect to charter services, and should be disapproved. DOJ argues that the differentials between the proposed fares and existing scheduled fares are so disproportionate that it is difficult to imagine how both sets of fares could be lawful in terms of costs; that the scheduled carriers could cover full costs by allocating the entire burden of capacity costs to higher-rated traffic, whereas the charter carriers have no access to high-yield scheduled service traffic and thus must recover all costs from low-yield charter traffic; and that the danger of a predatory result is even more likely under the new U.S.–U.K. bilateral agreement, since the scheduled carriers will, in effect, share a scheduled-service monopoly, enabling them to increase higher-rated fares with limited danger of profit dissipation from service competition. DOJ fears that, if the fares are approved, the charter carriers will be permanently eliminated, leaving the scheduled carriers free to eliminate the discounts; and urges that an investigation be instituted to carefully examine whether these proposals would have predatory effect and whether they are cost-justified.

ACTOA, UBS, Unitours and Vouga present arguments similar to those advanced by the other charter parties, and ACTOA emphasizes particularly that the proposed IATA fares are merely symptoms of a general disease, which is the effort of the scheduled carriers to destroy charter operations and operators not under their control. ACTOA states that they have succeeded in removing charters from the U.S. transcontinental and mainland-Hawaii markets through such devices as the "Super-Saver Fare", and only the North Atlantic is left for the supplementals; once removed there, they will no longer be available as a competitive force in aviation, and the operators who have the inherent economic advantage (because they are designed to operate only at very high load factors) will have been wiped out by uneconomic predatory fares.

In answer to the complaints of NACA, Brendan and CTC and TEC, Pan American submits that, in granting Laker its permit, the Board expressed the strong determination that the U.S. scheduled carriers be permitted to compete with Laker in a manner appropriate to their situations, and specifically recognized that the U.S. carrier responses might take different forms from the Laker proposal; that the budget fare advocated by Pan American has significant restrictions which offset the fact that it is not a standby fare, and only if it is permitted to become effective will the Board have before it the actual results of competitive responses when it evaluates the Skytrain experiment next year. Pan American states further that the charter parties' allegations of severe injury in opposing the budget and other fares are the same arguments they raised in opposition to the Laker permit, and the Board should reject them here just as it did when it granted Laker's permit.

British Airways characterizes NACA's complaint as a lament against competition, and denies NACA's contention that the super-APEX fares are uneconomic.[6] The carrier also asserts that the supplemental carriers are not prevented from meeting competition as they seem to indicate in their complaint.

In answer to NACA, Brendan and CTC, and TEC, TWA cites Order 77–6–68 in which the Board assured the U.S. scheduled carriers the opportunity to compete with Laker, and asserts that the standby fare is a valid competitive response. In further support of the standby fare, TWA alleges that its capacity and ticketing restrictions will prevent the massive diversion from charters which the complainants fear, as well as limiting self-diversion from higher scheduled fares; and that NACA's arguments concerning costs are irrelevant in light of the basis of the Board's approval of the Skytrain experiment and the

[3] ABC operators must obtain written contracts with each passenger, file flight manifests both with the Board and foreign governments and submit to a bond and escrow arrangement.

[4] For example, NACA cites Trans International Airlines' New York-London off-peak ABC programs at $289, as well as other programs at similar or higher prices.

[5] Laker also notes that the budget and standby fares are free of the many restrictions attached to charter fares such as 45-day advance booking, roundtrip travel, minimum stays, passenger contracts and escrow arrangements.

[6] British Airways states that it has submitted full economic justification for the super-APEX fare to the U.K. Civil Aviation Authority.

policy considerations expressed in Order 77-6-68. Regarding the super-APEX, TWA contends that, since the fare will be generative and will fill up excess capacity, and is subject to significant restrictions, it is not surprising that its proposed level approaches that now available on charter flights; and that the fare is the most appropriate vehicle for offering the bargain fares on transatlantic scheduled, reserved-seat service that the public seems to want and the Board is determined to give.

[FR Doc.77-27869 Filed 9-23-77;8:45 am]

## DEPARTMENT OF COMMERCE

### Bureau of the Census

### CENSUS ADVISORY COMMITTEE OF THE AMERICAN ECONOMIC ASSOCIATION

#### Public Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C., Appendix I, (Supp. V, 1975)), notice is hereby given that the Census Advisory Committee of the American Economic Association will convene on October 14, 1977, at 9:15 a.m. in Room 2424, Federal Building 3 at the Bureau of the Census in Suitland, Maryland.

The Census Advisory Committee of the American Economic Association advises the Director, Bureau of the Census, on technical matters, accuracy levels, and conceptual problems concerning the economic censuses; reviews major aspects of the Bureau's programs, and advises on the role of analysis within the Bureau and the need for providing data in more detail.

The Committee is composed of 15 members of the American Economic Association.

The agenda for the meeting is: (1) Topics of current interest at the Bureau of the Census, (2) current status of 1980 planning, (3) Survey of Income and Program Participation, (4) revised current business surveys, (5) special studies utilizing microdata, (6) collection of child support and alimony payments, (7) public discussion and Committee recommendations, and (8) plans and date for the next meeting.

The meeting will be open to the public, and a brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons planning to attend and wishing additional information concerning this meeting or who wish to submit written statements may contact the Committee Control Officer, Mr. Elmer Biles, Senior Economic Advisor, Bureau of the Census, Room 3061, Federal Building 3, Suitland, Maryland. (Mail address: Washington, D.C. 20233.) Telephone 301-763-7184.

Dated: September 20, 1977.

MANUEL D. PLOTKIN,
*Director,*
*Bureau of the Census.*

[FR Doc.77-27976 Filed 9-23-77;8:45 am]

### CENSUS ADVISORY COMMITTEE ON AGRICULTURE STATISTICS

#### Public Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C., Appendix I, (Supp. V, 1975)), notice is hereby given that the Census Advisory Committee on Agriculture Statistics will convene on October 18, 1977 at 9:15 a.m. The Committee will meet in Room 2424, Federal Building 3 at the Bureau of the Census in Suitland, Maryland.

This Committee was established in 1962 to advise the Director, Bureau of the Census, concerning the kind of information that should be obtained from agricultural respondents; to prepare recommendations regarding the contents of agricultural reports; and to present the views and needs for data of major agricultural organizations and their members, and other suppliers and users of agricultural statistics.

The Committee is composed of 21 members appointed by the presidents of the nonprofit organizations having representatives on the Committee, and two members from the U.S. Department of Agriculture.

The agenda for the meeting, which is scheduled to adjourn at 4:00 p.m., is: (1) Introductory remarks by the Director of the Bureau of the Census; (2) recent legislation and bills introduced; (3) status of the 1974 Census of Agriculture Program; (4) mail list development, including Agriculture Stabilization and Conservation Service (ASCS) test and other source lists, unduplication, farm identification codes, and mailing and use of farm identification forms; (5) results of the July test of the five versions of the proposed 1978 census questionnaire; (6) publicity for the 1978 Census of Agriculture; (7) review of content proposals for the 1979 follow-on surveys; (8) study of an enlarged scope of statistical coverage of the agricultural sector of our economy; and (9) Committee recommendations and plans for the next meeting.

The meeting will be open to the public, and a brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons planning to attend and wishing additional information concerning this meeting or who wish to submit written statements may contact the Committee Control Officer, Mr. Orvin L. Wilhite, Chief, Agriculture Division, Bureau of the Census, Room 3015, Federal Building 4, Suitland, Maryland. (Mail address: Washington, D.C. 20233). Telephone: 301-763-5230.

Dated: September 20, 1977.

MANUEL D. PLOTKIN,
*Director, Bureau*
*of the Census.*

[FR Doc.77-27975 Filed 9-23-77;8:45 am]

### Domestic and International Business Administration

### EXPORTERS' TEXTILE ADVISORY COMMITTEE

#### Domestic and International Business Public Meeting; Change of Date

Further information concerning the Committee may be obtained from Arthur Garel, Director, Office of Textiles, Main Commerce Building, U.S. Department of Commerce, Washington, D.C. 20230, telephone 202-377-5078.

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. V, 1975) notice is hereby given that a meeting of the Exporters' Textile Advisory Committee will be held at 1:30 p.m., on October 11, 1977, in Room 1400, Federal Office Building, 26 Federal Plaza, Foley Square, New York, N.Y. 10007, instead of October 4, 1977, as previously announced (42 FR 46941).

The Committee, which is comprised of members involved in textile and apparel exporting, advises Department officials concerning ways of increasing U.S. exports of textile and apparel products.

The only agenda item for the meeting is the EC/EFTA Rules of Origin.

A limited number of seats will be available to the public on a first come basis. The public may file written statements with the Committee before or after the meeting. Oral statements may be presented at the end of the meeting to the extent time is available.

Copies of the minutes of the meeting will be made available on written request addressed to the DIBA Freedom of Information Officer, Freedom of Information Control Desk, Room 3012, U.S. Department of Commerce, Washington, D.C. 20230.

Dated: September 22, 1977.

CHARLES E. RAYMOND,
*Deputy Assistant Secretary for*
*Resources and Trade Assistance.*

[FR Doc.77-27866 Filed 9-23-77;8:45 am]

### National Oceanic and Atmospheric Administration

### COASTAL ZONE MANAGEMENT ADVISORY COMMITTEE

#### Notice of Public Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. V, 1975), notice is hereby given of the meeting of the Coastal Zone Management Advisory Committee (the "Committee") on Thursday and Friday, October 13-14, 1977. The meeeting will commence at 8:45 a.m. on October 13 and 9 a.m. on October 14 in the Page Building No. 1 Penthouse, 5th Floor, 2001 Wisconsin Avenue, NW., Washington, D.C.

The meeting will be open to public observation and approximately 25 seats will be available. Interested persons are invited to attend and participate in the meeting, subject to the procedures which follow. From approximately 11:45 a.m.

until 12 noon on October 13 and from 11 a.m. until 11:15 a.m. on October 14, persons will be permitted to make oral statements to the Committee which are relevant to topics on the agenda. The Chairman retains the prerogative to place limits on the duration of oral statements and discussions. Persons wishing to make oral statements should notify the Executive Secretary in advance of the meeting. A written version of an oral statement or a written statement may be submitted to the Executive Secretary before or after the meeeting, or may be mailed within five days to: Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, 3300 Whitehaven Street, NW., Washington, D.C. 20235 (Attn: Dr. Richard Keating, Executive Secretary, CZM Advisory Committee). All statements received in typewritten form will be distributed to the Committee for consideration with the minutes of the meeting.

Inquiries may be directed to Richard Keating at (202) 634-4232. The items for Committee discussion at the meeting will include the following:

OCTOBER 13

8:45 a.m.—Call to Order; Approval of Minutes; Report on Action Items.
9:15 a.m.—Welcoming Remarks.
9:45 a.m.—Status of the National CZM Program: NOAA/OCZM Reorganization and Staffing; State Programs Update; CEIP; Regulations.
11:30 a.m.—Election of Chairman.
11:45 a.m.—Oral Statements (if any) by the Public.
12 m.—Brief Recess.
12:15 p.m.—Working Lunch: Future Directions of the Advisory Committee; Round Table Discussion of Constituency Views; Report by Task Force on FY 1978 Work Program.
3 p.m.—Legislative Review.
4:15 p.m.—Status of SITES (Smithsonian Institution Travelling Exhibit Service).
4:30 p.m.—Adjourn.
(4:30 p.m.—Meeting of the Task Force on Shorefront Access.)

OCTOBER 14

9 a.m.—Call to Order.
9:15 a.m.—Status of Participation of User Groups in State CZM Programs (using Ports as a case study): Ports; MARAD Presentation on Regional Port Planning; Port Authority's Viewpoint; Ports' Role in State CZM Programs; OCZM's Views on Port Participation; CZMAC Recommendations.
11 a.m.—Oral Statements (if any) from the Public.
11:15 a.m.—Future Directions of the Advisory Committee, continued. Committee's Consideration of Task Force Proposed Work Program, including: Agendas, Places, Dates of Future Meetings; Operating Procedures.
12:15 p.m.—Brief Recess.
12:30 p.m.—Working Lunch: Committee's Recommendations on Work Program.
3 p.m.—Report by the Task Force on Shorefront Access.
4 p.m—Adjourn.

Dated: September 22, 1977.

ROBERT L. CARNAHAN,
*Acting Assistant Administrator for Administration, National Oceanic and Atmospheric Administration.*

[FR Doc.77-28078 Filed 9-23-77;8:45 am]

## COMMODITY FUTURES TRADING COMMISSION

### PROPOSED ONE-YEAR TREASURY BILL FUTURES CONTRACTS, ET AL.

#### Availability

In the matter of Availability of Proposed One-Year Treasury Bill Futures Contracts and Four-Year Treasury Note Futures Contracts of the Chicago Mercantile Exchange and Petroleum Products Futures Contracts of the New York Mercantile Exchange.

In accordance with its established policy, the Commodity Futures Trading Commission ("Commission") is making available copies of the following proposed futures contracts submitted for contract market designation pursuant to sections 5 and 5a of the Commodity Exchange Act, as amended:

1. One-Year Treasury Bills submitted by the Chicago Mercantile Exchange.
2. Four-Year Treasury Notes submitted by the Chicago Mercantile Exchange.
3. Petroleum Products submitted by the New York Mercantile Exchange.

Copies of these proposed contracts will be available for inspection and copying at the Commission's offices in Washington, New York, Chicago, Minneapolis, Kansas City and San Francisco. Additionally, the Commission will furnish copies of these proposed contracts upon request made to the Secretariat.

Any person interested in expressing his views on the terms and conditions of any of the proposed contracts should send his comments by November 10, 1977 to: Ms. Jane Stuckey, Secretariat, Commodity Futures Trading Commission, 2033 K Street NW., Washington, D.C. 20581.

Copies of all comments will be available for inspection at the Commission's Washington office.

Issued in Washington on September 21, 1977.

WILLIAM T. BAGLEY,
*Chairman.*

[FR Doc.77-27981 Filed 9-23-77;8:45 am]

## DEPARTMENT OF DEFENSE

### Department of the Air Force

### PUBLIC HEARING AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS)

The Presiding Officer at the public hearing will be Colonel Allan C. Smith, Chief Circuit Judge, 5th Judiciary Circuit, USAF Trial Judge, Travis Air Force Base, CA 94535, phone 707-438-2297.

Location, schedule, procedures and availability of the Draft EIS were published in the FEDERAL REGISTER, Vol. 42, No. 176, Monday, September 12, 1977, page 45704.

For further information contact Mr. R. W. Munsie, Environmental Planning Division, Headquarters USAF, phone 202-695-1422.

FRANKIE S. ESTEP,
*Air Force Federal Register Laision Officer, Directorate of Administration.*

[FR Doc.77-27990 Filed 9-23-77;8:45 am]

### Department of the Navy

### CHIEF OF NAVAL OPERATIONS EXECUTIVE PANEL ADVISORY COMMITTEE

#### Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Technology Sub-Panel of the Chief of Naval Operations (CNO) Executive Panel Advisory Committee will meet on October 17-18, 1977, at the Pentagon, Washington, D.C. Sessions of the meeting will commence at 8:30 a.m. and terminate at 5:30 p.m. on both days. All sessions will be closed to the public.

The agenda will consist of matters required by Executive Order to be kept secret in the interest of national defense and are in fact properly classified pursuant to such Executive Order, including discussions of fleet sensor and weapon systems, anti-submarine warfare, naval operations and related intelligence. Accordingly, the Secretary of the Navy has determined in writing that the public interest requires that all sessions of the meeting be closed to the public because they will be concerned with matters listed in Section 552b(c)(1) of Title 5, United States Code.

For further information concerning this meeting, contact Commander William A. Armbruster, USN, Excutive Secretary of the CNO Executive Panel Advisory Committee, 1401 Wilson Boulevard, Room 405, Arlington, Virginia 22209. Phone 694-3191.

Dated: September 21, 1977.

E. M. BYRNE,
*Commander, JAGC, U.S. Navy Head, Regulations Branch Office of Judge Advocate General (Administrative Law).*

[FR Doc.77-27985 Filed 9-23-77;8:45 am]

### CHIEF OF NAVAL OPERATIONS EXECUTIVE PANEL ADVISORY COMMITTEE

#### Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Strategic Sub-Panel of the Chief of Naval Operations (CNO) Executive Panel Advisory Committee will meet on October 12-13, 1977, at the Pentagon, Washington, D.C. Sessions of the meeting will commence at 8:30 a.m. and terminate at 5:30 p.m. on both days. All sessions will be closed to the public.

The agenda will consist of matters required by Executive Order to be kept secret in the interest of national defense and are in fact properly classified pursuant to such Executive Order, including a comprehensive discussion of the Navy's strategic force structure as well as related intelligence items. Accordingly, the Secretary of the Navy has determined in writing that the public interest requires that all sessions of the meeting be closed to the public because they will be concerned with matters listed in Section 552b(c)(1) of Title 5, United States Code.

For further information concerning this meeting, contact Commander Wil-

liam A. Armbruster, USN, Executive Secretary of the CNO Executive Panel Advisory Committee, 1401 Wilson Boulevard, Room 405, Arlington, Virginia 22209. Phone 694-3191.

Dated: September 21, 1977.

E. M. BYRNE,
*Commander, JAGC, U.S. Navy,*
*Head, Regulations Branch,*
*Office of Judge Advocate General (Administrative Law).*

[FR Doc.77-27986 Filed 9-23-77;8:45 am]

## REGIONAL DISCHARGE REVIEW SYSTEM

### Hearing Locations

In FEDERAL REGISTER Document 75-27207, published on October 9, 1975, 40 FR 47524, the Department of the Navy published notice that, beginning in November 1975, the Naval Discharge Review Board would convene and conduct hearings for a number of days each quarter in certain announced locations. In FEDERAL REGISTER Document 76-20384, published on July 15, 1976, 41 FR 29190, the Department of the Navy published notice that approval had been granted for the Naval Discharge Review Board to conduct hearings, within assigned resources, on a non-continuing basis, in cities other than the announced locations when the concentration of petitioners in a geographical area so warrants. This expanded availability has facilitated the opportunity for personal appearances before the Board and the initially announced hearing schedule has been modified accordingly.

The following itinerary for October 1977, through March 1978 has been approved, but remains subject to modification if necessary:

October—Chicago, IL; Minneapolis/St. Paul, MN
November—Atlanta, GA; New Orleans, LA; Tampa, FL; Boston, MA
January—Denver, CO; Seattle, WA; San Francisco, CA; San Diego, CA
February—Dallas, TX; Wichita, KS
March—Atlanta, GA; New Orleans, LA; Tampa, FL

Any former member of the Navy or Marine Corps who desires to obtain a review of his or her discharge, either in Washington, D.C. or in one of the other cities in which the Board will conduct hearings, should file an application with the Board using DD Form 293. If a personal appearance is requested, the petitioner should indicate which scheduled location is preferred. Application forms (DD 293) may be obtained from, and the completed application should be mailed to the following address:

Naval Discharge Review Board, Suite 905, 801 North Randolph Street, Arlington Va. 22203.

Notice is hereby given that, since the foregoing itinerary is subject to modification and since, following receipt of a new application, the Naval Discharge Review Board must obtain the petitioner's military records before a hearing may be scheduled the receipt of an application by the Naval Discharge Review Board is not tantamount to scheduling such hearing. Petitioners and/or their counsel will be notified by mail of the date and place of their scheduled hearing when personal appearance is requested.

FOR FURTHER INFORMATION CONTACT:

Captain John G. Shaw, U.S. Navy, Executive Secretary, Naval Discharge Review Board, Suite 905, 801 North Randolph Street, Arlington, Va. 22203 (202-692-4881).

Dated: September 19, 1977.

E. M. BYRNE,
*Commander, JAGC, U.S. Navy*
*Head, Regulations Branch,*
*Office of the Judge Advocate General Administrative Law.*

[FR Doc.77-27920 Filed 9-23-77;8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-60003; PRL 796-7]

### DIBROMOCHLOROPROPANE

### Intent To Suspend and Conditionally Suspend Registrations of Pesticide Products

SEPTEMBER 8, 1977.

#### I. INTRODUCTION

During the past several weeks, the staff of the Agency have been engaged in an intensive investigation of the pesticide dibromochloropropane ("DBCP"). The principal reason for this intensive investigation was recently disclosed information showing that male chemical plant workers exposed to relatively low levels of DBCP have become sterile. However, prior to receiving this information, DBCP was undergoing review to determine whether regulatory action to ban or restrict its uses was appropriate, because of animal test data developed by the National Cancer Institute indicating that the compound is a carcinogen. Based upon the results of this expedited review of the risks and benefits associated with the use of this pesticide, I have determined that it is necessary to take several regulatory actions pursuant to my authority under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended ("FIFRA"), to insure that the use of this pesticide does not cause unreasonable adverse effects on man or the environment.

The purpose of this notice is to announce my intention to take expedited action to control on an interim basis hazardous uses of the pesticide DBCP, by invoking my authority under Section 6(c) of FIFRA to suspend the registrations of pesticide products found to be posing an "imminent hazard" to man or the environment. As developed more fully below, this provision permits me to prohibit, on an interim basis, the distribution, sale and use of a pesticide in situations where the use of that pesticide appears likely to pose an unreasonable risk to man during the period necessary to conduct and complete more lengthy administrative proceedings, in which the ultimate fate of the pesticide can be determined.[1]

This document contains six parts. Part I is this introduction. Part II is a brief description of the provisions of the statute under which this action is taken. Part III is a brief description of the interim remedies I have decided to impose, and a summary of my findings and conclusions that use of DBCP poses an imminent hazard to man. Parts IV and V are my detailed findings concerning the imminent hazard to man posed by these chemicals for the two different suspension actions which I am initiating. Part VI is devoted to procedural matters. This section describes in some detail the procedures which I have determined should be employed in an expedited hearing, in the event that one is requested.

#### II. LEGAL AUTHORITY

In order to obtain a registration for a pesticide under FIFRA, a manufacturer must prove that the pesticide satisfies the statuory standard for registration. That standard requires (among other things) that the pesticide perform its intended function without "unreasonable adverse effects" on the environment * * * [FIFRA Section 3(c)(5)]. "Unreasonable adverse effect on the environment" is defined to mean "any unreasonable risk to man or the environment, taking into account the economic, social and environmental costs and benefits of the use of any pesticide." [FIFRA Section 2(bb). In effect, this standard requires a finding that the benefits of each use of the pesticides exceed the risks of the use. The burden of proving that a pesticide satisfies the registration standard continues for as long as the registration remains in effect. Under Section 6 of FIFRA, the Administrator is required to cancel the registration of a pesticide whenever he determines that the pesticide no longer satisfies the statutory standard for registration.

The administrative procedures for making and implementing pesticide cancellation decisions are very time consuming. The Agency's experience has been that two or more years may be necessary in order to reach a final decision in a contested case.

The suspension provisions in section 6 (c) of the statute are designed to give the Administrator authority to take interim action pending the completion of the time consuming procedures required for reaching final registration decisions. Pursuant to that section, the Administrator may suspend the registrations of

[1] In addition to the suspension proceedings set in motion by this notice, the Agency also will be initiating the Rebuttable Presumption Against Registration ("RPAR") process with respect to uses of DBCP which are not involved in the suspension proceeding. See 40 CFR 162.11(a). The RPAR process is designed to permit the Agency to gather information about a problem pesticide and make a decision concerning whether that pesticide should be registered in an open manner allowing maximum participation by all interested groups.

a product, and thereby preclude its distribution, sale or use, upon a finding that the pesticide poses an "imminent hazard" to man or the environment. "Imminent hazard" is defined in the statute to mean a situation wherein:

> The continued use of pesticide during the time required for cancellation proceeding would be likely to result in unreasonable adverse effects on the environment or will involve unreasonable hazard to the survival of a species declared endangered by the Secretary of the Interior under Public Law 94-135.

As discussed above, "unreasonable adverse effects on the environment" is defined to mean a situation where the risks of the use of pesticides outweigh the benefits of use. Thus, in order to find an imminent hazard it is necessary to find that the risks of use during the period likely to be required for cancellation proceedings appear to outweigh the benefits.

The courts have repeatedly "cautioned that the term 'imminent hazard' is not limited to a concept of crisis; 'it is enough if there is a substantial likelihood that serious harm will be experienced during the year to require that any realistic projection of the administrative (cancellation) process'" *Environmental Defense Fund, Inc.* v. *Environmental Protection Agency*, 510 F2d 1292, 1297, (D.C. Cir. 1975) (Emphasis in original), quoting from *Environmental Defense Fund, Inc.* v. *Environmental Protection Agency*, 465 F2d 528, 540 (D.C. Cir. 1972). Moreover, the registrant bears the burden of proof during a suspension proceeding, because, as indicated above, the burden of proof under FIFRA always resides with the proponent of registration throughout the life of a registration. See, e.g. *Environmental Defense Fund* v. *Environmental Protection Agency*, 510 F2d at 1297; *Environmental Defense Fund* v. *Environmental Protection Agency*, 465 F2d at 540. Finally, the courts have repeatedly held that "the function of a suspension decision is to make a preliminary assessment of evidence, and probabilities, not an ultimate resolution of difficult issues." *Environmental Defense Fund* v. *Environmental Protection Agency*, 510 F2d 1292, 1298 (1975).

There are two kinds of suspension proceedings authorized under FIFRA: emergency suspensions and ordinary suspensions. Emergency suspensions require certain special findings, and are effective immediately. Ordinary suspensions are not effective immediately; instead the Administrator is required to give registrants notice of his intention to suspend, and 5 days in which to request a hearing. If no hearing is requested, the suspension becomes effective. However, if a hearing is requested, the Administrator is required to convene an expedited administrative proceedings, in which the sole issue is whether an imminent hazard in fact exists. While a notice of intent to suspend may be issued without issuing a notice of intent to cancel, in order to issue a suspension order it is necessary to have issued or issue at the same time a notice of intent to cancel the registration of a pesticide. This proceeding is, at least for the present, an ordinary suspension proceeding, and no notice of intent to cancel has been issued.[3] If a hearing is not requested, it will be necessary to issue a notice of intent to cancel in order to make this suspension action effective.

## III. Summary of Findings Concerning Imminent Hazard and Description of Proposed Suspension Actions

My findings concerning the existence of an imminent hazard with respect to the pesticide DBCP are set forth in detail below. In broad summary, I have found a substantial likelihood that the pesticide poses a cancer risk to man, because of convincing data indicating that the pesticide causes cancer in laboratory animals. I have further found, based upon human data and tests performed in laboratory animals, that DBCP causes adverse reproductive effects in human males exposed to low levels of the compound. These adverse reproductive effects include reduction in sperm counts and sterility. I have found that the risks of these adverse effects to man exceed the benefits of the use of the pesticide during the period of several years necessary for final decision on these matters, in those situations where use of the pesticide results or appears reasonably likely to result in residues of DBCP on agricultural commodities intended for human consumption. The agricultural commodities with respect to which residues of DBCP occur or are likely to occur are root crops and certain vegetable crops grown in contact with the ground. With respect to these food crop uses, I have found that an imminent hazard exists, and accordingly am announcing my intention to suspend the registrations of DBCP pesticides registered for these uses. Moreover, I do not intend to involve the "special rule" provision of FIFRA section 15(b) to permit sale, distribution or use of products registered and labeled for suspended uses.

I have also found that DBCP use in accordance with current label restrictions poses a cancer risk and risk of sterility and other severe reproductive effects to applicators of the pesticide. I have further determined that these risks to applicators can be significantly reduced, if not eliminated, by imposing on an interim basis various restrictions on the use of these compounds. These risk reduction measures include restriction to use only by applicators certified under FIFRA Section 4, restricting some uses to use only by professional applicators, and requiring the use of protective clothing and respirators. The costs of these interim risk reduction measures to users are small, and clearly less than the probable cancer and sterility risks posed to applicators if they are not imposed. Accordingly, I have found that the continued use of DBCP in accordance with current label restrictions poses an "imminent hazard" to man, and I am hereby announcing my intention to suspend them. However, because of my preliminary conclusion that applicator exposure can be controlled at least on an interim basis by imposition of appropriate restrictions, this suspension action shall not apply to DBCP products (i) the registrations of which have been amended to incorporate appropriate restrictions, as described below, and (ii) whose labels reflect these restrictions. The suspension shall be effective with respect to all other DBCP products. Suspended products may not be sold, distributed, or otherwise moved in commerce; however, stocks of these products already in the hands of users (who are not also distributors) may be used, provided that they are used in a manner consistent with the restrictions imposed on the category of product in question, as described below. Finally, I emphasize that my finding that these risk reduction methods adequately reduce pesticide applicator exposure is a tentative finding. If as a result of further review of this problem, it appears that these measures are not providing adequate protection to applicators, other remedies including suspension and cancellation of all uses are available and can be implemented.

## IV. Uses in Which Residues Are Reasonably Expected in the Edible Portion of Food Crops

### A. USES OF CONCERN

At the present time, there are no tolerances for DBCP[4] per se in or on raw agricultural commodities because it was concluded on the basis of data originally submitted by petitioners for tolerances (Pesticide Petition Numbers 294, 417, 5F4030, 7E0513, 0F0856, and 0F1004) that no DBCP residues would result. However, tolerances for residues of inorganic bromides resulting from DBCP uses on fruits, vegetables and nuts were established (40 CFR § 180.197), based on the rationale that the parent compound DBCP released bromide ions which were fixed in soils and subsequently taken up by plants as inorganic bromide, and based on the fact that the analyses then available for organic bromides in crops grown in treated soil were negative. The analytical method employed at that time for organic bromide had a sensitivity of 0.2 to 1.0 ppm (parts per million) and was based on potentiometric titration. It was not specific for DBCP per se, but rather measured any organic bromide which was extracted by the procedure and not lost in clean-up steps.

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[3] However, if during the course of these proceedings additional facts come to my attention suggesting that an emergency situation exists, I can at that point invoke the emergency suspension provisions.

[4] DBCP is 1, 2-dibromo-3-chloropropane, commonly known as dibromochloropropane. Its molecular formula is $C_3H_5Br_2Cl$, with a molecular weight of 236.36; it has a boiling point of 196°C at 760 mm Hg, vapor pressure of 0.8 mm Hg at 21°C and has a solubility in water of 0.1 percent. It is an amber to dark brown liquid made by the liquid phase addition of bromine to allyl chloride.

More sophisticated analytical methods have been developed since the establishment of the tolerances referred to above, and it is now possible to detect residues of the parent compound DBCP using a gas chromatographic-electron capture method which is specific to DBCP and which generally has a sensitivity of 0.01/ppm. This method was first published in 1973 by Hodges and Lear (Nematologica 19: 146) for DBCP in soil, and was utilized by Newsome et al. (J.Ag. & Food Chem. 25: 684 (1977)) for the detection of DBCP residues in root crops (carrots and radishes) grown in soil which had been fumigated with DBCP. Although the dosage applied was lower than that which is currently permitted by existing registrations of products containing DBCP, the study found substantial residues of DBCP per se in both the edible portions and the foliage of both crops. Values ranged up to 0.19 ppm in edible portions of radishes and up to 1.5 ppm in edible portions of carrots.

In addition, other data available to the Agency[4] from supervised field trials approximating registered uses show that detectable residues of DBCP per se result in or on edible portions of certain crops. Crops for which there are positive findings (and the range of analytical results thereon) are as follows: cauliflower (0.01–0.08 ppm); broccoli (0.03–0.13 ppm); cabbage (0.01–0.12 ppm); cucumbers (0.01–0.04 ppm); and peanut meats (0.01–0.14 ppm).

The translation of residue data within groups of related crops (e.g., root crop vegetables, leafy vegetables, etc.) is a common and widely accepted practice (see 40 CFR § 180.34); such extrapolations may also be based in part on common growing characteristics of certain crops in relation to crops within such groupings (e.g., crops whose edible portions develop on or close to the soil surface. Accordingly, the positive DBCP residue data pertaining to the crops enumerated above may be extrapolated to predict the existence of DBCP residues in certain other crops for which there are registered uses and for which residue data are either absent or inconclusive: brussel sprouts, celery, lettuce, endive, parsnips, turnips, squash, melons, eggplants, peppers, tomatoes, and strawberries.

From available data the Agency is presently unable to reach a conclusion that there is a likelihood of DBCP residues in or on the remaining food crops for which there are registered uses. However, further consideration will be given to those crops as additional residue information becomes available.

E. EXPOSURE FROM DBCP RESIDUES IN DIET

The level of human dietary exposure to DBCP resulting from the consumption of food commodities containing DBCP residues may be estimated based on the average daily consumption of those food commodities as derived from published tabulations of their percentage contribution to an average daily 1930 gram diet. It must be noted, however, that estimates resulting from multiplication of the residue levels by the estimated consumption would necessarily be based on an assumption that the entire crop of a particular commodity had been grown in DBCP-treated soil. Since this assumption may not reflect actual use patterns, estimates of the percentage of the national crop which has actually been treated with DBCP have been calculated for each crop and factored into the final calculations of DBCP in the diet.

Those calculations result in an estimated daily dietary intake of DBCP in the range of $2.2 \times 10^{-4}$ mg/kg/day to $6.1 \times 10^{-4}$ mg/kg/day, using the lower and upper limits of the range of analytical (or extrapolated) residue data, respectively. Although this estimated amount of daily intake of DBCP may seem relatively low, analysis of the potential risks to human health as a consequence of its consumption, as discussed more fully below, shows this level of DBCP in the diet to be cause for significant concern.

I have determined that human dietary consumption of DBCP constitutes a serious risk to the population of this country, since it appears that not only is DBCP a powerful carcinogen in animals which provides strong evidence that it is a human carcinogen, but that it may also damage human reproductive functions, and may cause sterility in males.

1. With respect to the carcinogenicity of DBCP, the Agency's Cancer Assessment Group (CAG), in accordance with the Agency's "Interim Procedures and Guidelines for Health Risks and Economic Impact Assessment of Suspected Carcinogens" (41 FR 21402, May 25, 1976) (the "Cancer Guidelines"),[5] has determined that: "There is strong evidence that DBCP is likely to be carcinogenic to man. The compound produces high levels of squamous cell carcinoma of the stomach in rats and mice of both sexes at both exposure levels. A significant increase in the mammary cancer rate was also found in female rats. In addition, the times to tumor tend to be very short, and the tumors metastasize to a wide variety of other organs."

This determination was based on long-term bioassay tests on rats and mice conducted at Hazelton Laboratories, and sponsored by the National Cancer Institute (NCI) between 1972 and 1974. The study was conducted at two dose levels for each species (30 and 15 mg/kg/day for rats and 260 and 130/mg/kg/day for mice); 50 males and 50 females of each species were placed in each of these treatment groups and in the untreated control group. The animals received DBCP via stomach intubation 5 days per week for 78 weeks; the rats were sacrificed after another 32 weeks of observation, while the mice were sacrificed after an additional 12 weeks of observation.

The results of this study obtained at different stages of the bioassay have previously been reported by several of the participants therein. A progress report by Olsen et al. (J. Natl. Cancer Inst. 51: 1993 (1973)) indicated that DBCP was inducing squamous cell carcinomas of the stomach in treated rats and mice. Ward and Habermann (Bul. Soc. Pharm. Env. Path. 74: 10–11 (1974)), the pathologists for this study, reported that DBCP was "very carcinogenic". Powers et al. (Abs. Tox. Appl. Pharm. 33 (1): 171–172 (1975)), at the termination of this study, reported stomach squamous cell carcinomas in excess of 60 percent of the rats and 90 percent of the mice treated with DBCP; they also cited a high incidence (54 percent) of mammary gland adenocarcinomas in female rats. Finally, Weisburger (1977), in a draft report presented at a National Cancer Institute seminar, reported these findings in more detail.

CAG preliminary review of the NCI rat study shows that a high frequency of DBCP-treated rats died with squamous cell carcinomas of the stomach: high dose rats were dying with carcinomas as early as 30–40 weeks of treatment, low dose rats at 40–50 weeks for females and 50–60 weeks for males. Tumors in both dosage groups metastasized by invasion into adjacent organs and by spread to various distal sites; high dose rats were found with metastases earlier in the study than were low dose rats. Up to 6 to 9 organs per rats showed metastatic implants from the gastric carcinomas. Some high dose rats which lacked gastric carcinomas had squamous cell papillomas of the stomach. In addition to gastric carcinomas, both DBCP-treated groups of female rats showed significant increases in the incidence of mammary adenocarcinomas. Tumors were noted as early as 14 weeks of treatment, increased greatly in size, sometimes ulcerated and, in a few cases, metastasized to the lung and kidney.

A second bioassay on rats and mice at Hazelton Laboratories is currently in progress and is funded by Dow Chemical Co. The rat study was terminated at 104 weeks in June 1977, and consisted of 4 groups of 60 female and 60 male albino rats dosed at levels of 0, 0.3, 1.0 and 3.0 mg/kg/day of DBCP in the diet. A 78-week progress report received by the Agency on July 21, 1977 indicates a significant incidence of "possible neoplasms" of the stomach, in both males and females receiving 1.0 and 3.0 mg/kg/day, based on a review of the gross necrospy sheets.

Based on the demonstrated carcinogenicity of DBCP, and using estimates of human exposure to DBCP on the basis

[4] Shell submission "Nemagon R Soil Fumigant" with letter dated April 12, 1977; Shell submission under letter of September 6, 1977; Dow data submission to Office of Special Pesticide Review (undated).

[5] The Cancer Guidelines represent the Agency's accumulated expertise concerning the identification and assessment of carcinogens. The approach taken in the Cancer Guidelines is generally supported by the final report of the National Cancer Institute's National Cancer Advisory Board Subcommittee on Environmental Carcinogenesis, entitled "General Criteria for Assessing the Evidence for Carcinogenicity of Chemical Substances" (also known as the "Shubik Committee Report").

of residues of DBCP in food commodities consumed in the human diet, the CAG has evaluated the risk of cancer associated with human exposure to DBCP. These estimates are, by their nature, very crude due to uncertainties in actual human exposure levels and in the extrapolation of dose-response data to very low dose levels, and due to the differences in levels of susceptibility of animals and humans. (Cancer Guidelines, § 2.0.) They have been developed by the CAG to provide me with a rough approximation of the degree of human risk which may be expected to attend the continued use of DBCP, using extrapolation models appropriate to a decision-making process which involves human health considerations. I caution that these estimates should not be interpreted either as scientific certainties, nor as absolute upper limits on the risks of cancer which may be posed by the continued use of DBCP.[4] With these caveats, the estimates developed by CAG are as follows:

Assuming that DBCP is consumed in the diet over an entire lifetime (assumed to be 70 years), the probability of DBCP producing cancer in a human in his or her lifetime ranges from $2.8 \times 10^{-5}$ (using the lower residue estimates) to $7.4 \times 10^{-4}$ (using the higher residue estimates). Put differently, lifetime DBCP consumption may be expected to cause anywhere from 28 to 740 cases of cancer per one million people exposed, during the lifetime of the exposed population.

Assuming that DBCP is only consumed in the diet over a two-year period, the probability of DBCP producing cancer in a human in his or her lifetime ranges from $7.9 \times 10^{-7}$ to $2.1 \times 10^{-5}$. Put differently, two-year DBCP consumption may be expected to cause anywhere from 0.79 to 21.0 cases of cancer per one million people exposed, during the lifetime of the exposed population.

2. With respect to the reproductive effects of DBCP, several reports in the published literature indicate that DBCP causes significant damage to the reproductive organs of several animal species. Torkelson (Tox. Appl. Pharm. 3(5): 545 (1961) conducted several tests for Shell and Dow Chemical Companies pertaining to DBCP. The authors noted that with respect to the inhalation exposure studies, "the most striking observation at autopsy was severe atrophy and degeneration of the testes of all species." Briefly summarized, the studies showed that in groups of 15 rats exposed to DBCP vapors of 0, 5, 10, 20, or 40ppm for a total of 50 exposures over 7 weeks, the treated rats developed gross lesions in the testes at the 10ppm and higher dosages. Testes atrophied in treated rats at 20 and 40 ppm, while testicular weight was reduced in some males at as low as 5 ppm. In addition, 3 male rabbits and 10 male guinea pigs exposed to 12 ppm DBCP vapors 66 times showed severe testicular atrophy and degeneration.

A Russian study (Reznik and Sprinchan, Gig, Sanit: 101, 1975) has reported significant injury to male and female sex gland activity in one group of rats given 100 mg/kg DBCP once perorally and in another group given multiple doses of 10 mg/kg over 4 to 5 months. For males acutely exposed to 100 mg/kg, the concentration of spermatozoa in the ejaculate dropped sharply; after one week the sperm count decreased to 2,617,000/ml in treated rats versus 4,870,000/ml in the control animals ($p<.001$), and the concentration did not change significantly after an additional week (2,847,000/ml vs. 4,850,000/ml). Moreover, the duration of spermatazoon mobility decreased sharply, varying from about 10 to 20 minutes in treated rats and from 30 to 33 minutes for controls ($p<.01$). Accordingly, it was concluded that the final phases of spermatogenesis were damaged and the spermatozoon function destroyed by the acute dosage. In female rats, 94.5 percent of the group exposed once to 100 mg/kg developed atypical estrous cycles. The average number of complete cycles per female dropped and the stages of estrus and diestrus were extended; the stage sequence was also destroyed in many of the females in the treated group.

With respect to the chronic exposures, the function of the testes in the treated groups was also damaged, with the concentration of spermatozoa gradually decreasing after two months to 4,500,000/ml in the treated males versus 5,400,000/ml in the controls ($p<.01$). After four months the concentration decreased to 2,480,000/ml in the treated animals, compared to 4,890,000/ml in the controls ($p<.001$). Moreover, the mobility of the sperm of treated rats at two and four months was also significantly lower than that of the controls ($p<.01$ and $p<.001$, respectively).

Other Russian studies indicating reproductive effects in rats resulting from exposures to DBCP include Faydysh etal. (Med. Zh. Uzbekistant: 64 (1970)) and Rakhmatullayev (Med. Zh. Uzbekistana 7: 75–78 (1969)).

In addition, there are indications from human epidemiological studies conducted at chemical plants which manufacture or formulate DBCP, that employees who have been exposed to DBCP during its manufacture or formulation into other products exhibit signs of oligospermia (reduced sperm counts) or aspermia (zero sperm count). Of 15 employees at the Occidental Chemical Co. at Lathrop, Calif., tested for fertility, 7 employees had zero sperm count, 2 employees were judged "functionally sterile," and 1 employee had an abnormally low sperm count. Moreover, the company stated that the examining physician had advised them that "there is an apparent medical correlation between length of employment in the company's pesticide formulation operations and the incidence of the medical findings of aspermia or oligospermia within the total population group of employees working in the pesticide formation operations." (Telex to EPA, August 1, 1977.) In addition, preliminary examinations of 9 demonstrator-applicators employed by Occidental indicate that 5 had "abnormal" sperm counts. (Department of Labor Informal Hearing on DBCP, Testimony of Dr. Wharton, August 31, 1977.) Shell Oil Co. has reported that 7 of 11 employees with possible exposure to DBCP at its Mobile, Ala., plant have reduced sperm counts (less than 40MM/ml), as do 20 of 27 employees with possible exposure to DBCP at its Denver, Colo., plant. (Letter to EPA, September 1, 1977, with attachment.) Dow Chemical Co. has reported that recent sperm counts of employees at its Magnolia, Ark., plant "have revealed aspermia in 24 percent of the people tested and oligospermia in 46 percent." (Letter to EPA, September 1, 1977.)

In light of this evidence, and in light of the fact that data for conclusively establishing an ample margin of safety for human exposure to DBCP with respect to possible damage to reproductive capacities are not available at this time, I find that exposure to DBCP poses a significant risk of injury to human reproductive capacities. No quantitative estimates similar to those made for the risk of cancer have been made since at this time the Agency does not have an analogous model for the dose-response relationship for damage to the reproductive system (such as reduction in sperm count or other effects).

### D. BENEFITS

There are registered alternatives to DBCP for each food crop mentioned above in which residues of DBCP are likely to occur. Moreover, it would appear that in virtually all cases, the major registered alternatives are equally or more effective than DBCP but are more expensive. Therefore, it is estimated that although crop yield would not be reduced to any significant extent as a result of suspending DBCP for use on those crops, the costs of control as a result of a suspension would be increased by approximately $15 million per year (based on the calculation that the that the major alternatives increase average per acre treatment costs by approximately $65). Accordingly, the economic impact of suspending these uses of DBCP during the approximately two years required for cancellation proceedings would be approximately $30 million, attributable primarily to the increased cost of control alternatives.

### E. CONCLUSION

On the basis of the information discussed above, I find that the risks of continued use of DBCP on food crops in which residues of DBCP are likely to occur in edible portions (specifically, broccoli, brussel sprouts, cabbage, carrots, cauliflower, celery, cucumbers, eggplant, endive, lettuce, melons, parsnips, peanuts, peppers, radishes, squash, strawberries, tomatoes, and turnips) outweigh the benefits of continued use during the approximate two-year period likely to be required for cancellation proceedings

[4] See, generally, EPA's "Statement of Position on Questions referred to the National Academy of Sciences by the Administrative Law Judge in Proceedings to Cancel Registrations of the Pesticides Chlordane and Heptachlor," dated May 13, 1977.

and constitute an unreasonable risk to man, and I accordingly hereby issue notice of my intent to suspend all registrations of products containing DBCP which are registered for use on those crops. With respect to the other crops for which there are registered uses, the risk is lessened due to the uncertainty of the existence of DBCP residues, and I have accordingly determined to suspend registrations of products which are registered for use on those remaining crops only in accordance with Part V of this notice relating to conditional suspensions based on applicator exposure.

### V. Exposure to Applicators

The principal techniques for the application of DBCP are: soil injection (chisel); pressure or gravity flow (flood) irrigation; sprinkler irrigation; granular deposition; and drench application. The levels of inhalation and dermal exposure to DBCP vary according to the technique utilized.

#### A. Description of Techniques

Soil injection of DBCP is accomplished by utilizing a tractor with several narrow blades (or chisels) mounted on the rear, and inserted to a depth of about 8 inches in the soil. A tank mounted on top of the tractor delivers the DBCP via hoses to small tubes on the trailing edges of the blades. Since the delivery of DBCP from the tank to the ground is in an enclosed system, there is minimal opportunity for escape of DBCP to either the atmosphere or the soil surface. However, observations of actual applications using this technique indicated that the tractor drivers pulled the blades out of the ground when turning at the end of a row; the driver also accasionally dismounted and tapped on the raised blades, apparently to dislodge particles which clogged up the delivery tubes. Thus, it is likely that some concentration of DBCP will be present in the air breathed by the tractor driver. In addition, mixing and loading operations could potentially result in escape of DBCP into the atmosphere, although for much shorter periods of time than the duration of the actual application to the soil.

In the irrigation technique, DBCP is injected into the irrigation water at a uniform, monitored rate and the water is then dispersed to the crops using either pressure (from pumping) or gravity flow irrigation. Thus, the furrows running the length of the tree rows and the basins surrounding each tree are filled 3 to 6 inches deep with the DBCP-treated irrigation water (which may take from 3 to 4 hours); the treated water will completely penetrate the soil over the next 2 to 4 hours. In areas in which flood techniques cannot be used because of the sand content of the soil, basin application is commonly accomplished by the use of sprinkler pipes which run the length of the tree rows, with orifices into the basins. Since DBCP is volatile, it may evaporate from the water and be diffused by wind or other natural processes, so that applicators in the irrigated fields may be exposed to various levels of ambient air concentrations of DBCP. Applicators' only direct contact with the treated water during this process would be while repairing a broken irrigation border, which might occur one or two times during any particular irregular period. Depending upon the amount of protective clothing worn, the likely routes of exposure to applicators would therefore be through inhalation and/or dermal contact.

The granular formulations of DBCP are principally for use on gardens and ornamentals by home owners. The granules are poured into furrows 4 to 8 inches deep, which are then filled with soil before watering and left undisturbed for several days.

Finally, drench application is accomplished from a truck with a large-capacity tank and a wide-diameter hose delivery system.

#### B. Exposure Estimates for Each Technique

Estimates of applicator exposure from the soil injection technique may be computed based on estimates of potential concentration of DBCP levels in the air surrounding the applicators. Although no such data for DBCP are currently available, air concentrations of a similar chemical (ethylene dibromide) arising from the same application technique have been measured. Using a ratio of the vapor pressures of the two compounds, a reasonable range of DBCP air concentrations can therefore be computed as 0.01–0.1 ppm, which is equivalent to 0.1–1.0 mg/m$^3$ of DBCP. Inhalation exposure to applicators may then be estimated by assuming a breathing rate of 1.8 m$^3$/hr. (reflecting moderate physical activity), and assuming that all inhaled DBCP is retained in the body. Thus the exposure to applicators using this technique is estimated as 0.18–1.8 mg of DBCP per hour of application.

For soybeans, a major agricultural use, there are an estimated 10,000 applicators who treat approximately 500,000 acres annually with DBCP, at an estimated rate of 4 acres per hour; the average annual application time per applicator is therefore 12.5 hours. Thus an estimate of inhalation exposure to applicators from the use of DBCP on soybeans alone is 2.3 mg/yr. from actual application. In addition, mixing and loading operations for this technique may result in air concentrations of DBCP as high as 1 ppm. Assuming that an applicator spends no more than one cumulative hour per year in such operations, his exposure therefrom will be approximately 18 mg/yr. The overall inhalation exposure from the soil injection technique on soybeans alone, therefore, is approximately 20.3 mg/year.

For pineapples, the soil injection is followed by covering the furrow with a plastic film. Although this would appear to minimize the tractor drivers' exposure to DBCP, it does not eliminate whatever exposure may occur during the mixing and loading operations. Assuming a cumulative two hours per year in such operations, an applicator will be exposed to an overall inhalation exposure of approximately 36 mg/year.

Estimates of applicator exposure from irrigation techniques can be calculated based in part on the fact that irrigation workers can apparently smell DBCP during its application. Since the human odor threshold has been reported to be 0.03 ppm (Dow Chemical Co., 1977), it may be assumed that the air concentration of DBCP reaches at least that level in the ambient air over the irrigated area. Since each of the approximately 4,000 applicators using this technique might thus be exposed to this air concentration for one day each year, the resulting exposure would be 4.3 mg during that one day each year.

For granular formulations, no quantitative information is currently available regarding the duration of exposure or the number of applicators involved. However, inhalation and dermal exposure are probably slight due to both the low rate of application and the granular nature of the formulation.

For drench application, exposure could occur both during the mixing and loading operations and during the actual application. Although it is likely that most applicators who utilize this technique (used primarily for turf and golf course application) are experienced, professional applicators, it is also likely that they will utilize it frequently in the course of a year. However, no quantitative information is currently available regarding the extent of exposure when this technique is utilized, the duration of exposure, or the number of applicators involved.

#### C. Risks

As discussed in detail in Part IV–C of this notice (hereby incorporated by reference), DBCP poses risks to humans of both cancer and serious damage to the reproductive system. Based on the estimates of exposure to applicators developed above, CAG has evaluated the risk of cancer to applicators associated with applicator exposure to DBCP (with the same caveats discussed in Part IV–C) to be as follows:

Assuming that DBCP is applied during a 40-year working lifetime, the probability of DBCP producing cancer in a soybean applicator in the applicator's lifetime (assumed to be 70 years) is $5.5 \times 10^{-3}$. Put differently, working lifetime exposure of soybeans applicators to DBCP may be expected to cause 5.5 cases of cancer per 1,000 applicators in the applicators' lifetime.

Assuming that DBCP is only applied during two years, the probability of DBCP producing cancer in a soybean applicator in the applicator's lifetime is $1.6 \times 10^{-4}$ or 1.6 expected cases of cancer per 10,000 applicators.

For pineapple applicators, the lifetime probability of cancer from working lifetime exposure to DBCP is $9.7 \times 10^{-4}$, or 9.7 expected cases of cancer per 1,000 applicators.

Assuming only two years of DBCP exposure, the probability of DBCP producing cancer in a pineapple applicator's

lifetime is $2.8 \times 10^{-4}$, or 2.8 expected cases of cancer per 10,000 applicators.

Finally, for irrigation applicators the lifetime probability of cancer from working lifetime exposure to DBCP is $1.2 \times 10^{-3}$, or 1.2 expected cases of cancer per 1,000 applicators.

Assuming only two years of DBCP exposure, the probability of DBCP producing cancer in irrigation applicator's lifetime is $3.3 \times 10^{-5}$, or 3.3 expected cases of cancer per 100,000 applicators.

Moreover, in light of preliminary indications of abnormalities in and damage to the reproductive ssytems of applicators of DBCP, and in light of the fact that data for conclusively establishing an ample margin of safety for exposure to DBCP with respect to possible damage to human reproductive capacities are not available at this time, I find that continued exposure of applicators to DBCP resulting from current application techniques during the approximately two years required for cancellation proceedings constitutes an unacceptable risk of serious injury to the reproductive systems of applicators.[7]

D. BENEFITS

I do not find it necessary to undertake an analysis of the economic benefits of the continued use of DBCP for any use other than those which I intend to suspend in accordance with Part IV of this Notice, since I have found that the risks to applicators associated with such remaining uses may be sufficiently reduced during the period required for cancellation proceedings by requiring that those uses be restricted to certified (and in some cases commercial) applicators, and by requiring the use of protective clothing and respirators during application. Therefore, no benefits of those uses would be lost, during the time required for cancellation proceedings, since the products would still be available for ultimate application for those remaining uses. Moreover, any marginal costs that might result from restriction to certified applicators would be minimal, since State programs for the certification of applicators are operational in almost all States, there is a large number of certified applicators, and there is relatively little difficulty in obtaining applicator certification.

E. CONCLUSION

I find that the risks of continued unrestricted use of DBCP during the approximately two years necessary for cancellation proceedings outweigh the benefits of such unrestricted use. I also find, however, that those risks may be sufficiently reduced during the two years required for cancellation by the imposition of certain restrictions.[8]

Accordingly, I hereby announce my intention to conditionally suspend all registrations of products containing DBCP. Relief from this conditional suspension may be accomplished by submitting an application amending the registration to restrict the product's use to certified applicators wearing protective clothing and respirators. In addition, all uses on turf and ornamental trees, shrubs and flowers would have to be restricted to commercial applicators in category 3 (see 40 CFR § 171.3) or an equivalent category under the appropriate State applicator certification plan. Such applications for amended registration would be without prejudice to the registrant's rights to challenge the suspension of the food crops uses in accordance with Part IV of this notice, and without prejudice to the Agency's right to review the adequacy of the restrictions at a later date (e.g., during the cancellation proceedings).

The application for amended registration would also have to include proposed amended labeling which would reflect these restrictions. The following language, if contained in an amended label, would be sufficient to meet these requirements:

For turf and ornamental uses:

RESTRICTED USE PESTICIDE

For retail sale to and use only by certified commercial applicators or persons under their direct supervision, and only for those uses covered by the certified commercial applicator's certification.

WARNING

KEEP OUT OF REACH OF CHILDREN

For turf or ornamental use. Keep people and animals off treated areas until the material has been washed into the soil.

Harmful liquid and vapor. Wear a respirator jointly approved by the Mining Enforcement and Safety Administration, and National Institute of Occupational Safety and Health. Wear impermeable protective fullbody clothing to avoid any skin or eye contact. May be fatal if swallowed, inhaled or absorbed through skin. May cause functional infertility. Combustible mixture causes skin irritation and blisters upon prolonged contact. Causes irritation of eyes, nose and throat. May be absorbed through skin. Do not allow material to remain on skin. If clothing or shoes become contaminated, remove them promptly and do not wear again until competely free of material.

For all other uses:

RESTRICTED USE PESTICIDE

For retail sale to and use only by certified applicators or persons under their direct supervision, and only for those uses covered by the certified applicator's certification.

WARNING

KEEP OUT OF REACH OF CHILDREN

Harmful liquid and vapor. Wear a respirator jointly approved by the Mining Enforcement and Safety Administration and National Institute of Occupational Safety and Health. Wear impermeable protective fullbody clothing to avoid any skin or eye contact. May be fatal if swallowed, inhaled or absorbed through skin. May cause functional infertility. Combustible mixture causes skin irritation and blisters upon prolonged contact. Causes irritation of eyes, nose and throat. May be absorbed through skin. Do not allow material to remain on skin. If clothing or shoes become contaminated, remove them promptly and do not wear again until completely free of material.

VI. HEARING PROCEDURES

Under section 6(c)(2) of FIFRA, these suspension actions cannot take effect until the registrant has had an opportunity for an expedited hearing before EPA to question the basis of the order. The statute explicitly provides that this hearing is to be conducted in accordance with 5.U.S.C. secs. 554, 556 and 557, "except that the presiding officer need not be a certified hearing examiner". EPA's rules of procedure for such hearings are set forth at 40 CFR Part 164, Subpart C.

I do not know whether a hearing will be requested in these suspensions. However, in the event it is, I am establishing the following procedures to supplement the existing regulations in governing its conduct.

1. A deadline is being established for the completion of all hearing procedures and the rendering of a recommended decision under 40 CFR 164.121(j). That deadline is 75 calendar days from the date of this notice.

2. I am naming the following EPA employees to serve as a hearing panel in any hearing arising out of this notice:

John E. Bonine
Roger S. Cortesi
Thomas R. Sheckells

I am naming the following additional persons to be available to provide technical advice and staff support to the hearing panel. If questions arise at the hearing which persons in this category are uniquely qualified to assess, they may be called on to serve on the panel either in addition to or in substitution for the three panel members named above:

[See Attachment A, hereto.]

The panel will conduct the hearing and submit a recommended decision to me under 40 CFR sec. 164.121(j). None of the persons named above is subject in the normal course of their duties to

[7] I have not quantified this risk for the same reasons discussed in Part IV–C, supra.

[8] However, the fact that I have found that the restrictions outlined afford adequate risk-reduction for the period required for cancellation proceedings does not mean that I cannot or will not reevaluate the propriety of restriction as an ultimate alternative to cancellation. In other words, restriction in this context is merely a form of short-term interim risk-reduction during the period required for cancellation proceedings. In the cancellation proceeding itself, however, the issue of long range risks and benefits associated with DBCP will be considered, and a more thorough analysis may indicate that restriction in the long run is inappropriate and that products containing DBCP should be cancelled.

the supervision or direction of any employee or agent of EPA who is a member of the Agency trial staff named below. See 5 U.S.C. sec. 554(d)(2).

Since 5 U.S.C. sec. 554(d)(1) provides that those presiding at adjudicatory hearings may not "consult a person or party on a fact in issue (in the course of preparing their decision) unless on notice and opportunity for all parties to participate," neither I nor my appellate staff will consult with the panel or its supporting staff on any matters involving this case from the date of notice until a recommended decision is issued. My appellate staff shall consist of the Judicial Officer and the Agency's Acting General Counsel, Ms. Joan Z. Bernstein. The three of us will conduct an independent review of the questions presented on appeal of any recommended decision. However, in doing this we will feel free to consult with the hearing panel which will have conducted the initial proceedings and brought expert knowledge to evaluating the record.

The following Agency bureaus or divisions, and their staffs, are designated to perform all investigative and prosecutorial functions in this case: Office of the Deputy Administrator,[9] Office of Toxic Substances and Pesticides, Office of the Associate General Counsel for Pesticides, Toxic Substances and Radiation, and the Office of Enforcement.

From the date of this notice until any final decision, no member of the hearing panel, or its support staff, or the Judicial Officer, the Acting General Counsel, or myself, shall have any ex parte contact with any trial staff employees, or any other interested person not employed by EPA, on any of the issues involved in this proceeding. However, persons interested in this case should feel free to contact any other EPA employee, including both trial staff and persons not explicitly named as panel members or assistants, with any questions they may have.

3. I am directing the hearing panel to proceed as follows to streamline proceedings in this case.

a. All reasonably relevant information regarding the risks and benefits of DBCP is set forth either in this notice or in the documents constituting the record of this notice, which will be available for inspection in the Office of the Hearing Clerk, with certain exceptions.[10] EPA has also attempted to put this information in perspective through a narrative summary and analysis.

Within 21 calendar days from the date of this notice, any person requesting a hearing shall submit written comments on this notice consisting of all relevant information known to them on the risks and benefits of DBCP and a narrative summary explaining its bearing on the case. This shall consist of all material they wish to have considered at the hearing, and any other reasonably relevant material. The Agency trial staff shall have seven days thereafter to file supplemental information and comments.

b. Within three days from the filing of supplemental information by the Agency trial staff, the panel shall convene a pre-hearing conference. At this conference, all parties shall appear prepared to present arguments on the significance and relevance of the material already presented. This pre-hearing conference shall also hear all requests for oral presentation of evidence and cross-examination, and the reasons supporting them.

c. Within five days after the pre-hearing conference is over, the panel shall issue a hearing order setting the schedule for oral presentation of witnesses and cross-examination. Requests for oral presentation of direct testimony shall only be granted to the extent it is demonstrated that the testimony is of such a nature that it can only be presented meaningfully in that form; in all other cases, direct testimony shall be in writing.

No information not included in submissions under paragraph (a) shall be admitted in evidence unless good cause is shown for not having so included it. Requests for cross-examination shall be granted only if all of the following showings are made:

i. The request concerns factual matters. Cross-examination will not be granted on matters of policy or law.

ii. The factual matters are legitimately in dispute in light of the record made under paragraph (a).

iii. The factual matters are material to the decision to be made.

iv. Cross-examination is the most efficient way of resolving the dispute over these factual matters as opposed to such alternatives as production of further information, interrogatories, or informal conferences.

v. There is a reasonable expectation that cross-examination will resolve the issue of material fact in a way likely to influence the final decision.

d. At the hearing, the panel shall take an active role in the development of the record through questioning of witnesses and procedural orders.

e. The panel may revise any of the procedural provisions of this notice other than the overall 75-day deadline.

A discussion of some aspects of these procedures follows:

A. DEADLINES

Deadlines for completing proceedings under FIFRA have been twice endorsed by the National Academy of Sciences (National Academy of Sciences, Decision Making in the Environmental Protection Agency, Vol. II. p. 84 (1977); National Academy of Sciences, Decision Making for Regulating Chemicals in the Environment p. 30 (1975).)

In addition, Congress has demonstrated a concern for speedy action where suspensions based on a potential threat to human health are concerned. It has required a hearing on such a suspension to begin five days after it is requested,[11] and has allowed ten days and seven days respectively for preparation of the initial and final decisions once the hearing is over. FIFRA sec. 6(c)(2). When FIFRA was amended in 1975 to call for consultation by EPA with the Department of Agriculture and a scientific advisory panel before taking action in many cases, suspensions based on human health grounds were exempted from those requirements out of concern that to provide otherwise would prevent speedy action where speedy was desirable. 121 Cong. Rec. H 9895–96 (daily ed. Oct. 9, 1975); 121 Cong. Rec. S 19820–21 (daily ed. Nov. 12, 1975).

Deadlines for completing the hearing have been imposed in prior suspensions. See e.g., *In re Velsicol Chemical Co., et al.*, 41 FR 7552, 7553 (Feb. 19, 1976) [Notice of Intent to Suspend Heptachlor and Chlordane]. The requirements set forth in this order simply carry forward that practice.

B. USE OF PANEL

Despite the need for speedy action, the issues involved in suspension are complex. Under the statute, a judgment of "imminent hazard" must be based on consideration of costs and risks of all types. FIFRA secs. 2(l), 2(bb). Given

[9] The Deputy Administrator may properly be included in the trial staff since the prohibitions of 5 U.S.C. § 554(d) do not apply to "the agency." Her inclusion is necessary if guidance on general policy matters is to be available to the trial staff and, to free a high Agency official to talk to outside interested persons about the questions involved without the constraints otherwise imposed by the *ex parte* provisions of the APA and the Government in the Sunshine Act. The Deputy Administrator will take no part in the detailed work of preparing and presenting the Agency's case.

[10] Some of the information in the record is data submitted by registrants, with respect to which the registrants have asserted claims that the data are trade secret or confidential business or of financial information which the Agency cannot disclose without the permission of the registrant. The Agency does not agree that the data in question are entitled to protection under FIFRA section 10, for the reasons set forth in a memorandum dated March 5, 1976, by Robert V. Zener, the Agency's former General Counsel. However, because a dispute exists concerning whether these data are protected pursuant to FIFRA section 10, they cannot be released except in accordance with the dispute procedures set forth in the FIFRA section 10(c). Until satisfaction of these requirements, only summaries of these data can be released without the permission of the registrant. However, the basic data may be considered in the hearing in accordance with such terms and conditions as the hearing panel may determine are adequate to protect the rights of the submitter of the data.

[11] I do not regard the procedures set forth below as inconsistent with this directive. What concerned Congress was plainly that the hearing stage of Agency decisionmaking begin promptly; not that the oral hearing itself start unconditionally in less than a week. To interpret the law otherwise would forbid the use of such accepted aids to efficient decisions as prehearing conference in precisely the cases where efficiency is most required.

the necessary time constraints and the preliminary nature of suspension as a remedy, factual certainty may be elusive. "[T]he function of the suspension decision is to make a preliminary assessment of evidence, and probabilities, not any ultimate resolution of difficult issues", *Environmental Defense Fund, Inc. v. EPA*, 510 F. 2d. 1292, 1298 (D.C. Cir. 1975), quoting from *Environmental Defense Fund, Inc. v. EPA*, 465 F. 2d. 528, 537 (D.C. Cir. 1972).

Arriving at even such a preliminary assessment can present formidable difficulties. Considering risks, questions can arise concerning the dispersion and persistence of the pesticide in the environment and certain parts of it, the conduct of animal feeding studies, the meaning of those studies for human health, arguments about and projections from other data concerning a possible human health risk, and finally on what the upper and lower boundaries of any risks may be and how firmly they are established. Considering benefits, questions can be raised about the extent of use, the crops involved, the availability and effectiveness of substitutes both now and in the future, the actual impact of the pesticide on target species both now and in the future, the value of non-agricultural uses, and the range of the probable economic impacts of banning the pesticide, or some use of it, in the light of all these factors.

This job will be easier, and will be more likely to be well performed, if I am allowed to rely directly on the talents of EPA employees with expert knowledge of the technical fields involved, and the professional ability to assess problems arising in them. I believe it is for this reason that Congress has provided that those presiding over suspension hearings need not be hearing examiners.[12]

C. CONDUCT OF THE HEARING

Overuse of cross-examination and courtroom formalities, I believe, has made many FIFRA proceedings far longer than was consistent with any rational purpose. The overwhelming bulk of legal analyses by those who have studied the problem, and EPA's own experience, demonstrate that scientific and economic issues can be clarified by the exchange of written material far more efficiently than through courtroom hearings. At the same time, particularly where Congress has explicitly called for formal hearings, the accompanying rights to reasonable cross-examination and oral presentation must be preserved.

The reliance on written submissions to focus the issues which I am directing to be used here is an attempt to implement those lessons.

All three elements of these supplementary procedures are meant to work together. The use of a panel will ensure that expert knowledge is indeed brought to the task of making a decision. The provision for preliminary written submissions will allow that panel to screen the issues and narrow the formal part of the hearing down to those that are legitimately in dispute and suited to adjudicatory resolution. Finally, setting a timetable for decision will help make sure that the potential gains in efficiency represented by the first two reforms are realized in practice.

Dated: September 8, 1977.

DOUGLAS M. COSTLE,
*Administrator.*

ATTACHMENT A

TECHNICAL SUPPORT GROUP FOR HEARING PANEL

Pathology—Dr. James F. Wright, Dr. Thomas M. Scotti.

Reproductive effects—Dr. Neil Chernoff, Dr. Dianne Courtney.

Toxicology—Mr. August Curley, Dr. Larry Hall.

Chemistry—Dr. Henry F. Enos, Mr. George Baughman.

Economics—Ms. Judith Nelson, Mr. Steven Weil.

[FR Doc.77-28022 Filed 9-23-77;8:45 am]

[12] The fact that more than one person will preside is of no legal significance. Even when 5 U.S.C. sec. 556 requires a hearing to be presided over by an examiner (or a person representing the agency) it also specifies that "one or more" of those qualified may preside.

[OPP-50328; FRL 796-4]

## ISSUANCE OF EXPERIMENTAL USE PERMITS

The Environmental Protection Agency (EPA) has issued experimental use permits to the following applicants. Such permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 6704-EUP-13. U.S. Department of the Interior, Denver, Colo. 80225. This experimental use permit allows the use of 1.04 pounds of the rodenticide zinc phosphide as bait on steam-rolled oats to evaluate control of Richardson's ground squirrel. Approximately 120 acres are involved; the program is authorized only in the State of Colorado. The experimental use permit is effective from August 17, 1977, to August 17, 1978. A permanent tolerance for residues of the active ingredient in or on grasses (rangeland) has been established (40 CFR 180.284).

No. 34487-EUP-1. University of Arkansas Fayettesville, Ark. 72701. This experimental use permit allows the use of 29.5 pounds of the fungus spores of *Colletotrichum gloeosporioides f. sp. aeschynomene* used as a herbicide on rice and soybeans to evaluate control of Northern jointvetch. A total of 1,000 acres is involved; the program is authorized only in the State of Arkansas. The experimental use permit is effective from August 1, 1977, to August 1, 1978. A temporary exemption for residues of the active ingredient in or on rice and soybeans has been established.

No. 1016-EUP-32. Union Carbide Corp., Washington, D.C. 20006. This experimental use permit allows the use of 3,800 pounds of the insecticide carbaryl on cotton to evaluate control of late season boll weevils in diapause control programs. A total of 750 acres is involved; the program is authorized only in the States of Arkansas, Louisiana, and Texas. The experimental use permit is effective from July 22, 1977, to July 22, 1978. A permanent tolerance for residues of the active ingredient in or on cottonseed and cotton forage has been established (40 CFR 180.169).

No. 2139-EUP-23. Nor-Am Agricultural Products, Inc., Woodstock, Ill. 60098. This experimental use permit allows the use of 8.5 pounds of the plant regulator N-phenyl-N'-1,2,3-thiadiazol-5-ylurea to evaluate the defoliation of cotton. A total of 36 acres is involved; the program is authorized only in the States of Arizona, Arkansas, Louisiana, Georgia, Mississippi, South Carolina, and Texas. The experimental use permit is effective from August 16, 1977, to August 16, 1978. This permit is being issued with the limitation that all treated cottonseed will be used for seed purposes only.

Interested parties wishing to review the experimental use permits are referred to Room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office, so that the appropriate permits may be made conveniently available for review purposes. These files will be available for inspection from 8:30 a.m. to 4 p.m. Monday through Friday.

STATUTORY AUTHORITY: Section 5 of the Federal Insecticide, Fungacide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

Dated: September 16, 1977.

DOUGLAS D. CAMPT,
*Acting Director,*
*Registration Division.*

[FR Doc.77-28024 Filed 9-23-77;8:45 am]

[OPP-50330; FRL 796-3]

## ISSUANCE OF EXPERIMENTAL USE PERMITS

The Environmental Protection Agency (EPA) has issued experimental use permits to the following applicants. Such permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 524-EUP-18. Monsanto Co., St. Louis, Mo. 63166. This experimental use permit allows the use of the remaining supply of approximately 22,287 pounds of the plant regulator N,N - bis - (phosphonomethyl) glycine to hasten ripening and increase the level of sucrose in sugarcane; this use was authorized in a previous experimental use permit. A total of 13,110 acres is involved; the program is authorized only in the States of Florida, Hawaii, Louisiana, Puerto Rico, and Texas. The experimental use permit is effective from August 23, 1977, to August 23, 1978. A permanent tolerance for residues of the active ingredient in or on sugarcane has been established (40 CFR 180.354).

No. 239-EUP-66. Chevron Chemical Co., Richmond, Calif. 94804. This experimental use permit allows the use of the remaining supply of approximately 600 pounds of the herbicide diquat for desiccation of

potato vines prior to harvest; this use was authorized in a previous experimental use permit. A total of 950 acres is involved; the program is authorized only in the States of Alabama, Colorado, Florida, Idaho, Iowa, Maine, Maryland, Michigan, Minnesota, New Jersey, New York, North Carolina, North Dakota, Oregon, Virginia, Washington, and Wisconsin. The experimental use permit is effective from August 29, 1977, to August 29, 1978. Temporary tolerances for residues of the active ingredient in or on potatoes have been established.

Interested parties wishing to review the experimental use permits are referred to Room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office, so that the appropriate permits may be made conveniently available for review purposes. These files will be available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday.

STATUTORY AUTHORITY: Section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

Dated: September 16, 1977.

DOUGLAS D. CAMPT,
*Acting Director,*
*Registration Division.*

[PP 4G1470/T132; FRL 796-6]

## PESTICIDE PROGRAMS

### Renewal of a Temporary Tolerance; Diquat

On September 9, 1975, the Environmental Protection Agency (EPA) announced (40 FR 41833) a renewal of a temporary tolerance for negligible residues of the herbicide and plant regulator diquat (6,7-dihydrodipyrido (1,2-a:2',1,c) pyrazidiinium) derived from application of the dibromide salt and calculated as the cation in or on the raw agricultural commodity potatoes at 0.2 part per million. This tolerance expired September 2, 1976, but was subsequently extended (40 FR 58685) to October 21, 1976. The tolerance was established (39 FR 28316) in response to a pesticide petition (PP 4G1470) submitted by Chevron Chemical Co., 940 Hensley Street, Richmond, Calif. 94804.

Chevron Chemical Co. requested a one-year renewal of this temporary tolerance both to permit continued testing to obtain additional data and to permit the marketing of the above raw agricultural commodity when treated in accordance with the provisions of the experimental use permit that was renewed under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

The scientific data reported and all other relevant material were evaluated, and it was determined that a renewal of the temporary tolerances would protect the public health. Therefore, the temporary tolerance has been renewed on condition that the pesticide be used in accordance with the experimental use permit with the following provisions:

1. The total amount of the pesticide to be used must not exceed the quantity authorized by the experimental use permit.

2. Chevron Chemical Co. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The firm must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

This temporary tolerance expires August 29, 1978. Residues not in excess of 0.2 ppm in or on potatoes after this expiration date will not be considered actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary tolerance. This temporary tolerance may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesticide indicate such revocation is necessary to protect the public health. Inquiries concerning this notice may be directed to the Special Registrations Section, Registration Division (WH-567), Office of Pesticide Programs, Room 315, East Tower, 401 M Street SW., Washington, D.C. 20460 (202-755-4857).

STATUTORY AUTHORITY: Section 408(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(j)).

Dated: September 15, 1977.

DOUGLAS D. CAMPT,
*Acting Director,*
*Registration Division.*

[FR Doc.77-28035 Filed 9-23-77;8:45 am]

## MEMORANDUM OF UNDERSTANDING BETWEEN DEPARTMENT OF JUSTICE AND ENVIRONMENTAL PROTECTION AGENCY

### Civil Litigation

CROSS REFERENCE: For a document dealing with the above material see FR Doc. 77-27989 appearing under Department of Justice, Office of the Attorney General, in the Notices section of this issue.

## LEGAL SERVICES CORPORATION

### BOARD OF DIRECTORS

#### Meeting

A meeting of the Board of Directors of the Legal Services Corporation will be held on Friday and Saturday, October 7-8, 1977 at the Ramada Inn of Rosslyn, 1900 North Fort Myer Dr., Arlington, Va.

The meeting will begin at 9:00 a.m. on both days. The agenda will include matters relating to the Corporation's budget and regulations, to minor technical revisions of bylaws that were published on August 26, 1977 (42 FR 43100), to the Corporation's Washington headquarters, and other issues concerning the Corporation and its activities.

The meeting is open to the public.

THOMAS EHRLICH,
*President.*

[FR Doc.77-28052 Filed 9-23-77;8:45 am]

## GENERAL ACCOUNTING OFFICE

### REGULATORY REPORTS REVIEW

#### Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on September 20, 1977. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed CAB request are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed request, comments (in triplicate) must be received on or before October 14, 1977, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Regulatory Reports Review, United States General Accounting Office, Room 5033, 441 G Street, NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-275-3532.

CIVIL AERONAUTICS BOARD

The CAB requests an extension without change clearance of the reporting requirement contained in Part 248 of the Board's Economic Regulations. This reporting requirement requires each certificated air carrier which has caused an annual audit of its books to be made by independent public accountants to file with the Board a report reconciling the balance sheet and profit and loss statement included in the audit report with the balance sheet and profit and loss statements filed with the Board as a part of its CAB Form 41 report. Submission of the reconciliation report is mandatory under section 407 of the Federal Aviation Act of 1958, as amended. The CAB estimates respondents to number approximately 34 and reporting burden to average 11½ hours per report.

NORMAN F. HEYL,
*Regulatory Reports, Review Officer.*

[FR Doc.77-27958 Filed 9-23-77;8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

### MEXICAN BROADCAST STATIONS

#### Notification List

List of ne wstations, proposed changes in existing stations, deletions, and corrections in assignments of Mexican standard broadcast stations modifying the assignments of Mexican broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

JUNE 24, 1974.

MEXICAN LIST NO. 281

| Call letters | Location | Power watts [1] | Antenna radiation mv/m/kw | Schedule | Class | Antenna height (feet) | Ground system | | Proposed date of change or commencement of operation |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | Number Radials | Length (feet) | |
| New | Mazatlan, Sin. N. 23°11' 55", W. 106° 25'20". | 600 kHz 5.000D/1.000N | DA-2 | U | III | | | | 12-15-77. |
| XEEL | Fresnillo, Zac. N. 23°10'58", W. 102° 53' 40". | 610 kHz 1.000D/.150N | ND-U-175 | U | III | 323 | 120 | 323 | Immediately. |
| XEEJ (PO 0.35 kW, NDD-175, 108 90 100). | Puerto Vallarta, Jal. N. 20°36'40", W. 105° 14' 50". | 650 kHz 5.000 | DA-D | D | II | | | | 12-15-77. |
| XEFW (PO 50 kWD, NDD-184, 90 90 90). | Tampico, Tam. N. 22°13'05", W. 97° 51' 07". | 810 kHz 50.000D/50.000N | DA-N | U | II | 853 | 90 | 853 | 12-15-77. |
| XEVQ (PO 1 kW) | Navolato, Sin. N. 24°45'25", W. 107°30' 32". | 830 kHz 5.000 | ND-D-184 | D | II | 297 | 90 | 297 | 12-15-77. |
| XELC (*shares antenna with XELP, 1170 kHz*). | La Piedad, Mich. N. 20°20'17", W. 102° 01'38". | 980 kHz 5.000D/.200N | ND-U-184 | U | III | 249 | 90 | 295 | Immediately. |
| New | Acapulco, Gro. N. 16°50'21", W. 99°51' 01". | 1000 kHz 1.000 | ND-D-190 | D | II | 246 | 120 | 246 | 12-15-77. |
| New | Loreto, Zac. N.22°19'59", W. 101°59' 59". | 1000 kHz .500 | ND-D-190 | D | II | 246 | 120 | 246 | 12-15-77. |
| New | Calvillo, Ags. N.21°50'45", W. 102° 44'14". | 1080 kHz .500 | ND-D-175 | D | II | 167 | 120 | 241 | 12-15-77. |
| XELP (*shares antenna with XELC, 980 kHz*). | La Piedad, Mich. N.20°20'17", W. 102° 01'38". | 1170 kHz .250D/.100N | ND-U-175 | U | II | 157 | 90 | 210 | Immediately. |
| XEEU | Papantla, Ver. *N. 20°27'12" W. 97°19' 15."* | 1170 kHz .250 | ND-D-190 | D | II | 210 | 120 | 210 | 12-15-77. |
| New | Pabellon, Ags. N. 22°10'23", W. 102° 18'49". | 1890 kHz 1.000 | ND-D-190 | D | II | 205 | 120 | 205 | 12-15-77. |
| XEOK | Guadalajara, Jal. N. 20°38'28", W. 103°20'24". | 1350 kHz 5.000D/1.000N | ND-U-180 | U | III | 197 | 90 | 180 | Immediately. |
| XEY (*shares antenna with XENC, 1540 kHz*). | Celaya, Gto. N. 20°31'24", W. 100°48' 55". | 1360 kHz 1.000D/.250N | ND-U-190 | U | III | 180 | 120 | 180 | Immediately. |
| New | Anga Prieta, Son. N. 31°19'42", W. 109°33'44". | 1390 kHz 1.000 | ND-D-190 | D | III | 176 | 120 | 176 | 12-15-77. |
| XELL (*PO 0.5 kWD/.085 kWN*). | Veracruz, Ver. N. 19°11'42", W. 96° 08'13". | 1430 kHz 5.000D/.250N | ND-U-189 | U | III | 177 | 120 | 164 | 12-15-77. |
| XEXQ (PO 0.25 kWD) | San Luis Potosi, SLP. N. 22°0'10", W. 100°58'15". | 1460 kHz 1.000D/.250N | ND-U-175 | U | III | 164 | 90 | 143 | 12-15-77. |
| XEHX | Cd Obregon, Son. *N. 27°34'18", W. 109°56'48".* | 1490 kHz 1.000D/.200N | ND-U-192 | U | III | 179 | 120 | 179 | Immediately. |
| XENC (*shares antenna with XEY, 1360 kHz*). | Celaya, Gto. *N. 20°31'24", W. 100°48' 55".* | 1540 kHz 1.000D/.250N | ND-U-190 | U | II | 157 | 120 | 160 | 12-15-77. |
| XERIO | Ixtlan del Rio, Nay. N. 21°02'15", W. 104°22'44". | 1560 kHz 5.000 | ND-D-190 | D | II | 155 | 120 | 155 | 12-15-77. |

NOTE.—Mexican Notification List No. 280 has not yet been received.

WALLACE E. JOHNSON,
*Chief, Broadcast Bureau,*
*Federal Communications Commission.*

[FR Doc. 77-27817 Filed 9-23-77;8:45 am]

## C & C COMMUNICATIONS CO. AND MARION O. SCOTT

### Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

Adopted September 14, 1977; Released: September 23, 1977.

In re applications of C & C Communications Company for a construction permit to establish a new one-way signaling station on frequency 152.24 MHz in the Domestic Public Land Mobile Radio Service at Chehalis, Washington; Docket No. 21400, File No. 21541-C2-P-74, and Marion O. Scott for a construction permit to establish a new one-way signaling station on frequency 152.24 MHz in the Domestic Public Land Mobile Radio Service at Chehalis, Washington; Docket No. 21401, File No. 20262-CD-P-75.

1. The Commission, by the Chief of the Common Carrier Bureau acting pursuant to delegated authority, has before it an application filed on June 5, 1974 [1] by C & C Communications Company, File No. 21541-C2-P-74, and an application filed on August 16, 1974 by Marion O. Scott, File No. 20262-CD-P-75. Each application is for a Construction Permit to establish a new one-way signaling station on frequency 152.24 MHz in the Domestic Public Land Mobile Radio Service at Chehalis, Washington.

[1] This application appeared on public notice on June 17, 1974.

2. Since the above-referenced applications request assignment of the same frequency, a comparative hearing must be held to determine which applicant, if any, would best serve the public interest. *Ashbacker Radio Corp. v. FCC*, 326 U.S. 327 (1945). In this regard, we find the applicants to be legally, financially, technically, and otherwise qualified to construct and operate the proposed facilities.

3. In view of the foregoing, it is ordered, pursuant to Section 309(e) of the Communications Act of 1934, as amended, that the application of C & C Communications Company, File No. 21541-C2-P-74, and the application of Marion O. Scott, File No. 20262-CD-P-75, are designated for hearing in a consolidated proceeding upon the following issue:

(a) To determine on a comparative basis, the nature and extent of service proposed by each applicant, including the rates, charges, maintenance personnel, practices, classifications, regulations, and facilities pertaining thereto;

(b) To determine on a comparative basis, the areas and populations that each applicant will serve within the prospective 43 dbu contours, based upon the standards set forth in Section 21.504(a) of the Commission's Rules,[2] and to determine the need for the proposed services in said areas;

(c) To determine, in light of the evidence adduced pursuant to the foregoing issues, what disposition of the above-referenced applications, would best serve the public interest, convenience and necessity.

4. It is further ordered, That the hearing shall be held at the Commission's offices in Washington, D.C. at a time and place and before an Administrative Law Judge to be specified in a subsequent Order.

5. It is further ordered, That the Chief, Common Carrier Bureau, is made a party to the proceeding.

6. It is further ordered, That the applicants may avail themselves of an opportunity to be heard by filing with the Commission pursuant to Section 1.221 (c) of the Rules within 20 days of the release date hereof, a written notice stating an intention to appear on the date for the hearing and present evidence on the issues specified in this Memorandum Opinion and Order.

WALTER R. HINCHMAN,
*Chief, Common Carrier Bureau.*

[FR Doc.77-27094 Filed 9-23-77;8:45 am]

[2] Section 21.504(a) of the Commission's Rules and Regulations describes a field strength contour of 43 decibles above one microvolt permeter as the limits of the reliable service area for base stations engaged in one-way communications service. Propagation data set forth in Section 21.504(b) are the proper bases for establishing the location of service contours (F50,50) for the facilities involved in this proceeding.

## FEDERAL ENERGY ADMINISTRATION

### DOMESTIC CRUDE OIL ALLOCATION PROGRAM

#### Entitlement Notice for July 1977

In accordance with the provisions of 10 CFR § 211.67 relating to FEA's domestic crude oil allocation program the monthly notice specified in § 211.67(i) is hereby published.

Based on reports for July 1977 submitted to FEA by refiners and other firms as to crude oil receipts, crude oil runs to stills, eligible product imports and imported naphtha utilized as a petrochemical feedstock in Puerto Rico; application of the entitlement adjustment for residual fuel oil production for sale in the East Coast market provided in § 211.67 (d)(4); August 1977 deliveries of crude oil for storage in the Strategic Petroleum Reserve; and application of the entitlement adjustment for small refiners provided in § 211.67(e), the national domestic crude oil supply ratio for July 1977 is calculated to be .258119.

In accordance with § 211.67(b)(2), to calculate the number of barrels of deemed old oil included in a refiner's adjusted crude oil receipts for the month of July 1977, each barrel of old oil is equal to one barrel of deemed old oil and each barrel of upper tier crude oil is equal to .328561 of a barrel of deemed old oil.

The issuance of entitlements for the month July 1977 to refiners and other firms is set forth in the Appendix to this notice. The Appendix lists the name of each refiner or other firm to which entitlements have been issued, the number of barrels of deemed old oil included in each such refiner's adjusted crude oil receipts, the number of entitlements issued to each such refiner or other firm, and the number of entitlements required to be purchased or sold by each such refiner or other firm.

Pursuant to 10 CFR § 211.67 (i) (4), FEA hereby fixes the price at which entitlements shall be sold and purchased for the month of July 1977 at $8.68, which is the exact differential as reported for the month of July between the weighted average per barrel costs to refiners of old oil and of imported and exempt domestic crude oil, less the sum of 21 cents.

In accordance with 10 CFR § 211.67 (b), each refiner that has been issued fewer entitlements for the month of July 1977 than the number of barrels of deemed old oil included in its adjusted crude oil receipts is required to purchase a number of entitlements for the month of July 1977 equal to the difference between the number of barrels of deemed old oil included in those receipts and the number of entitlements issued to and retained by that refiner. Refiners which have been issued a number of entitlements for the month of July 1977 in excess of the number of barrels of deemed old oil included in their adjusted crude oil receipts for that month and other firms issued entitlements shall sell such entitlements to refiners required to purchase entitlements. In addition, certain refiners are required to purchase or sell entitlements to effect corrections for reporting errors for the months September 1975 through June 1977 pursuant to 10 CFR § 211.67(j)(1).

The listing of refiners' old oil receipts contained in the Appendix reflects any adjustments made by FEA pursuant to § 211.67(h).

The listing contained in the Appendix identifies in a separate column additional entitlements issued to refiners pursuant to relief granted by FEA's Office of Exceptions and Appeals. Also set forth in this column are adjustments for relief granted by the Office of Exceptions and Appeals for 1975 and 1976, which adjustments are reflected in monthly installments. The number of installments is dependent on the magnitude of the adjustment to be made. For a full discussion of the issues involved, *see Beacon Oil Company, et al*, 4 FEA par. 87,024 (November 5, 1976).

For purposes of the adjustments to reners' crude run volumes under § 211.67(d)(4), total production of residual fuel oil for sale in the East Coast market (in excess of the first 5,000 barrels per day thereof for each refiner reporting such production) was 11,845,538 barrels for July 1977. For that month, imports of residual fuel oil eligible for entitlement issuances totaled 32,235,079 barrels.

The total number of entitlements required to be purchased and sold under this notice is 22,075,354.

Payment for entitlements required to be purchased under 10 CFR § 211.67(b) for July 1977 must be made by September 30, 1977.

On or prior to October 10, 1977, each firm which is required to purchase or sell entitlements for the month of July 1977 shall file with FEA the monthly transaction report specified in 10 CFR 211.66(i) cerifying its purchases and sales of entitlements for the month of July. FEA has mailed the monthly transaction report forms for the month of July to reporting firms. FEA requests that firms which have been unable to locate other firms for required entitlement transactions by September 30, 1977 contact FEA at 202-254-6296 to expedite consummation of these transactions. For firms that have failed to consummate required entitlement transactions on or prior to September 30, 1977, FEA may direct sales and purchases of entitlements pursuant to the provisions of 10 CFR § 211.67(k).

This notice is issued pursuant to Subpart G of FEA's regulations governing its administrative procedures and sanctions, 10 CFR Part 205. Any person aggrieved hereby may file an appeal with FEA's Office of Exceptions and Appeals in accordance with Subpart H of 10 CFR Part 205. Any such appeal shall be filed by October 26, 1977.

Issued in Washington, D.C. on September 20, 1977.

ERIC J. FYGI,
*Acting General Counsel.*

APPENDIX

ENTITLEMENTS FOR DOMESTIC CRUDE OIL PAGE: 6

| REPORTING FIRM SHORT NAME | DEEMED OLD OIL ADJUSTED RECEIPTS | ********** TOTAL ISSUED | EXCEPTIONS AND APPEALS | ENTITLEMENT POSITION PRODUCT ENTITLEMENTS | 10 MONTH CLEAN-UP | REQUIRED TO BUY | ********** REQUIRED TO SELL |
|---|---|---|---|---|---|---|---|
| A-JOHNSON | 0 | 148,800 | 0 | 7,293 | 0 | 0 | 148,800 |
| ALLIED | 65,963 | 78,387 | 0 | 0 | 0 | 0 | 12,424 |
| AMER-PETROFINA | 1,978,008 | 1,258,313 | 0 | 0 | 0 | 715,695 | 0 |
| AMERADA-HESS | 2,116,748 | 4,095,443 | 0 | 212,963 | 0 | 0 | 1,978,695 |
| AMOCO | 12,053,790 | 8,487,369 | 0 | 0 | 0 | 3,566,421 | 0 |
| APCO | 458,836 | 448,320 | 0 | 0 | 0 | 10,516 | 0 |
| ARCO | 5,810,067 | 6,079,271 | 0 | 0 | 0 | 0 | 269,204 |
| ARIZONA | 69,467 | 58,353 | 6,825 | 0 | 0 | 11,114 | 0 |
| ASAMERA | 218,042 | 224,503 | 0 | 0 | 0 | 0 | 6,461 |
| ASHLAND | 1,618,381 | 2,586,694 | 0 | 0 | 0 | 0 | 968,313 |
| ASIATIC | 0 | 215,213 | 0 | 215,213 | 0 | 0 | 215,213 |
| BASIN | -14,835 | 42,509 | 0 | 0 | 0 | 0 | 59,344 |
| BAYOU | 45,106 | 54,351 | 0 | 0 | 0 | 0 | 9,245 |
| BEACON | 240,766 | 167,625 | 1,360 | 0 | 0 | 73,141 | 0 |
| BELCHER | 0 | 93,282 | 0 | 93,282 | 0 | 0 | 93,282 |
| BI-PETRO | 8,432 | 93,121 | 0 | 0 | 0 | 0 | 84,689 |
| C&H | 0 | 78,091 | 0 | 0 | 0 | 0 | 78,091 |
| CALUMET | 28,201 | 33,541 | 0 | 0 | 0 | 0 | 5,340 |
| CANAL | 66,969 | 66,947 | 0 | 0 | 0 | 22 | 0 |
| CARIBOU | 122,703 | 120,468 | 0 | 0 | 0 | 2,235 | 0 |
| CHAMPLIN | 2,458,827 | 1,427,858 | 0 | 0 | 0 | 1,030,969 | 0 |
| CHARTER | 1,312,569 | 1,623,767 | 1,035,322 | 0 | 0 | 0 | 311,198 |
| CHEVRON | 7,772,725 | 9,660,795 | 0 | 17,533 | 0 | 0 | 1,888,070 |
| CITGO | 2,648,398 | 1,805,927 | 0 | 0 | 0 | 842,471 | 0 |
| CLAIBORNE | 85,537 | 66,595 | 0 | 0 | 0 | 18,942 | 0 |
| CLARK | 92,110 | 950,840 | 0 | 0 | 0 | 0 | 548,730 |
| COASTAL | 46,366 | 1,556,588 | 0 | 13,339 | 0 | 0 | 1,210,222 |
| COLONIAL | 0 | 40,415 | 0 | 40,415 | 0 | 0 | 40,415 |
| CONOCO | 3,343,811 | 2,930,010 | 0 | 25,184 | 0 | 413,801 | 0 |
| CORCO | 0 | 1,489,654 | 204,808 | 480,379 | 0 | 0 | 1,489,654 |
| CRA-FARMLAND | 460,589 | 626,778 | 0 | 0 | 0 | 0 | 166,189 |
| CROSS | 46,444 | 63,906 | 0 | 0 | 0 | 0 | 17,462 |
| CROWN | 362,822 | 799,063 | 0 | 0 | 0 | 0 | 436,241 |
| CRYSTAL-OIL | 69,887 | 185,424 | 0 | 0 | 0 | 0 | 115,537 |

| REPORTING FIRM SHORT NAME | DEEMED OLD OIL ADJUSTED RECEIPTS | ********** TOTAL ISSUED | EXCEPTIONS AND APPEALS | ENTITLEMENT POSITION PRODUCT ENTITLEMENTS | 10 MONTH CLEAN-UP | REQUIRED TO BUY | ********** REQUIRED TO SELL |
|---|---|---|---|---|---|---|---|
| YSTAL-REF | 0 | 36,918 | 0 | 0 | 0 | 0 | 36,918 |
| EPWATER | 0 | 11,139 | 0 | 11,139 | 0 | 0 | 11,139 |
| LTA | 297,187 | 384,658 | 26,494* | 0 | 0 | 0 | 87,471 |
| 4ENNO | 2,668 | 23,632 | 0 | 0 | 0 | 0 | 20,964 |
| ROY | 0 | 108,703** | 0 | 0 | 0 | 0 | 108,703 |
| AMOND | 667,790 | 473,814 | 0 | 0 | 0 | 193,976 | 0 |
| LLMAN | 0 | 3,424 | 0 | 0 | 0 | 0 | 3,424 |
| RCHESTER | 8,671 | 13,216 | 0 | 0 | 0 | 0 | 4,545 |
| W | 58,854 | 158,645 | 0 | 0 | 0 | 0 | 99,791 |
| SEABOARD | 0 | 50,802 | 0 | 50,802 | 0 | 0 | 50,802 |
| O | 4,658 | 5,974 | 0 | 0 | 0 | 0 | 1,316 |
| OY | 42,212 | 108,845 | 0 | 0 | 0 | 0 | 66,633 |
| ERGY-COOP | 33,151 | 1,118,700 | 0 | 0 | 0 | 0 | 1,085,549 |
| ANGELINE | 40,343 | 48,572 | 0 | 0 | 0 | 0 | 8,229 |
| XON | 13,605,884 | 11,571,105 | 0 | 431,366 | 0 | 2,034,779 | 0 |
| -SERVE | 14,876 | 42,524 | 0 | 0 | 0 | 0 | 27,648 |
| AMERS-UN | 237,442 | 389,093 | 0 | 0 | 0 | 0 | 151,651 |
| ETCHER | 0 | 181,022 | 0 | 0 | 0 | 0 | 181,022 |
| INT | 8,731 | 10,870 | 0 | 0 | 0 | 0 | 2,139 |
| RY | 43,107 | 65,512 | 0 | 0 | 0 | 0 | 22,405 |
| TTY | 748,402 | 1,462,790 | 0 | 0 | 0 | 0 | 718,388 |
| ANT | 41,470 | 65,366 | 0 | 0 | 0 | 0 | 23,896 |
| ACIER-PARK | 107,280 | 61,464 | 0 | 0 | 0 | 45,816 | 0 |
| ADIEUX | 37,447 | 59,502 | 0 | 0 | 0 | 0 | 22,055 |
| EDROCK | 1,729 | 2,016 | 0 | 0 | 0 | 0 | 287 |
| LDEN-EAGLE | 370 | 185,169 | 0 | 0 | 0 | 0 | 184,799 |
| LDKING | 56,443 | 78,896 | 0 | 0 | 0 | 0 | 22,453 |
| OD-HOPE | 61,055 | 337,671 | 0 | 0 | 0 | 0 | 276,616 |
| AM | 0 | 330,510 | 0 | 0 | 0 | 0 | 330,510 |
| LF | 8,250,655 | 6,388,672 | 0 | 68,357 | 0 | 1,861,983 | 0 |
| LF-STS | 61,848 | 38,543 | 0 | 0 | 0 | 23,305 | 0 |
| 91 | 0 | 480,120 | 0 | 0 | 0 | 0 | 480,120 |
| ARD | 0 | 55,095 | 0 | 55,095 | 0 | 0 | 55,095 |
| ELL | 798,619 | 337,119 | 0 | 0 | 0 | 461,500 | 0 |

| REPORTING FIRM SHORT NAME | DEEMED OLD OIL ADJUSTED RECEIPTS | ********** TOTAL ISSUED | EXCEPTIONS AND APPEALS | ENTITLEMENT POSITION PRODUCT ENTITLEMENTS | 10 MONTH CLEAN-UP | REQUIRED TO BUY | ********** REQUIRED TO SELL |
|---|---|---|---|---|---|---|---|
| DSON-OIL | 44,818 | 221,106 | 0 | 0 | 0 | 0 | 176,688 |
| NT | 282,747 | 335,488 | 0 | 0 | 0 | 0 | 52,741 |
| SKY | 607,067 | 607,067 | 227,367 | 0 | 0 | 0 | 0 |
| DEPENDENT-REF | 172,695 | 179,557 | 0 | 0 | 0 | 0 | 6,862 |
| DIANA-FARM | 71,977 | 237,885 | 0 | 0 | 0 | 0 | 165,908 |
| GER-OIL | 560 | 1,383 | 0 | 0 | 0 | 0 | 823 |
| VING | 0 | 13,270 | 0 | 13,270 | 0 | 0 | 13,270 |
| N | 222,195 | 222,195 | 129,310 | 0 | 0 | 0 | 0 |
| NCO | 25,519 | 38,078 | 0 | 0 | 0 | 0 | 12,559 |
| NTUCKY | 3,937 | 5,990 | 0 | 0 | 0 | 0 | 2,053 |
| RN | 994,168 | 1,048,577 | 699,020 | 0 | 0 | 0 | 54,409 |
| RR-MCGEE | 1,568,239 | 1,259,295 | 0 | 0 | 0 | 308,944 | 0 |
| CH | 401,477 | 945,524 | 0 | 0 | 0 | 0 | 544,047 |
| GLORIA | 439,524 | 428,443 | 0 | 0 | 0 | 11,081 | 0 |
| KESIDE | 22,695 | 38,973 | 0 | 0 | 0 | 0 | 16,278 |
| KETON | 159,841 | 159,841 | 25,105 | 0 | 0 | 0 | 0 |
| TLE-AMER | 1,290,832 | 1,378,924 | 845,978 | 0 | 0 | 0 | 88,092 |
| UISIANA-LAND | 363,200 | 371,460 | 0 | 0 | 0 | 0 | 8,260 |
| MILLAN | 51,884 | 193,535 | 0 | 0 | 0 | 0 | 141,649 |
| RATHON | 4,055,118 | 4,117,248 | 0 | 0 | 0 | 0 | 62,130 |
| RION | 152,876 | 239,010 | 0 | 0 | 0 | 0 | 86,134 |
| TROPOLITAN | 0 | 89,120 | 0 | 89,120 | 0 | 0 | 89,120 |
| O-AMER | 41,064 | 105,046 | 0 | 0 | 0 | 0 | 63,982 |
| O-TEX | 9,039 | 33,779 | 0 | 0 | 0 | 0 | 24,740 |
| OLAND | 0 | -10,156 | -10,156 | 0 | 0 | 10,156 | 0 |
| OIL | 8,277,363 | 6,454,696 | 0 | 29,032 | 0 | 1,822,667 | 0 |
| HAWK | 380,223 | 386,336 | 82,118 | 0 | 0 | 0 | 6,113 |
| NOCO | 0 | 12,153 | 0 | 12,153 | 0 | 0 | 12,153 |
| NSANTO | 365,878 | 339,932 | 0 | 0 | 0 | 25,946 | 0 |
| RRISON | 21,744 | 16,007 | 0 | 0 | 0 | 5,737 | 0 |
| UNTAINEER | 8,639 | 8,801 | 0 | 0 | 0 | 0 | 162 |
| -AIRY | 54,125 | 97,606 | 0 | 0 | 0 | 0 | 43,481 |
| RPHY | 946,045 | 829,500 | 0 | 0 | 0 | 116,545 | 0 |
| AMER-PETRO | 78,607 | 158,807 | 0 | 0 | 0 | 0 | 80,200 |

| PORTING FIRM SHORT NAME | DEEMED OLD OIL ADJUSTED RECEIPTS | ********** TOTAL ISSUED | EXCEPTIONS AND APPEALS | ENTITLEMENT POSITION PRODUCT ENTITLEMENTS | 10 MONTH CLEAN-UP | REQUIRED TO BUY | ********** REQUIRED TO SELL |
|---|---|---|---|---|---|---|---|
| TL-COOP | 358,938 | 485,411 | 0 | 0 | 0 | 0 | 126,473 |
| VAJO | 378,156 | 378,156 | 68,812 | 0 | 0 | 0 | 0 |
| VADA | 3,091 | 5,487 | 0 | 0 | 0 | 0 | 2,396 |
| W-EDGINGTON | 536,045 | 540,282 | 273,743 | 0 | 0 | 0 | 4,237 |
| W-ENGL-PETRO | 0 | 501,159 | 0 | 501,159 | 0 | 0 | 501,159 |
| WHALL | 178,445 | 172,408 | 50,444 | 0 | 0 | 6,037 | 0 |
| RTHEAST-PETRO | 0 | 11,605 | 0 | 11,605 | 0 | 0 | 11,605 |
| RTHLAND | 56,774 | 99,660 | 0 | 0 | 0 | 0 | 42,886 |
| RTHVILLE | 0 | 17,332 | 0 | 17,332 | 0 | 0 | 17,332 |
| C | 193,984 | 279,296 | 1,888 | 0 | 0 | 0 | 85,312 |
| NARD | 11,250 | 12,435 | 0 | 0 | 0 | 0 | 1,185 |
| CIFIC-NORTH | 0 | 62,020 | 0 | 62,020 | 0 | 0 | 62,020 |
| SCO | 0 | -65,529 | -65,529 | 0 | 0 | 65,529 | 0 |
| NZOIL | 882,177 | 498,757 | 0 | 0 | 0 | 383,420 | 0 |
| STER | 134,718 | 252,454 | 0 | 0 | 0 | 0 | 117,736 |
| LLIPS | 3,215,078 | 2,329,782 | 0 | 0 | 0 | 885,296 | 0 |
| LLIPS-PR | 0 | 274,149 | 0 | 274,149 | 0 | 0 | 274,149 |
| NEER | 42,194 | 66,115 | 0 | 0 | 0 | 0 | 23,921 |
| CID | 249,056 | 350,550 | 0 | 0 | 0 | 0 | 101,494 |
| TEAU | 116,837 | 181,234 | 0 | 0 | 0 | 0 | 64,397 |
| ERINE | 58,063 | 273,926 | 0 | 0 | 0 | 0 | 215,863 |
| DE | 132,090 | 266,872 | 0 | 0 | 0 | 0 | 134,782 |
| NCETON | 2,357 | 67,506 | 0 | 0 | 0 | 0 | 65,149 |
| KER-ST | 53,637 | 242,284 | 0 | 0 | 0 | 0 | 188,647 |
| CHO-REF | -41,975 | 2,647 | 0 | 0 | 0 | 0 | 44,622 |
| HARDS | 2,385 | 65,175 | 0 | 0 | 0 | 0 | 62,790 |
| O | 0 | 16,503 | 0 | 16,503 | 0 | 0 | 16,503 |
| D-OIL | 0 | -5,500 | 0 | 0 | 0 | 0 | 5,500 |
| K-ISLAND | 300,792 | 343,188 | -39,015 | 0 | 0 | 0 | 42,396 |
| ER-TEX | 29,475 | 200,806 | 0 | 0 | 0 | 0 | 171,331 |
| RE-CAL | 158,929 | 113,821 | 53,411 | 0 | 0 | 45,108 | 0 |
| E-CREEK | 3,858 | 5,271 | 0 | 0 | 0 | 0 | 1,413 |
| -JOAQUIN | 166,086 | 166,086 | 6,445 | 0 | 0 | 0 | 0 |
| RS | 0 | 18,206 | 0 | 18,206 | 0 | 0 | 18,206 |

| REPORTING FIRM SHORT NAME | DEEMED OLD OIL ADJUSTED RECEIPTS | ********** TOTAL ISSUED | ENTITLEMENT POSITION EXCEPTIONS AND APPEALS | PRODUCT ENTITLEMENTS | 10 MONTH CLEAN-UP | REQUIRED TO BUY | ********** REQUIRED TO SELL |
|---|---|---|---|---|---|---|---|
| MINOLE | 0 | 68,028 | 0 | 0 | 0 | 0 | 68,028 |
| ELL | 11,362,574 | 8,366,254 | 0 | 0 | 0 | 2,996,320 | 0 |
| GHUR | 1,002 | 134,594 | 0 | 0 | 0 | 0 | 133,592 |
| -HAMPTON | 54,711 | 197,634 | 0 | 0 | 0 | 0 | 142,923 |
| HIO | 2,115,872 | 3,426,429 | 0 | 0 | 0 | 0 | 1,310,557 |
| MERSET | 46,641 | 71,225 | 0 | 0 | 0 | 0 | 24,584 |
| UND | 593 | 66,127 | 0 | 0 | 0 | 0 | 65,534 |
| UTHERN-UNION | 288,438 | 343,843 | 0 | 0 | 0 | 0 | 55,405 |
| UTHLAND | 475,945 | 306,425 | 64,320 | 0 | 0 | 169,520 | 0 |
| UTHWESTERN | 7,927 | 5,719 | 0 | 0 | 0 | 2,208 | 0 |
| RAGUE | 0 | 21,076 | 0 | 21,076 | 0 | 0 | 21,076 |
| EUART | 0 | 54,564 | 0 | 54,564 | 0 | 0 | 54,564 |
| NLAND | 125,074 | 181,953 | 56,753 | 0 | 0 | 0 | 56,879 |
| NOCO | 5,584,208 | 4,306,018 | 0 | 0 | 0 | 1,278,190 | 0 |
| ANN | 0 | 86,972 | 0 | 86,972 | 0 | 0 | 86,972 |
| NNECO | 1,101,041 | 744,261 | 0 | 0 | 0 | 356,780 | 0 |
| SORO | 838,673 | 742,473 | 0 | 0 | 0 | 96,200 | 0 |
| XACO | 9,936,690 | 8,649,079 | 0 | 271,734 | 0 | 1,287,611 | 0 |
| XAS-AMERICAN | 37,338 | 134,059 | 0 | 0 | 0 | 0 | 96,721 |
| XAS-ASPH | 19,856 | 135,576 | 0 | 0 | 0 | 0 | 115,720*** |
| XAS-CITY | 767,662 | 686,133 | 0 | 0 | 0 | 81,529 | 0 |
| AGARD | 722,880 | 722,880 | 439,937 | 0 | 0 | 0 | 0 |
| RIFTWAY | 80,475 | 86,074 | 0 | 0 | 0 | 0 | 5,599 |
| UNDERBIRD | 113,440 | 125,387 | 0 | 0 | 0 | 0 | 11,947 |
| NKAWA | 27,218 | 25,624 | 0 | 0 | 0 | 1,594 | 0 |
| SCO | 2,471,400 | 1,888,896 | 229,067 | 0 | 0 | 582,504 | 0 |
| TAL-PETROLEUM | 293,535 | 404,408 | 0 | 0 | 0 | 0 | 110,873 |
| ANS-OCEAN | 0 | 141,561 | 0 | 0 | 0 | 0 | 141,561 |
| C-CARIBE | 0 | 132,451 | 0 | 132,451 | 0 | 0 | 132,451 |
| ION-OIL | 3,934,943 | 3,713,447 | 0 | 0 | 0 | 221,496 | 0 |
| ION-PETRO | 0 | 31,475 | 0 | 31,475 | 0 | 0 | 31,475 |
| TD-IND | 8,022 | 3,980 | 0 | 0 | 0 | 5,042 | 0 |
| TD-REF | 173,985 | 392,229 | 0 | 0 | 0 | 0 | 218,244 |
| -OIL | 20,099 | 230,128 | 0 | 0 | 0 | 0 | 210,029 |

| PORTING FIRM SHORT NAME | DEEMED OLD OIL ADJUSTED RECEIPTS | ********** TOTAL ISSUED | EXCEPTIONS AND APPEALS | ENTITLEMENT POSITION PRODUCT ENTITLEMENTS | 10 MONTH CLEAN-UP | REQUIRED TO BUY | ********** REQUIRED TO SELL |
|---|---|---|---|---|---|---|---|
| A-PETROCHEM | 54,633 | 221,549 | 0 | 0 | 0 | 0 | 166,916 |
| CKERS | 317,841 | 529,375 | 0 | 0 | 0 | 0 | 211,534 |
| LCAN | 31,855 | 67,610 | 0 | 0 | 0 | 0 | 35,755 |
| RRIOR | 45,360 | 44,068 | 11,293 | 0 | 0 | 1,292 | 0 |
| ST-COAST | 67,140 | 100,858 | 0 | 0 | 0 | 0 | 33,718 |
| STERN | 85,308 | 83,392 | 0 | 0 | 0 | 1,916 | 0 |
| NSTON | 149,932 | 200,929 | 0 | 0 | 0 | 0 | 50,997 |
| REBACK | 0 | 856 | 0 | 0 | 0 | 0 | 856 |
| TCO | 88,314 | 157,754 | 0 | 0 | 0 | 0 | 69,440 |
| ATT | 0 | 17,945 | 0 | 17,945 | 0 | 0 | 17,945 |
| TTER | 0 | 718 | 0 | 0 | 0 | 0 | 718 |
| UNG | 107,225 | 107,225 | 49,845 | 0 | 0 | 0 | 0 |
| TOTAL | 139,272,607 | 139,272,607 | 4,474,965 | 3,383,126 | 0 | 22,075,354 | 22,075,354 |

* Reflects adjustments for 1975 exceptions relief as provisionally modified by FEA pending agency review consistent with court order. For discussion, see December entitlement notice, 42 FR 12133 (March 2, 1977).

** Includes entitlements issued for 421,134 barrels of imported crude oil purchased by the United States Government for storage in the Strategic Petroleum Reserve.

*** This does not include the purchase obligation stayed by court order in Texas Asphalt & Refinery Co. v. FEA Civ. Action No. 4-75-268 (N.D. Tex., filed October 31, 1975).

[FR Doc.77-27821 Filed 8-20-77;2:06 pm]

## FEDERAL POWER COMMISSION

[Docket Nos. CP77-56, CP77-117, CP77-91, and RP76-153]

### BACA GAS GATHERING SYSTEM, INC. AND PANHANDLE EASTERN PIPE LINE CO.

**Order Clarifying Commission's Order and Vacating Termination of Proceeding**

SEPTEMBER 15, 1977.

On June 29, 1977, Panhandle Eastern Pipe Line Co. (Panhandle), and in support thereof, Baca Gas Gathering System, Inc. (Baca), on July 7, 1977, filed in Docket No. CP77-56, et al., a petition for clarification of the Commission's order issued May 31, 1977, all as more fully set forth in the petition for clarification, in this proceeding.

In its order of May 31, 1977, the Commission authorized the abandonment pursuant to Section 7(b) of the Natural Gas Act by Baca, through a sale to Panhandle, of all of Baca's natural gas facilities and the acquisition and operation of such facilities by Panhandle. Panhandle requests clarification on two limited issues concerning the order. First, Panhandle requests that the Commission specifically approve the accounting entries included in Exhibit S to Panhandle's application. Second, Panhandle requests the Commission to confirm that the purchase price of the facilities includes a sum approximately $18,000 to cover the cost of attachment of two wells by Baca subsequent to the execution of the Facilities Purchase Agreement executed by Baca and Panhandle. Said points are within the intent of the Commission's authorization, and the order will be clarified accordingly.

The order of May 31, 1977, also terminated Baca's rate proceeding in Docket No. RP76-133, but the order failed to recognize that Baca would remain liable for any refund obligation incurred thereunder. Therefore, said proceeding will be reinstated for the purpose of refunds.

The Commission finds: It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the Commission's order issued June 29, 1977, in Docket No. CP77-56, et al., be clarified as hereinafter ordered.

The Commission orders: (A) The Commision's order issued June 29, 1977, in Docket Nos. CP77-56, et al., is clarified by approving (1) the accounting entries included in Exhibit S to Panhandle's application and (2) the inclusion in the purchase price of the facilities a sum of approximately $18,000 to cover the cost of attachment of two wells by Baca.

(B) The termination of the rate proceeding in Docket No. RP76-153 is vacated so that Baca will remain liable to make refunds to Panhandle.

(C) In all other respects said order shall remain in full force and effect.

By the Commission.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27928 Filed 9-23-77;8:45 am]

[Docket No. CI77-773]

### EDWIN L. COX (OPERATOR)

**Limited-Term Application**

SEPTEMBER 15, 1977.

Take notice that on August 18, 1977, Edwin L. Cox (Operator), Applicant, 3800 First National Bank Building, Dallas, Tex. 75202, filed an application for a limited-term certificate of public convenience and necessity with pregranted abandonment in Docket No. CI77-773, Applicant proposes to make a sale of natural gas to Columbia Gas Transmission Corp. (Columbia) for a term of two years commencing prior to the heating season of 1977-78. Applicant has been advised by Columbia that this limited-term purchase is necessary because of the severe gas supply shortage existing on Columbia's system which has prevented Columbia from meeting a substantial part of its existing system's firm requirements. Applicant is further advised by Columbia that its projected system curtailment during the period of this purchase is of such magnitude as to threaten substantial reductions in deliveries of natural gas to high priority users.

The natural gas to be sold to Columbia will be the gas produced from two wells located in the Little Lake Field of Jefferson Parish, Louisiana, known as the Louisiana Land and Exploration Wells No. 1 and No. 2. Such gas will be sold under a Gas Purchase Contract between Applicant, Hawthorne Oil and Gas Corp., Oakland Corp., Arcade Enterprises, Inc., and W. B. Burkenroad, as Sellers, and Columbia, as Buyer, dated July 11, 1977, which agreement is being filed simultaneously herewith. This application is made by Edwin L. Cox, as Operator, for the owners of the Oil and Gas Leasehold estate in the wells covered by said Gas Purchase Contract.

Applicant will deliver such gas into the facilities of Columbia at a mutually agreeable point near the Louisiana Land and Exploration Well No. 1. Columbia will deliver such gas to Tennessee Gas Pipeline Co. (Tennessee Gas) at a point on Tennessee Gas' existing pipeline in the Little Lake Field and Tennessee will redeliver such gas to Columbia Gulf pursuant to an Exchange Agreement.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before September 23, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27929 Filed 9-23-77;8:45 am]

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[Docket Nos. RP77-72, RP77-74, RP77-86, RP77-87, RP77-89, and RP77-92]

### EAST TENNESSEE NATURAL GAS CO., ET AL.

**Order Re-Opening Proceedings, Establishing Procedures and Providing for Hearings to More Specifically Evaluate Curtailment Impacts**

SEPTEMBER 14, 1977.

In the matter of East Tennessee Natural Gas Co., El Paso Natural Gas Co., Tennessee Gas Pipeline Co., Tennessee Natural Gas Lines, Inc., Transcontinental Gas Pipe Line Corp., and The United Gas Pipe Line Co.

By an Order issued May 11, 1977, in Alabama-Tennessee Natural Gas Company, et al., Docket Nos. RP77-65, et al., procedures were established for ascertaining the magnitude and potential impact of curtailments projected to occur during the 1977-78 winter upon the systems of 29 interstate pipeline companies. It was the purpose of the proceedings initiated by that order to provide an overview of potential curtailment impact for the forthcoming winter on both a normal and 10 percent colder than normal basis. Because the survey was national in scope and encompassed such a large number of pipeline companies, it was necessary to establish expedited procedures for its conduct. Those procedures included the filing of informational reports by the pipelines, the holding of brief hearings where necessary, and the submission of summary memoranda (in lieu of briefs) by the staff and interested parties. The analyzing memoranda were filed with the Commission and served on all parties to the proceedings on August 12, 1977, and have since been the subject of our review.

On the basis of the information which has been collected, the staff reports indicate that the impact of the curtailments projected for next winter should, in general, be of manageable proportions if the weather experienced is no worse than normal. Even if the actual weather next winter is 10 percent colder than normal, the reports show that twenty three pipelines would experience no significant economic dislocations. However, the reports show that severe industrial curtailment projected by six pipelines would result in plant closings. In particular, we are concerned with the apparently critical impacts which are forecasted as resulting from the curtailments of the following six pipelines: El Paso Natural Gas Co., Tennessee Gas Pipeline Co. (TGPC), Transcontinental Gas Pipe Line Co., United Gas Pipe Line Co., East Tennessee Natural Gas Co. and Tennessee Natural Gas Lines, Inc.[1]

[1] East Tennessee and Tennessee Natural are solely dependent upon Tennessee Gas Pipeline for natural gas supplies.

We regard the curtailment-related impacts forecasted by the above six companies to be of sufficient concern to afford them further consideration.

Our instant effort will be directed to the gathering of further information on the current capability of alternate fuel use by industrial customers that indicated in the earlier proceeding the possibility of plant closings next winter. Secondly, we desire the collection of more specific information regarding the efforts of those customers to arrange direct purchases under Order No. 533 procedures (or any purchase of gas from any source under any circumstances). In addition, we desire that the record reflect similar information regarding corresponding self-help efforts of distribution and industrial customers. Thirdly, plant closings on some systems appear to be more readily avoided through the allocation of emergency supplies to the distressed distributor or direct industrial consumer, rather than through acquisition of emergency volumes by the pipeline supplier for its system supplies. Consequently, it would be useful to have specific information regarding the present and proposed efforts of the six pipelines to allocate any emergency purchases or to arrange for emergency purchases for specific customers.

In order to facilitate consideration of these matters, we direct the continuation of proceedings in the instant dockets, and order that the continuing proceedings address, at a minimum, the following areas of inquiry:

(1) The amount of additional gas supply needed for each distributor or direct industrial customers to avoid plant shut-down during each month of the 1977-78 winter period, including appropriate supporting data from distributors based on the needs of each commercial or industrial consumer that may be forced to shut-down due to curtailment this winter. Indicate the approximate number of days of shut-down for each consumer on the basis of 10 percent colder than normal weather.

(2) Existing commitments and projected availability of emergency purchases by pipeline companies or distributors for each month of the winter period.

(3) For each distributor and consumer faced with the prospect of plant shut-down, list all self-help measures which have been undertaken to date, and other self-help measures which are planned to avoid shut-down, including actions by state authorities.

(4) List for each pipeline and distributor with projected shut-down problems, all existing and proposed contingency plans to mitigate effects of plant shut-down next winter.

(5) For each pipeline and distributor, update the initial report and testimony supplied in this proceeding with any significant changes.

The compilation of an adequate record in these proceedings will only be possible by the cooperation and participation of all distribution companies of all sizes that serve the distressed industrial customers behind the six pipeline companies with which we are concerned. There is a need for more specific information regarding individual industrial consumers. The distribution companies are more likely to possess the specific information we require for individual industrials than are pipeline companies. We therefore call upon these distribution companies to make this information available for the re-opened hearings. We shall continue to rely upon the pipeline companies to collate and analyze information relating to their direct and indirect markets, and to present testimony regarding these matters as well as an updated assessment of the projected impact next winter.

Although the supply projections in the earlier proceedings (upon which the forecasts of plant closings were predicated) did not indicate firm commitments to make emergency purchases, it would appear that any such purchases, if properly allocated, would do much to avert serious economic dislocations. To afford a further analysis of the availability of emergency purchases, we hereby direct the Commission Staff to contact producers, intrastate pipelines (and other potential sources of emergency volumes of which the Staff is aware) who reported large-volume emergency sales last winter. The purpose of these contacts will be to determine whether comparable volumes will be offered to the interstate market on an emergency basis this coming winter, or if not, what their alternate disposition will be.

Our purpose in directing these extended proceedings continues to be the swift compilation of an analysis of the potential curtailment impact for the coming winter, and a measure of the emergency purchases (and other relief devices) necessary to avert critical dislocations. We continue to emphasize the nonadjudicatory information-gathering nature of these proceedings, and therefore, the inappropriateness of adherence to strict evidentiary and procedural rules in their conduct. The proximity of the winter heating season renders it critical that these continued proceedings be conducted with all possible dispatch. We envision hearings of less than two days' duration and direct that they be held between September 19 and October 5, 1977. Thereafter we shall again call upon our Staff and the other parties to file with the Commission by October 14, 1977, summary memoranda in which the data presented in these re-opened proceedings is analyzed, and in which any party may submit any comments that are warranted in light of the facts and data developed.

A copy of this order shall be sent to all of the state commissions and state energy offices affected hereby, and directly to all of the parties to the proceedings.

The Commission finds: It is in the public interest and consistent with the purposes of the Natural Gas Act to reopen the records in the subject proceedings and to schedule further hearings therein.

The Commission orders: (A) Pursuant to the authority conferred upon the Commission under the Natural Gas Act, particularly Sections 4, 5, 7, 14, and 15, hearings shall be held as provided below.

(B) The hearings provided for in ordering paragraph (A) shall be convened at such times and places as provided for in a notice to be issued by the Secretary after receipt of a recommendation made by the General Counsel and Chief of the Bureau of Natural Gas after consultation on this matter with the Chief Administrative Law Judge.

(C) A copy of this order and of the notice provided for in ordering paragraph (B) shall be forwarded directly to parties to the proceeding and to concerned state commissions and state energy offices along with our request for their co-operation and participation in this matter.

(D) An analysis in memorandum form of the information obtained in the continuation of these proceedings shall be presented to the Commission by the Commission Staff and other interested parties desiring to submit such memorandum or comments to the Commission by October 14, 1977.

By the Commission.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27927 Filed 9-23-77;8:45 am]

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[Docket No. CI77-799]

## FALCON PETROLEUM CO.

### Petition for Declaratory Order and Application for Abandonment

SEPTEMBER 19, 1977.

Take notice that on September 7, 1977, Falcon Petroleum Co. (Falcon), filed in Docket No. CI77-799 a petition for a declaratory order pursuant to section 1.7 of the Commission's rules of practice and procedure (18 CFR § 1.7). Falcon requests a finding that its predecessor in interest, Amoco Production Co. (Amoco), has lawfully abandoned sales to Northern Natural Gas Co. (Northern), from the Purdum Well, located in Lipscomb County, Tex., section 901, Block 43, H. and T. C. Railway Survey. Such sales to certificated in Docket No. CI63-805, and deliveries to Northern by Amoco were commenced pursuant to Amoco's FPC Gas Rate Schedule No. 366.

In the alternative, Falcon requests Commission authorization to abandon the sale to Northern pursuant to section 7(b) of the Natural Gas Act. In the event Falcon receives abandonment authorization, it proposes to sell production from the Purdum Well to Transwestern Pipeline Co. (Transwestern), with fifty percent of production to be earmarked for delivery to the city of Perryton, Tex., (City) and the remaining fifty percent to be allocated to Transwestern's interstate pipeline system.

Any person desiring to be heard or to make any protest with reference to said petition should on or before October 7, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appro-

priate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

LOIS D. CASHELL,
*Acting Secretary.*

[FR Doc.77-27933 Filed 9-23-77;8:45 am]

[Docket No. ER77-581]

## KANSAS GAS AND ELECTRIC CO.

### Changes in Tariff

SEPTEMBER 19, 1977.

Take notice that Kansas Gas and Electric Company (KG&E) on September 9, 1977 tendered for filing proposed changes in its Federal Power Commission Electric Service Tariff No. 99.

KG&E states that the filing is an Interchange Service Schedule which provides electric power and accompanying energy to be supplied July 1, 1977 through May 31, 1980 to Kansas City Power & Light Company. KG&E indicates that it will purchase this power and accompanying energy from the Empire District Electric Company.

According to KG&E, copies of the filing were served upon Kansas City Power & Light Company and the Utilities Division of the State Corporation Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 26, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
*Acting Secretary.*

[FR Doc.77-28037 Filed 9-23-77;8:45 am]

[Docket No. ER77-583]

## KANSAS CITY POWER & LIGHT CO.

### Filing of Service Schedule

SEPTEMBER 19, 1977.

Take notice that on September 12,1977, Kansas City Power & Light Company (KCPL) tendered for filing Service Schedule D for System Participation Power Service between KCPL and The Kansas Power and Light Company. KCPL requests an effective date of March 7, 1977. KCPL states that the proposed Service Schedule D adds System Participation Power to the Electric Interchange Agreement.

KCPL states that the proposed rates are KCPL's rates and charges for similar service under schedules previously filed by KCPL with the Federal Power Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, DC 20426, in accordance with Sections 1.8 and 1.10 of Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 26, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

LOIS D. CASHELL,
*Acting Secretary.*

[FR Doc.77-28039 Filed 9-23-77;8:45 am]

[Docket No. ER77-580]

## MONTAUP ELECTRIC CO.

### Filing

SEPTEMBER 19, 1977.

Take notice that Montaup Electric Company (Montaup) on September 8, 1977 tendered for filing a letter agreement, dated August 5, 1977, with Maine Public Service Company (MPS) which amends Montaup's Rate Schedule FPC No. 42. Montaup indicates that the letter agreement increases from 6 MW to 10 MW Montaup's assignment to MPW of Montaup's share of its entitlement to New Brunswick Power under the Second Supplement to the New Brunswick Participation Agreement dated as of December 1, 1971. According to Montaup, the increased assignment by Montaup to MPS commences on November 1,1977 and ends on April 30, 1979 at which time the asignment again becomes 6 MW. Montaup states that MPS agrees to make all payments and discharge all obligations, duties and liabilities with respect to the assigned power. Montaup requests that the letter agreement be allowed to become effective as of November 1, 1977.

According to Montaup, copies of this filing were served upon Maine Public Service Company and the Massachusetts Department of Public Utilities.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 26, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-28036 Filed 9-23-77;8:45 am]

[Docket No. ER77-582]

## MONTAUP ELECTRIC CO.

### Tariff Filing

SEPTEMBER 19, 1977.

Take notice that Montaup Electric Company (Montaup), on September 9, 1977, tendered for filing a contract between Montaup and Newport Electric Corporation (Newport) providing for the sale and transmission of 4.120 percent (5 MW) of the capability of Montaup's Somerset No. 6 unit to Newport. Montaup states that service under the rate schedule will commence on November 1, 1977 and terminate on October 31, 1981. Montaup requests an effective date for the rate schedule of November 1, 1977.

According to Montaup, copies of the filing were served upon Newport and upon the regulatory commissions of Massachusetts and Rhode Island.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with § 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 26, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-28038 Filed 9-23-77;8:45 am]

[Docket No. CP76-517]

## NATURAL GAS PIPELINE CO. OF AMERICA

### Order Accepting Proposed Stipulation and Agreement

SEPTEMBER 19, 1977.

On June 6, 1977, Presiding Administrative Law Judge Lande certified the proposed Stipulation and Agreement and the entire record in this proceeding to the Commission for its consideration.

On September 9, 1976, Natural Gas Pipeline Co. of America (Natural) filed an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the constrction and operation of transmission and storage facilities to provide additional storage service under a proposed new Rate Schedule LS-2. This new service would expand Natural's

storage fields in Iowa and Illinois and provide a new leased storage service to its customers. Its stated purpose is to provide customers with additional flexibility in the operation of their systems and to enhance reliability of service to the ultimate consumer.

Natural proposes to expand the storage fields in Iowa and Illinois to increase daily withdrawal capacity by 124,000 Mcf in order to provide the proposed new LS–2 storage service to its customers. A total of 100 days top storage withdrawal allegedly will be available for the period beginning December 1 of each year and continuing through March 31 of the following year, with the maximum available to each customer being 100 times its contracted daily withdrawal quantity. To provide this leased storage service, Natural proposes to allocate from the existing entitlements of participating customers the following:

(1) 12,400,000 Mcf of top storage gas each year;
(2) 310,000 Mcf of fuel gas each year; and
(3) 24,800,000 Mcf of cushion gas for the first year of LS–2 service only.

The service agreements covering the LS–2 service would be for a period of 10 years commencing April 1, 1977, but could be cancelled on one year's notice by Natural if, in its judgment, the severity of curtailment on its system required it. Upon termination of the LS–2 service, the total amount of cushion gas would be returned to Natural's customers. It was proposed that the LS–2 service would be offered to all customers, allocating the 124,000 Mcf per day among them, prorated to their existing daily contract quantities under Rate Schedules DMQ–1 and G–1, and the volumes not accepted would then be re-offered to those customers who did elect to participate in the LS–2 storage service until the total volume is contracted. Natural states that the entire volume is now under contract.

In addition, Natural requests that the inventory limitations of the storage fields, imposed as conditions to certificate authorization heretofore issued, be increased to designated levels set forth in the application. Natural also proposes to construct and operate several additional small gathering lines in order to connect injection-withdrawal wells and other miscellaneous facilities.

The estimated cost of these facilities, excluding cushion gas which would be provided by the participating customers, is approximately $25,000,000. Pursuant to section 2.55(a) of the Commission's General Policy and Interpretations, Natural also proposes to construct and operate six observation wells, dehydration units and other miscellaneous facilities.

General Motors Corp. (GM) filed a protest, petition to intervene, and a request for a hearing, on October 15, 1976. GM's pleadings raised the issue of whether a pipeline which is presently curtailing its firm customers should be permitted to increase its storage capacity to meet the additional demands of its distributor customers resulting from their attachments of new high priority consumers. By its Order of January 13, 1977, the Commission directed that this question should be explored fully in an administrative hearing.

The hearing commenced on May 11, 1977, at which time the proposed Stipulation and Agreement was presented by Natural to all parties. Certain supply evidence was entered into the record that day, and upon reconvention of the hearing on June 1, 1977, the record was completed. The record and the proposed Stipulation and Agreement were then certified to the Commission. Public notice of said certification of the proposal was issued by the Commission on June 10, 1977. In accordance with its comments filed July 1, 1977, GM no longer has objections to the proposed Agreement. All other parties urge its approval.

We find that the proposed Stipulation and Agreement should be approved as being in the public interest. The Commission is concerned about the encouragement of growth in high priority loads which may adversely affect existing customers who may not have alternative sources of energy. Moreover new service to high priority uses may undesirably reduce the flexibility of systems already in curtailment. Accordingly the Commission conditions its acceptance of the proposed Stipulation and Agreement by requiring that Natural report any increase in Priority 1 load for each of Natural's customers annually to permit us to monitor growth of high priority loads by distribution customers of Natural.

The Commission orders: The proposed Stipulation and Agreement is approved, and a certificate of public convenience and necessity is hereby issued authorizing the construction and operation of transmission and storage facilities and appurtenant facilities thereto in Docket No. CP76–517 provided that Natural submits a filing annually which indicates whether there has been any increase in Priority 1 load for any of its customers and if so, which ones and the amount.

By the Commission.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27934 Filed 9-23-77;8:45 am]

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[Docket No. CP76–511]

## NATURAL GAS PIPELINE CO. OF AMERICA

### Order Accepting Proposed Stipulation and Agreement

SEPTEMBER 19, 1977.

On May 31, 1977, Presiding Administrative Law Judge Curtis L. Wagner, Jr., certified to the Commission a proposed Stipulation and Agreement, as well as the administrative record in the above-captioned proceeding.

On September 1, 1976, Natural Gas Pipeline Co. of America (Natural) filed an application herein pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the limited-term transportation and delivery of up to 50,000 Mcf per day of natural gas for United Gas Pipeline Co. (United) and the permanent retention and operation of facilities required to effectuate the transportation service.

Natural proposes to transport gas for one year received from Producers Gas Co. (Producers) for United's account from the points of delivery in Dewey and Woodward Counties, Okla., to a point of interconnection of United's and Natural's lines in Vermilion Parish, La. Natural also seeks authority to retain in place facilities costing $24,950, which were installed to permit the 60-day emergency exchange of gas with United, which was initiated on May 20, 1976, and concluded on July 17, 1976, pursuant to Section 157.22 of the Commission's regulations. The facilities consist of a tap connection at the Woodward County point and a tap connection and measuring facility at the Dewey County point and were financed from funds on hand. Natural's limited-term Gas Transportation Agreement dated August 10, 1976, with United provides for deliveries by United to Natural of up to 50,000 Mcf per day. United has advised Natural that it would deliver an average of 35,000 Mcf per day.

By order issued on October 19, 1976, in the proceeding entitled *Producer Gas Company, et al.*, Docket No. CI76597 et al., Natural was granted a temporary certificate of public convenience and necessity to transport the gas volumes as described above. In a subsequent order in the instant docket issued March 4, 1977, the Commission, inter alia, set a prehearing conference for April 18, with respect to the proposed 15 cents per Mcf transportation charge. Said order took cognizance that "Natural does not have any facilities connecting the point of receipt of the gas in Oklahoma with the point of delivery in Louisiana. Therefore, no gas is physically transported between the two points and it appears that Natural is merely charging 15.0 cents per Mcf in exchange of gas."

As a result of the prehearing conference held on April 18, 1977, at which time settlement discussions were undertaken by the parties, Natural prepared the aforementioned Stipulation and Agreement, which it formally presented to the Presiding Administrative Law Judge at a further hearing held on May 25, 1977. Natural proposes through this proposed Stipulation and Agreement to resolve the transportation charge issue, which is the only major matter in dispute in this proceeding.

Pursuant to the proposed Stipulation and Agreement Natural would charge 15 cents per Mcf for the aforementioned deliveries, but has agreed to refund, with interest, in accordance with the settlement agreement in RP76–106, all revenues which it receives from United and is permitted to retain by final order no longer subject to appeal. In assessing the 15 cents per Mcf transportation rate, Natural maintains that the use of average cost of transportation is a reasonable means of establishing a rate for the

displacement service since it operates a fully integrated system with rates on rolled-in costs. The distance between the two contemplated points is approximately 600 miles and the rate of transportation is gauged accordingly, as if the gas were actually transported along an existing pipeline.

The Commission has recognized displacement as a type of transportation for which a pipeline might assess a charge. In the instant proceeding, it receives compensation for its service from United in addition to the concurrent benefit of reducing the distance for transporting its gas supplies. Although we have reservations concerning the proposed transportation rate, we find that the data elicited indicates that the relatively de minimis amounts involved herein do not justify a full administrative hearing. We are satisfied by the record herein that the rate proposed is acceptable under the circumstances; however, our findings as to the rate is based in the particular circumstances of the specific proceedings herein, and the methods used should not be considered as precedent for any other proceedings. The Commission intends to examine, by rulemaking procedures, the need for additional criteria for establishing proper rates for displacement services.

Based on the foregoing, the Commission finds that the proposed Stipulation and Agreement is in the public interest should be approved, and a certificate of public convenience and necessity should be granted authorizing the limited-term transportation and delivery of up to 50,000 Mcf per day for United, and permitting retention and operation of the subject facilities.

The Commission orders: The Stipulation and Agreement is hereby approved and a certificate of public convenience and necessity for the aforementioned service and facilities as described herein in Docket No. CP76-511 is hereby granted.

By the Commission.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27935 Filed 9-23-77;8:45 am]

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[Docket Nos. E-8641, E-8476 E-8251, and E-8169]

## NEW ENGLAND POWER CO.

### Compliance Filing

SEPTEMBER 16, 1977.

Take notice that New England Power Company (NEPCO) on August 15, 1977, tendered for filing revised cost of service data. NEPCO indicates that this filing is made in compliance with Ordering Paragraph A of the Commission's Opinion No. 803 and is in conformance with the dictates of that Opinion.

NEPCO states that the cost of service data filed herein demonstrates that the rates at issue in the proceeding are justified in their entirety. NEPCO further states that no revised tariff sheets are submitted in this filing and that no refunds have been made.

Any person desiring to be heard or to protest said filing should file protests or comments with the Federal Power Commission, 825 North Capitol Street, NE, Washington, DC 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such comments or protests should be filed on or before September 30, 1977. Protests and comments will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27930 Filed 9-23-77;8:45 am]

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[Docket No. RI77-87]

## NORTH AMERICAN ROYALTIES INC.

### Order Setting Matter for Determination on Brief and Responding to a Petition for Declaratory Order

SEPTEMBER 19, 1977.

On May 17, 1977, North American Royalties, Inc. (Petitioner), filed a petition for declaratory order pursuant to Section 1.7(c) of the Commission's Rules of Practice and Procedure. Petitioner holds a small producer certificate pursuant to an order issued October 1, 1971 in Docket No. CS71-152. On October 5, 1971, petitioner and Public Service Electric & Gas Company (Public Service) entered into an agreement for joint exploration of the Parc Perdue Prospect in Louisiana. On February 17, 1972 Public Service was authorized by petitioner to make a complete assignment of all its rights, responsibilities and duties under this agreement to Energy Development Company (EDC). Such assignment to EDC was made pursuant to an agreement dated March 30, 1972. On October 5, 1973 petitioner and EDC entered into a letter agreement (October 1973 Agreement) setting forth certain provisions which would govern gas purchases from petitioner by EDC from fields or prospect areas covered by the agreement and assignment hereinbefore referred to. The October 1973 Agreement contains the following provision:

PRICE, PRICE REDETERMINATIONS AND BTU ADJUSTMENTS

The price to be paid for gas, provisions for price redetermination, and BTU adjustments shall be agreed upon between the parties for each new field or prospect area and shall be set forth in supplemental agreements. The price determination shall be governed by the provisions currently being authorized by the Federal Power Commission, or any other regulatory agency having jurisdiction over the sale of interstate gas, for gas of the same quality and under the same delivery condition.

By letter agreement of September 23, 1974 (September 1974 Agreement) between petitioner and EDC the October 1973 Agreement was supplemented to provide for price, BTU and tax adjustments, and price redeterminations in the following manner:

"The price provisions [in the September 1974 Agreement] were determined on the basis of Federal Power Commission Opinion No. 699, issued June 21, 1974 * * *. We also agree that if Opinion 699 is amended or should subsequent area rate rulemaking be instituted which is applicable to the pricing provisions contained herein, such new pricing provisions shall be incorporated into this Agreement."

For the period from December 26, 1975 through July 26, 1976 petitioner collected from EDC for gas delivered from the Parc Perdue Prospect the rate established in Opinion No. 699. Petitioner contends that it should also receive the incremental dollar amount calculated by subtracting the difference between production proceeds at 130 percent of the applicable base national rate and amounts previously collected from EDC, or a stated deficiency amount of $118,948.86. In support of its position, petitioner asserts that Opinion No. 742, issued August 28, 1975, amended Opinion No. 699, or alternatively constitutes area rate rulemaking. Specifically, petitioner contends that for the reasons set out on pp. 3-5 of Opinion No. 742, the Commission determined that the rate of return established in Opinion No. 699-H for large producers was inadequate for small producers. Accordingly, petitioner asserts that Opinion No. 742 effectively amended Opinion No. 699-H. Alternatively, petitioner contends that the Commission in Opinion No. 742 set new area rates generally applicable to a particular class of producers (e.g. small producers).

Said petition was noticed on June 6, 1977 and published in the Federal Register on June 13, 1977 at 42 FR 30243. Public Service and EDC filed timely petitions to intervene. Public Service and EDC state that the condition imposed by virtue of the transportation certificates, granted May 4, 1976, preclude payment in excess of the base national rate established by the Commission in Opinion No. 699, issued June 21, 1974, together with modifying orders issued thereafter. Specifically, the language contained at Paragraph 5(a), page 4 of such order is as follows:

EDC agrees that it will not sell gas owned and/or controlled by EDC in the North Parc Perdue Field to its affiliate, PSE&G, at a price in excess of the applicable large producer rate for sales in interstate commerce, such rate being presently the national area rate established by the Commission in its Opinion No. 699, issued June 21, 1974, and modifying orders issued therein.

Public Service and EDC assert that such a price limitation was acceptable inasmuch as Opinion No. 742, issued August 28, 1975, did not amend Opinion No. 699, issued June 21, 1974, along with modifying orders thereafter. Further, the provisions of the October 1973 Agreement and the September 1974 Agreement in the context of Opinion No. 699 were not intended to permit new area rates applicable to small producers in Opinion No. 742 to be collected by NAR. Accordingly, EDC and Public Service contend that NAR has already collected the authorized contractual rate and no deficiency exists. EDC requests a formal

hearing only to consider any rate to be collected by NAR in excess of the rate currently permitted to be charged to Public Service. Public Service does not request a formal hearing but requests it be made a party to the above-entitled proceeding. On July 18, 1977, NAR filed a motion pursuant to sections 1.12(a) and 1.32(a) under the Commission's General Rules of Practice and Procedure requesting that the instant proceeding be disposed of under the shortened procedures without a formal hearing.

In our opinion, an evidentiary hearing before an administrative law judge is not necessary for resolution of this matter. We believe it can be disposed of on briefs and will so provide.

The Commission finds: (1) It is in the public interest that the petition for declaratory order be set for determination and disposition on brief.

(2) Good cause exists to permit the interventions of EDC and Public Service.

(3) Good cause exists to deny NAR's motion for disposition without a formal hearing under shortened procedure.

The Commission orders: (A) This matter will be determined on brief. All parties desiring to file briefs, including Commission Staff, shall do so on or before September 28, 1977. Parties desiring to file answering briefs shall do so on or before October 12, 1977. Any party wishing to present evidence herein shall attach same as an appendix to its brief. All such evidence shall be sworn to. All briefs shall conform to the applicable provisions of sections 1.15, 1.16, and 1.17, of the Commission's rules of practice and procedure, as to copies, form, and service, but need not (except as to evidence appended thereto) be verified under oath. Fifteen copies of each document shall be filed with the Commission in addition to the copies served on the parties to this proceeding.

(B) NAR's motion for disposition of this matter under the shortened procedure provided for in Section 1.32 of the Commission's Rules of Practice and Procedure is denied.

(C) EDC and Public Service are permitted to intervene in the above-entitled proceeding, subject to the rules and regulations of the Commission: Provided, however, that their participation shall be limited to matters affecting asserted rights and interests specifically set forth in their respective petitions for leave to intervene; and Provided, further, that the admission of EDC, and Public Service in the manner provided shall not be construed as recognition by the Commission that any or all might be aggrieved because of any order or orders entered in this proceeding and that each agrees to accept the record as it now stands.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27936 Filed 9-23-77;8:45 am]

[Docket No. CP77-193]

## NORTHERN NATURAL GAS CO.

### Order Providing for Formal Hearing, Granting Petitions To Intervene, and Prescribing Procedures

SEPTEMBER 19, 1977.

On February 7, 1977, Northern Natural Gas Company (Northern) filed an application in Docket No. CP77-193, pursuant to Section 7(c) of the Natural Gas Act, requesting a certificate of public convenience and necessity to authorize the development and operation of storage facilities, to deliver small volumes of gas to Skelly Oil Company (Skelly), and to construct and operate facilities to accomplish the project. Northern anticipates that this storage will avoid deficiencies that would arise in meeting requirements of its existing firm and small market supply needs during the heating season.

The proposal covers the Cunningham Gas Field (Viola formation) in Pratt and Kingman Counties, Kansas, a nearly depleted gas filed covering approximately 26,240 acres, of which approximately 5,200 acres were productive during the field's life. The Viola reservoir was discovered in 1932 and produced a total of 71 Bcf of natural gas. Northern will be required to deliver to Skelly, for a period of not more than 10 years, volumes of gas not to exceed 500,000 Mcf for use in Skelly's Lansing/Kansas City Water-Flood Program. This represents gas remaining in the reservoir that could be produced in the future, and, accordingly, Northern proposes to deliver to Skelly up to 150 Mcf per day of natural gas for a period not to exceed 10 years. To accommodate the delivery of such gas to Skelly, Northern proposes to construct and operate a delivery point with measurement and regulator equipment on its injection-withdrawal line in the Cunningham Field.

In order to develop the Cunningham Field for gas storage purposes, Northern proposes to drill and complete 35 gas injection/withdrawal wells, eight observation wells, and to convert 13 existing wells to observation wells. Other field facilities to be constructed include approximately 19.4 miles of 4½-inch through 26-inch gathering lines, 15 miles of access roads, four field dehydration units, wellhead meters, a combination warehouse-office control building, a 12,500-hp. compressor station and a 37.1-mile 30-inch pipeline to connect the proposed Cunningham compressor station to Northern's Macksville compressor station. Northern anticipates that full development of the reservoir and construction of necessary facilities will be accomplished over a four-year period. Initial injections to the storage reservoir would commence in June of 1978, with first withdrawals to be made during the 1979–80 winter heating season. The total estimated cost of developing the Cunningham Storage Field is $82,632,600. The designed withdrawal capacity is estimated to be 530,000 Mcf per day, or 40 Bcf annually, with a total of 71 Bcf of gas in the reservoir.

This original application was Noticed on February 18, 1977 (42 Fed. Reg. 11269) (February 28, 1977). Timely petitions for leave to intervene in support, either directly or indirectly, of Northern's application were filed by:

Northern Illinois Gas Company, Iowa Public Service Company, Iowa Electric Light & Power Company, Lloyd V. Crum, Iowa Power & Light Company, Wisconsin Gas Company, Minnesota Gas Company, Iowa-Illinois Gas & Electric Company, and Michigan Power Company.

Three petitions requested a hearing but later withdrew that request:

Lake Superior District Power Company, Minnesota Municipal Utilities Association and Utilities Section of the League of Nebraska Municipalities, and Flambeau Paper Company.

There were also a number of late petitioners, to wit:

Northwestern Public Service Company, Iowa Southern Utilities Company, Eveleth Taconits Company, North Central Public Service Company, Division of Donovan Companies, Inc., Joint Petition of Northern States Power Company (Minnesota and Wisconsin), The Brick People Region 6 of the Brick Institute of America (The Brick People, *et al.*)

Of these, the Brick People, et al., requested a hearing.

In order to reflect minor modifications in the facilities, Northern filed an amendment to its initial application on June 8, 1977 (as reflected above). On July 26, 1977, Northern filed a motion for expedited procedure, which was answered by The Brick People, et al., on August 10, 1977. On August 15, 1977, Northern filed a request for a temporary certificate to order the needed parts to meet a February 1, 1978, construction date for a June 1, 1978, injection of natural gas. Minnesota Gas Company and North Central Public Service Company filed comments in support of the motion for expedited procedure or issuance of a temporary certificate.

We find these proceedings should be set for hearing. The Brick People, et al., raise the following issues regarding the storage field.[1]

"6. Numerous factual issues are raised by this case and formal hearings seem essential. In addition to the wholly technical questions of whether storage can be accomplished at the Cunningham Field, several crucial issues relating to the public interest must be addressed. Generally speaking, the fundamental public interest questions involve the need for the $82,000,000 facilities, who they will serve, and at whose expense. The many factual questions include: whether there is any real need for the proposed storage field and accompanying transportation facilities; whether the expanded storage service will be used to serve new customers and, if so, whether it is in the public interest to build costly facilities to serve new customers, including small firm commercial and indus-

[1] Protest, Petition For Leave to Intervene Out of Time and Request for Formal Hearing received April 14, 1977, pages 3 and 4.

trial users, at the expense of further curtailing existing customers; which customers, having what end-uses, would in fact be forced to bear the additional gas service interruption caused by the new storage injection requirements; whether those customers who will suffer increased curtailment as a result of the proposed project will have alternate fuel capabilities (other than propane); if the project is to permit growth, whether the proposed new gas customers who would be added now use (or, if not yet built, could utilize) alternate fuels; whether the existing ratepayers of Northern Natural should be saddled with the enormous cost of the proposed facilities; whether the storage service would be used to augment winter service to customers with alternate fuel capabilities, and, if so, at whose expense, and would such service be in the public interest."

While Northern has characterized the issues presented as "growth", both parties argue that Opinion No. 810 (Docket No. CP74-316, et al., issued July 7, 1977) would control. It should also be noted that the entire Northern system is presently the subject of curtailment proceedings in Docket No. RP76-52; however, the specific issues raised by The Brick People, et al., are not the subject of the ongoing proceeding. This situation augurs both factual and legal differences that could be resolved only after a formal hearing and briefing.

In addition to the issues as stated by The Brick People, et al., and because growth is a factor in these proceedings, we believe the hearing established below should address the question of whether Northern should be permitted to increase its storage to satisfy additional demands represented by distributor growth and, if the question is answered negatively, what conditions can be attached to any permanent certificate issued in these proceedings to prohibit such use. Thus, the hearing in this proceeding should develop a record regarding the following issues:

(1) Is the construction and operation of the proposed facilities required by the public convenience and necessity?

(2) What customers and which markets will be served if the proposed facilities are constructed?

(3) What effect would the construction and operation of the proposed facilities have on existing customers?

(4) Who should pay the cost of the proposed facilities and service?

(5) Describe theimpact of diverting additional gas supplies to storage during the summer period on existing customers.

(6) Will any of the existing customers of Northern receive less gas on an annual and peak day basis as a result of the proposed facilities?

(7) If new customers are proposed to be served, identify these customers and their peak day and annual requirements according to the priorities prescribed in 18 CFR Section 2.78(a)(1).

(8) Does the continued addition of new customers advance the public interest?

(9) What conditions, if any, should be attached to any permanent certificate, which may be issued in these proceedings?

Responses to these issues should give consideration to the Commission's determination in Opinion No. 810, Michigan Wisconsin Pipeline Company, Docket No. CP74-316, et al., issued July 7, 1977.

We also find that an emergency does exist as to the ordering of materials and planned work for the calendar year 1977 in the amount of $3.7 million and that the public convenience and necessity require that a temporary certificate be issued.

The Commission finds: (1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that a public hearing be held in the matters involved and the issues presented in these proceedings as hereinbefore described.

(2) Participation in these proceedings by all of the aforementioned Intervenors may be in the public interest. Permitting the filing of late Petitions to Intervene will not delay the proceedings and may be in the public interest.

The Commission orders: (A) The proceeding in Docket No. CP77-193 is hereby set for hearing and disposition. The temporary certificate requested shall be issued as hereinbefore limited.

(B) Pursuant to the authority of the Natural Gas Act, particularly Sections 4, 5, and 15 thereof, the Commission's Rules of Practice and Procedure (18 CFR Part I) and the Regulations under the Natural Gas Act (18 CFR, Chapter I, Subchapter (e)), a pre-hearing conference shall be held on January 9, 1978, commencing at 10:00 a.m. in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C., 20426, to discuss procedural issues and the clarification of issues.

(C) An Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (see Delegation of Authority, 18 CFR, Section 3.5(d)) shall preside at the pre-hearing conference in this proceeding with authority to establish and change all procedural dates, to rule on all motions (with the sole exception of Petitions to Intervene, motions to consolidate and sever, and motions to dismiss), as provided for in the Rules of Practice and Procedure.

(D) The direct case of Northern, including testimony on issues raised by this Order, shall be filed and served on all parties, the Presiding Administrative Law Judge, and the Commission Staff on or before November 7, 1977. All supporting Intervenors shall file testimony and exhibits comprising their cases-in-chief on or before December 19, 1977.

(E) The above-mentioned Intervenors are permitted to intervene in the instant consolidated proceeding, subject to the Rules and Regulations of the Commission: *Provided, however,* That participation of such Intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in the Petition to Intervene; and *Provided, further,* That the admission of such Intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any Order of the Commission entered in the proceeding.

(F) The Secretary shall cause prompt publication of this Order in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27937 Filed 9-23-77;8:45 am]

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[Docket No. CP77-610]

## NORTHERN NATURAL GAS CO.

### Application

SEPTEMBER 19, 1977.

Take notice that on September 7, 1977, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP77-610 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon and remove certain facilities in Ottawa County, Kansas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant indicates that pursuant to the Commission's order of May 21, 1947 in Docket G-777, it was granted authorization to acquire, *inter alia*, approximately 6.8 miles of 2-inch branchline serving the town of Delphos, Kansas from the Kansas Power and Light Company (KP&L), and that pursuant to the Commission's order of March 11, 1954, it was granted authorization to install, among other things, approximately 2.65 miles of 3-inch loop line on the Delphos branchline, which is located in Ottawa County, Kansas.

Applicant states that the 2.65 miles of the 2-inch Delphos branchline which is looped with a 3-inch line is no longer required to serve the two of Delphos. Applicant further states that this segment of line proposed to be abandoned also has inadequate cover caused by erosion, and that inadvertently, and absent Commission's authorization, the 2-inch segment of the branchline which is looped was removed. The cost of removing such facilities was $1,500, and was financed from cash on hand, it is said.

Consequently, Applicant requests the Commission's approval of the abandonment and removal of the 2.65 miles of the 2-inch Delphos branchline.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 7, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party

to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

LOIS D. CASHELL,
*Acting Secretary.*

[FR Doc.77-27938 Filed 9-23-77;8:45 am]

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[Docket No. ER77-127]

## OKLAHOMA GAS & ELECTRIC CO.

### Order Denying in Part and Granting in Part Reconsideration and Correcting Prior Order

SEPTEMBER 19, 1977.

On December 27, 1976, Oklahoma Gas and Electric Company (OG&E) submitted for filing a proposed rate increase of $2,916, 855 for the 12 month period succeeding February 1, 1977.

On January 26, 1977, the Commission issued its Order Accepting for Filing And Suspending Proposed Rate Schedules, Granting Interventions And Establishing Procedures (Order) which:

(A) Suspended OG&E's proposed rate schedules for two months to become effective April 1, 1977, subject to refund, for those customers whose contracts expired prior to that time;

(B) Ordered a hearing pursuant to the Federal Power Act, especially Section 206 thereof, to determine if OG&E's proposed rates are just and reasonable; and

(C) Granted the Petition to Intervene of the Arkansas Valley Electric Cooperative, KAMO Electric Cooperative, Inc., Indian Electric Cooperative, the Cities of Blackwell, Edmund, Kingfisher, Mannford, Okeene, Ponca City, Purcell, Prague, Stroud, Stillwater, Tecumseh, Tonkawa, Waynoka, and Wynnewood, Oklahoma (Public Systems).

On February 22, 1977, OG&E petitioned for rehearing [1] of the Order alleging that it was in error in the following respects:

(1) Hearings should be convened simultaneously under both Sections 205 and 206 of the Act;

(2) For the six municipal customers whose present contracts provide that the rates will become effective only when a similar increase is made to all of OG&E's wholesale municipal customers, the Commission improperly stated the effective date of the increases to them.

On February 25, 1977, Public Systems filed an application for rehearing [1] of the Order alleging that:

1. The Order is ambiguous as to whether all of the rates included in this docket will be subject to refund.

2. The Order fails to enforce Sections 35.3(a) and 35.13(4)(iii) of the Commission's Regulations by accepting certain of the rates for filing.

3. The Commission failed to enforce Section 35.14 of its regulations by accepting OG&E's fuel clause for filing.

4. OG&E's relationship with one of its fuel suppliers, Mustang Fuel Corporation should be investigated as a part of the proceeding.

5. The Order erroneously stated that the applicable contract between Tecumseh, Oklahoma and OG&E permitted a rate increase prior to a final Commission order.

6. The Commission failed to identify the City of Perry, Oklahoma as an intervenor in this proceeding.

On March 24, 1977, the Commission granted rehearing for the limited purpose of further consideration.

### OG&E's Petition

Ordering Paragraph (A) of the Order accepted OG&E's proposed rate schedules for filing and suspended them for two months, to become effective April 1, 1977, subject to refund for those customers whose contracts expired prior to that time. The City of Tecumseh's contract expired on March 7, 1977. The City of Manchester's contract expired on March 29, 1977. The Commission's treatment of OG&E's rates as they apply to Tecumseh and Manchester has been consistent with Sections 205 and 206 of the Act. Ordering Paragraph (B) of the Order inadevertently omitted reference to Section 205. The Commission intended the hearing to be conducted pursuant to both Sections 205 and 206 of the Act.

Section 205(a) states that all rates and charges for the transmission or sale of electric energy must be just and reasonable, and any such rate not just and reasonable is unlawful. Section 205(e) vests the Commission with authority to suspend rates for up to 5 months, after which time the rates can become effective subject to refund. Section 206(a) provides that after a hearing, the Commission upon finding that any rate or charge is unreasonable or unjust, shall determine the just and reasonable rate or charge. Accordingly, both Sections 205 and 206 are the appropriate vehicles for Commission review of all of OG&E's rates filed herein. However, only the rates applicable to Tecumseh and Manchester were subject to suspension pursuant to Section 205(e) of the Act in Docket No. ER77-127.[2]

OG&E maintains that the Order has misstated the proposed effective dates of the rate increase for a number of its customers. At page 2 of its petition it states:

> For the six municipal customers whose present contracts provide that the rates will become effective only when a similar increase is made to all of OG&E's wholesale municipal customers, the Commission has improperly stated the date on which increases to them can become effective. This error, OG&E believes, arises from a misstatement of OG&E's requested effective date on Page 2 of the Order. There OG&E is stated to have requested "an effective date corresponding to the earlier of (1) approval of a rate increase to the other 15 municipals or (2) the expiration date of the *longest fixed rate contract.*" (*Emphasis supplied*) On page 2 of the letter that accompanied the filing in this docket, OG&E requested an effective date as of the "earlier of the time when either (1) approval is granted for a rate increase to the other 15 municipalities or (2) *when the contract has been terminated for each municipality.*" (Emphasis supplied)

At page 3, OG&E states:

> For the six cooperative customers, the Commission seems to have recognized, on pages 2 and 3, that the effective date of the increase is to be the earlier of (1) the time when approval is granted or (2) the Cooperative's contract has been terminated. [footnote omitted] On page 4, however, the effective date is stated as "when approval is granted or the *Cooperatives' contracts* terminate, whichever occurs first." (Emphasis supplied) Here, as with the municipal customers, the suggestion is that all of the contracts must terminate. That clearly is not the case.

After considering the arguments advanced in OG&E's petition, and review of the letter accompanying OG&E's December 27, 1976 filing, the Commission agrees that the Order misstates the proposed effective dates of the rate increase for a number of customers. For Manchester, Orlando, Pond Creek, Prague, Tecumseh, and Wynnewood, OG&E requested an effective date of the earlier of either (1) when approval is granted for a rate increase to the other 15 municipalities or (2) when each municipality's contract terminates. For the six cooperative customers, OG&E requested an effective date of the earlier of (1) when the rates are approved or (2) when the cooperative's contract terminates.

### Public System's Application for Rehearing

1. Public Systems maintain that the order is ambiguous as to whether all of the rates filed herein are subject to refund. Any ambiguity with respect to this

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[1] Petitions or Applications for Rehearing of interlocutory orders do not lie; consequently, the Commission shall treat the applications for rehearing as motions for reconsideration.

[2] As OG&E's contracts with the other municipal customers expired, it filed new agreements which were assigned new docket numbers. The agreements have been filed in Docket Nos. ER77-215, ER77-306, ER77-336, and ER77-502. All of the aforementioned dockets have been consolidated with ER77-127 for purposes of a hearing and decision thereon.

issue has been resolved in addressing OG&E's petition.

2. Public Systems allege that the order fails to enforce Sections 35.3(a) and 35.13 (b)(4)(iii) of the Commission's Regulations by accepting certain of the rates for filing. Section 35.3(a) provides that rate schedules shall be tendered for filing not more than 90 days prior to the date on which the filing party proposes to make any change in rates. Public Systems state that for those customers with contracts expiring more than 90 days after the filing date, the filing should either be rejected or convened pursuant to Section 206. They maintain that if the Commission determines to suspend Section 35.3 (a), Section 35.13(b)(4)(iii) still demands that the customers receive the benefit of current data in this proceeding. It requires that the statement of the cost of service should contain unadjusted system costs for the most recent 12 consecutive months for which actual data are available provided that the last day of the 12 months shall not be more than 7 months prior to the submittal of proposed rate changes. Public Systems state that if the Commission waives this requirement it must convene this proceeding pursuant to Section 206.

Manchester and Tecumseh's contracts expired before April 1, 1977, and as a result, became effective thereafter, subject to refund. The suspension and refund provisions of Section 205(e) are applicable only to them in Docket No. ER77-127.

Public Systems' argument that the Commission cannot consider OG&E's filing as both a rate increase under Section 205 and a Section 206 investigation is untenable. There is nothing in the Federal Power Act nor the Commission's Regulations that precludes the Commission from consideration of all of OG&E's rates filed herein in the same proceeding. The rates applicable to Manchester and Tecumseh are effective subject to refund, and the rates applicable to the other municipal customers and the cooperatives can only become effective after a Section 206 finding of justness and reasonableness. Since the dominant issue of the reasonableness of OG&E's rates is common to all of the customers, it would be wasteful and redundant to order separate hearings. Consideration of OG&E's rates as they apply to Tecumseh and Manchester and the other wholesale customers in the same proceeding will conserve the time and the resources of the Commission as well as the resources of the parties.[3]

3. Public Systems allege that the Commission failed to enforce Section 35.14 of its Regulations by accepting for filing OG&E's fuel clause which it maintains is not in conformity with applicable regulations or recent Commission decisions. The question of whether or not OG&E is including inappropriate items in its fuel costs is a factual one which should be resolved in hearing.

4. Public Systems' request that the Commission as part of this proceeding, investigate OG&E's relationship with Mustang Fuel Corporation (Mustang), one of its fuel suppliers, to determine if:

(A) There is any relationship between management of OG&E and Mustang which would adversely affect "arms length bargaining"; and

(B) Are the present prices paid Mustang for fuel and transmission of fuel in excess of that which is reasonable.

OG&E has the burden of establishing that its fuel costs are reasonably incurred. Consequently, the issues raised by Public Systems are already appropriate areas of inquiry for hearing.

5. The Commission inadvertently failed to include the City of Perry, Oklahoma as an intervenor and party to this proceeding. In its transmittal letter accompanying the filing, dated January 19, 1977, Public Systems indicated that Perry had authorized them to include it among the municipal systems seeking to intervene in this proceeding. We will therefore grant Public Systems' request and accord Perry full status as a party in this proceeding.

The Commission finds: (1) Good cause exists to grant OG&E's motion for reconsideration.

(2) Good cause exists to permit the City of Perry, Oklahoma to participate as a party in this proceeding.

(3) Public Systems' motion for reconsideration in all other respects should be denied.

The Commission orders: (A) The hearing in this proceeding shall be conducted pursuant to both Sections 205 and 206 of the Federal Power Act. The suspension and refund provisions of Section 205(e) only apply to the Cities of Manchester and Tecumseh, Oklahoma in Docket No. ER77-127.

(B) The Commission's January 27, 1977 order in this docket misstated the proposed effective dates for a number of customers. The correct proposed effective dates are shown on page 4 of this order.

The City of Perry, Oklahoma is hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission, *Provided, however*, that participation of Perry shall be limited to matters affecting asserted rights to intervene and *Provided, further*, that the admission of Perry shall not be construed as recognition by the Commission that it might be aggrieved because of any order issued by the Commission in this proceeding.

(D) Other than the issue discussed in Ordering Paragraph (C), Public Systems' motion for reconsideration is hereby denied.

(E) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27939 Filed 9-23-77;8:45 am]

[3] *See Municipal Electric Utilities Association of Alabama v. Federal Power Commission*, 485 F. 2d 967, at 972 (1973).

[Project No. 516]

## SOUTH CAROLINA ELECTRIC & GAS CO.

### Application for Change in Land Rights

SEPTEMBER 16, 1977.

Public notice is hereby given that an application was filed on June 20, 1977, under the Federal Power Act, 16 U.S.C. §§ 791a–825r, by the South Carolina Electric & Gas Co. (Applicant) (Correspondence to: Randolph R. Mahan, Esquire, South Carolina Electric & Gas Co., Post Office Box 764, Columbia, S.C. 29218; Brian J. McManus, Esquire, Reid & Priest, 1701 K Street NW., Washington, D.C. 20006) for commission approval of the conveyance to certain individuals of fee simple title in several parcels of land, comprising a total of 1.29 acres, within the project boundary of the Saluda Project, FPC No. 516. The project land is located approximately five miles southwest of U.S. Highway No. 76, near the town of Chapin, Lexington County, S.C.

Applicant states that, without its knowledge, a third party filled in certain project waters below the contour elevation of 360 feet m.s.l., the mean normal operating level of the Saluda Project. Applicant also states that, without its knowledge or permission, the third party subsequently divided the filled land into six lots and sold these lots to six different individuals, four of whom have erected private residences on the lots. In order to clear title and to eliminate the encroachment upon project lands, the Applicant proposes to sell the filled land (now project property) to the six aforementioned lot owners. The land would continue to be used for single-family residential purposes.

Any person desiring to be heard or to make any protest with reference to said application, should on or before October 31, 1977, file with the Federal Power Commission, 825 N. Capitol St. NE., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure, 18 CFR § 1.8 or § 1.10 (1977). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27931 Filed 9-23-77;8:45 am]

[Project No. 2197]

## YADKIN, INC.

### Application for Approval of Easement Over Project Lands

SEPTEMBER 16, 1977.

Public notice is hereby given that an application was filed July 8, 1977, under

the Federal Power Act (16 U.S.C. §§ 791a–825r) by Yadkin, Inc. (Applicant) (Correspondence to: Ronald D. Jones, Esquire, Lebouef, Lamb, Leiby & MacRae, 140 Broadway, New York, N.Y. 10005) for Commission approval of the grant of an easement over certain lands of the Yadkin Project, FPC No. 2197, to the Plantation Pipe Line Co. (Grantee). The Yadkin Project is located on the Yadkin River in Stanly, Montgomery, Davie, Davidson, and Rowan Counties, N.C.

Applicant requests approval of the grant of a 50-foot-wide permanent easement to Grantee for the purpose of constructing a 26-inch pipeline across project lands and waters in Davidson and Rowan Counties, North Carolina. The segment of pipeline to cross project lands and waters is only a part of a pipeline that would extend from Bremen, Georgia to Greensboro, North Carolina. Once completed, the pipeline would transport refined liquid petroleum. The pipe would be buried in the bed of the Yadkin River with a minimum of five feet of earth cover throughout the 784-foot-long river crossing. There are currently two existing pipelines owned by Grantee located immediately adjacent to the proposed pipeline site.

Any person desiring to be heard or to make any protest with reference to said application should file with the Federal Power Commission, 825 N. Capitol St. NE., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure, 18 CFR § 1.8 or §1.10. All such petitions or protests should be filed on or before October 14, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
*Secretary.*

[FR Doc.77-27932 Filed 9-23-77;8:45 am]

## DEPARTMENT OF THE INTERIOR

### National Park Service

[Order No. 3, Amendment 4]

### REGIONAL CHIEF, LAND ACQUISITION DIVISION FIELD ACQUISITION OFFICERS

#### Delegation of Authority

Pacific Northwest Region Order No. 3, approved March 6, 1972, and published in the FEDERAL REGISTER of March 28, 1972 (37 FR 6325), is amended by the following change in Section 2(d) and by the addition of Section 2(g):

Section 2(d) Regional Chief, Land Acquisition Division. The Regional Chief, Land Acquisition Division, is authorized to execute the land acquisition program as follows:

(1) Approve and accept offers to sell to or exchange with the United States, lands or interests in lands, and to execute all necessary agreements and conveyances incident thereto.

(2) Accept deeds conveying to the United States lands or interests in lands.

(3) Approve on behalf of the National Park Service offers of settlement in condemnation cases.

(4) Approve claims for reimbursement under Public Law 91–646.

Section 2(g) Field Land Acquisition Officers. All Field Land Acquisition Officers are authorized to exercise authority with respect to the following:

(1) Approve and accept offers to sell to or exchange with the United States lands or interests in lands when the amount involved does not exceed $250,000.

(2) Accept deeds conveying to the United States lands or interests in lands.

(3) Approve claims for reimbursement under Public Law 91–646 when the amount involved does not exceed $5,000.

Dated: August 29, 1977.

RUSSELL E. DICKENSON,
*Regional Director,*
*Pacific Northwest Region.*

[FR Doc.77-27952 Filed 9-23-77;8:45 am]

### Office of the Secretary

[INT DES 77-32]

### GRAZING MANAGEMENT: UNCOMPAHGRE BASIN RESOURCE AREA, COLORADO

#### Availability of Draft Environmental Statement

Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement on grazing management in the Uncompahgre Basin Resource Area, Colorado, and invites written comments by November 10, 1977.

The draft statement analyzes environmental impacts that would result from implementation of allotment management plans, including necessary range improvements, on 91 percent of the public lands (479,265 acres) in the resource area. Other allotments would be managed less intensively (29,940 acres) or would be entirely eliminated from grazing use (3,020 acres). The remaining 13,550 acres are not currently grazed by livestock, and that status would remain the same.

Copies of the draft statement are available for inspection at the following locations:

Bureau of Land Management, Office of Information, Interior Building, 18th and C Streets, NW., Washington, D.C. 20240, (Phone 202–343–5717).

Bureau of Land Management, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202, (Phone 303–837–4481).

Montrose District Office, Bureau of Land Management, Highway 550 South, P.O. Box 1269, Montrose, Colo. 81401, (Phone 303–249–7791).

Uncompahgre Basin Resource Area Office, Bureau of Land Management, 307 Main, Montrose, Colo. 81401 (Phone 303–249–6624).

PUBLIC LIBRARIES

Montrose Regional Library, 434 South First, Montrose, Colo. 81401.

Delta City Public Library, 563 Palmer, Delta, Colo. 81416.

Ouray Library, Sixth Avenue, Ouray, Colo. 81427.

Paonia Public Library, Paonia, Colo. 81428.

Conservation Library, Denver Public Library, 1357 Broadway, Denver, Colo. 80206.

COUNTY COURTHOUSES

Montrose County, Montrose, Colo.

Delta County, Delta, Colo.

Ouray County, Ouray, Colo.

Gunnison County, Gunnison, Colo.

Single copies of the draft statement can be obtained from the District Manager, Montrose District Office; the Area Manager, Uncompahgre Basin Resource Area; or the State Director, Colorado State Office, at the addresses listed above.

Written comments on the draft environmental statement should be submitted by November 10, 1977, to the District Manager, Montrose District Office, Bureau of Land Management, Highway 550 South, P.O. Box 1269, Montrose, Colo. 81401.

Oral and written comments will also be received at public hearings on November 1, 1977, at the Elks Lodge, 415 Hillcrest Drive, Montrose, Colo. 81401. Hearings are scheduled for 1 p.m. and 7 p.m.

Oral testimony of 10 minutes maximum duration will be accepted from each witness at the hearing in lieu of written comments or in addition to any written comments submitted by such witness. The 10-minute time limitation will be strictly enforced. The complete text of prepared speeches may be filed with the presiding officer at the hearing whether or not the speaker has been able to finish with oral delivery in the allotted 10 minutes.

Speakers will be heard, if present, in their established order on the witness list. After the last listed witness has been heard, the presiding officer will consider the request of any other person present and wishing to testify. Only one witness will be allowed to represent the viewpoints of a single organization. However, any witness will be permitted to give germane testimony if offered as the views or opinions of a private citizen.

Written requests to testify orally should be received at the Montrose District Office at the above address prior to close of business of October 19, 1977. Requests should identify the organization represented and should be signed by the prospective witness. The cut-off date is necessary so that a witness list can be made available on the day before the public hearing.

Comments on the draft environmental statement, whether written or oral, will

receive equal consideration in preparation of a final environmental statement.

LARRY E. MEIEROTTO,
*Deputy Assistant Secretary.*

SEPTEMBER 21, 1977.

[FR Doc.77-27991 Filed 9-23-77;8:45 am]

## PRIVACY ACT OF 1974

### Transfer of Systems of Records

SEPTEMBER 6, 1977.

Pursuant to Pub. L. 94-422, the Advisory Council on Historic Preservation (ACHP) was established as an independent agency. See FR Doc. 77-28021 appearing in the Notices Section of this issue.

Notice is hereby given that the following two National Park Service systems of records have been transferred to that agency, effective April 1, 1977.

NPS-9—Advisory Council on Historic Preservation Membership.
NPS-11—Congressional Correspondence, Advisory Council on Historic Preservation.

The new titles are, respectively:

ACHP-1—Advisory Council on Historic Preservation Membership—Advisory Council on Historic Preservation, Executive Office, 1.
ACHP-2—Congressional Correspondence—Advisory Council on Historic Preservation—Office of General Counsel, 2.

Inquires concerning this transfer should be made to Advisory Council on Historic Preservation; 1522 K Street, NW., Suite 510, Washington, D.C. 20005.

RICHARD R. HITE,
*Deputy Assistant Secretary of the Interior.*

[FR Doc.77-27918 Filed 9-23-77;8:45 am]

# INTERNATIONAL TRADE COMMISSION

[Investigation 337-TA-36]

## CERTAIN PLASTIC FASTENER ASSEMBLIES

### Continuance of Second Preliminary Conference

Notice is hereby given that the second Preliminary Conference noticed for September 26, 1977 in connection with the above styled investigation, is hereby continued until Thursday, October 6, 1977, at 11:00 a.m. in Room 119, U.S. International Trade Commission, 701 E Street, NW., Washington, D.C. Notice of this investigation was published in the Federal Register on August 11, 1977 (42 FR 40786). The purposes of this preliminary conference are to exchange discovery plans, to discuss the procedures which will be followed in pursuing such discovery, and to resolve any other matters necessary to the conduct of this investigation.

The Secretary shall serve a copy of this Notice upon all parties of record and shall publish it in the FEDERAL REGISTER.

Issued: September 21, 1977.

ITALO H. ABLONDI,
*Presiding Officer.*

[FR Doc.77-28027 Filed 9-23-77;8:45 am]

[AA1921-Inq.-7]

## METHYL ALCOHOL FROM BRAZIL

### Inquiry and Hearing

The United States International Trade Commission (Commission) received advice from the Department of the Treasury (Treasury) on September 13, 1977, that, during the course of determining whether to institute an investigation with respect to methyl alcohol from Brazil in accordance with section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)), Treasury had concluded from the information available to it that there is substantial doubt that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of this merchandise into the United States. Therefore, the Commission on September 19, 1977, instituted inquiry AA1921-Inq.-7, under section 201(c)(2) of that act, to determine whether there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

The Treasury advised the Commission as follows (confidential data deleted by the Commission):

DEAR MR. CHAIRMAN: In accordance with section 201(c) of the Antidumping Act of 1921, as amended, an antidumping investigation is being initiated with respect to methyl alcohol from Brazil. Pursuant to section 201(c)(2) of the Act, you are hereby advised that the information developed during our preliminary investigation has led to the conclusion that there is substantial doubt that an industry in the United States is being, or is likely to be injured, or is prevented from being established, by reason of the importation of this merchandise into the United States.

Information available to Treasury indicates that there have been no imports of methyl alcohol from Brazil in at least two years. U.S. domestic production of methyl alcohol increased from 1975 to 1976 and petitioner's sales and production also increased over that period. Petitioner anticipates a — percent increase in both sales and production of methyl alcohol in 1977 compared to 1976. The likelihood of injury allegation is based upon a contract for delivery of a quantity of methyl alcohol representing approximately — percent of 1976 U.S. production and — percent of 1976 U.S. sales. No deliveries under the contract have occurred to date and if the 1977 production and sales increases anticipated by petitioner are experienced by the rest of the U.S. industry, the market share held by the impending imports would be even smaller. Treasury has concluded there is substantial doubt as to whether or not an industry is likely to be injured.

Based upon the data submitted by the petitioner, a margin of sales at less than fair value appears to be approximately — percent on the impending imports of the subject merchandise from Brazil.

For purpose of this investigation, the product involved is "methyl alcohol."

Some of the enclosed data is regarded by Treasury to be of a confidential nature. It is therefore requested that the U.S. International Trade Commission consider all the enclosed information to be for the official use of the U.S.I.T.C. only, and not to be disclosed to others without prior clearance from the Treasury Department.

Sincerely yours,
ROBERT H. MUNDHEIM

*Hearing.* A public hearing in connection with the inquiry will be held at 10:00 a.m. on Monday, October 3, 1977, in Concourse D of the Whitehall Hotel, Cullen Center, 1700 Smith Street (between Pease and Jefferson) Houston, Tex. 77002. All parties will be given an opportunity to be present, to produce evidence, and to be heard at such hearing. Requests to appear at the public hearing should be received in writing in the office of the Secretary to the Commission not later than noon Wednesday, September 28, 1977.

*Written statements.* Interested parties may submit statements in writing in lieu of, and in addition to, appearance at the public hearing. A signed original and nineteen true copies of such statements should be submitted. To be assured of their being given due consideration by the Commission, such statements should be received no later than Thursday, September 29, 1977.

By order of the Commission.

Issued: September 21, 1977.

KENNETH R. MASON,
*Secretary.*

[FR Doc.77-28026 Filed 9-23-77;8:45 am]

# DEPARTMENT OF JUSTICE

### Office of the Attorney General

## MEMORANDUM OF UNDERSTANDING BETWEEN DEPARTMENT OF JUSTICE AND ENVIRONMENTAL PROTECTION AGENCY

### Civil Litigation

Whereas, the Department of Justice conducts the civil litigation of the Environmental Protection Agency;

Whereas, the conduct of that litigation requires a close and cooperative relationship between the attorneys of the Department of Justice and of the Environmental Protection Agency;

Whereas, the achievement of a close and cooperative relationship requires a clarification of the respective roles of the attorneys of the Department of Justice and of the Environmental Protection Agency;

Whereas, the Attorney General may decline to represent the Agency in particular civil actions, in which case the Agency may be represented by its own attorneys; and

Whereas, most challenges to and enforcement of regulatory standards and procedures adopted by the Environmen-

tal Protection Agency involve scientific, technical, and policy issues and determinations developed in lengthy rulemaking proceedings in which the Agency's attorneys have been involved and can provide the necessary expertise.

Now, therefore, the following memorandum of understanding is entered into between the Attorney General of the United States and the Administrator of the Environmental Protection Agency for the purpose of promoting the efficient and effective handling of civil litigation involving the Environmental Protection Agency:

1. The Attorney General of the United States (hereinafter referred to as the "Attorney General") shall have control over all cases to which the Environmental Protection Agency (hereinafter referred to as the "Agency") or the Administrator of the Environmental Protection Agency (hereinafter referred to as the "Administrator") is a party.

2. When requested by the Administrator, the Attorney General shall permit attorneys employed by the Agency (hereinafter referred to as "Agency participating attorneys") to participate in cases involving direct review in the Courts of Appeal and shall also permit such attorneys to participate in other civil cases to which either the Agency or the Administrator are a party; *Provided, however*, That:

(a) The Administrator or his delegate shall designate a specific Agency participating attorney for each case and shall communicate the name of such attorney in writing to the Attorney General;

(b) Such Agency participating attorney shall be subject to the supervision and control of the Attorney General; and

(c) If required by the Attorney General, an Agency participating attorney shall be appointed as a Special Attorney or Special Assistant United States Attorney and take the required oath prior to conducting or participating in any kind of Court proceedings.

3. Agency attorneys shall not file any pleadings or other documents in a court proceeding without the prior approval of the Attorney General.

4. It is understood that participation by Agency attorneys under this memorandum includes appearances in Court, participation in trials and oral arguments, participation in the preparation of briefs, memoranda and pleadings, participation in discussions with opposing counsel, including settlement negotiations, and all other aspects of case preparation normally associated with the responsibilities of an attorney in the conduct of litigation; *Provided, however*, That the Attorney General shall retain control over the conduct of all litigation. Such control shall include the right to allocate tasks between attorneys employed by the Department of Justice and Agency participating attorneys. In allocating tasks between the Department's and the Agency's attorneys, the Attorney General shall give due consideration to the substantive knowledge of the respective attorneys of the matter at issue so that the Government's resources are utilized to the best advantage.

5. In the event of any disagreement between attorneys of the Department of Justice and of the Agency concerning the conduct of any case, the Administrator may obtain a review of the matter in question by the Attorney General. The Attorney General shall give full consideration to the views and requests of the Agency and shall make every effort to eliminate disagreements on a mutually satisfactory basis. In carrying out such reviews, the Attorney General shall consult with the Administrator. In implementing this provision, it is understood that the Attorney General will not be expected by the Administrator to interfere with the direction of any trial in progress.

6. The settlement of any case in which the Department of Justice represents the Agency or the Administrator shall require consultation with and concurrence of both the Administrator and the Attorney General.

7. The Administrator and the Attorney General shall make an annual review of both the Department's and the Agency's personnel requirements for Agency litigation. The Attorney General and the Administrator will cooperate in making such appropriation requests as are required to maintain their respective staffs at a level adequate to the needs of the Agency's litigation.

8. The Attorney General shall establish specific deadlines, not longer than 60 days, within which the Department's Attorneys must either file complaints in Agency cases or report to the Attorney General why any such complaint has not been filed. In the event any Department Attorney does not file a complaint, he shall thereafter submit further periodic reports to the Attorney General until the complaint is filed or a decision is reached that it shall not be filed. Copies of the reports required by this section shall be provided to the Agency if requested.

9. If the Attorney General fails to file a complaint within 120 days of the referral of a request for litigation and a litigation report by the Agency to the Attorney General, then the Administrator may request the Attorney General to file a complaint within 30 days. Failure of the Attorney General to thereafter file a complaint within the said 30 days may be considered by the Administrator or his delegate to be a failure of the Attorney General to notify the Administrator within a reasonable time that he will appear in litigation for purposes of section 305 of the Clean Air Act, 42 U.S.C. 1857h–3, section 506 of the Federal Water Pollution Control Act, 33 U.S.C. 1366, or section 1450 of the Safe Drinking Water Act, 42 U.S.C. 300j–9; *Provided, however*, That the failure of the Attorney General to file a complaint within the time period requested by the Administrator in a case in which the Administrator requested immediate action under sections 311(e) and 504 of the Federal Water Pollution Control Act, 33 U.S.C. 1321, 1364; section 303 of the Clean Air Act, 42 U.S.C. 1857h–1; or section 1431 of the Safe Drinking Water Act, 42 U.S.C. 300i; to protect public health may also be considered by the Administrator to be a failure of the Attorney General to so notify the Administrator under section 305 of the Clean Air Act, section 506 of the Federal Water Pollution Control Act or section 1450 of the Safe Drinking Water Act.

10. All requests of the Agency for litigation shall be submitted by the Agency through its General Counsel or its Assistant Administrator for Enforcement to the Assistant Attorney General for the Land and Natural Resources Division or for the Civil Division, except matters requiring an immediate temporary restraining order may be submitted by regional Administrators of the Agency simultaneously to a United States Attorney and the appropriate Assistant Attorney General. All requests for litigation shall be accompanied by a standard litigation report which shall contain such information as shall be determined from time-to-time by the Attorney General to be necessary in order to prosecute Agency litigation. Similar reports shall also be provided for suits in which the Agency or the Administrator is a defendant, as requested by the Attorney General.

11. The Agency shall make the relevant file of any matter that is the subject of litigation available to attorneys for the Department of Justice at a convenient location when a request for litigation is submitted or when the Department is required to defend the Agency or the Administrator.

12. The Administrator shall undertake to review the Agency's procedures for the preparation of the record in cases involving direct review in the Courts of Appeal, including analyses of such matters as assembly, indexing, pagination, timing of preparation, and the allocation of tasks between the Agency and the Department. The Administrator shall consult with the Attorney General on the reexamination of these procedures.

13. The negotiation of any agreement to be filed in court shall require the authorization and concurrence of the Attorney General.

14. In conducting litigation for the Administrator, the Attorney General shall defer to the Administrator's interpretation of scientific and technical matters.

15. Nothing in this agreement shall affect any authority of the Solicitor General to authorize or decline to authorize appeals by the Government from any district court to any appellate court or petitions to such courts for the issuance of extraordinary writs, such as the authority conferred by 28 CFR 0.20, or to carry out his traditional functions with regard to appeals to or petitions for review by the Supreme Court.

16. In order to effectively implement the terms of this Memorandum, the Attorney General and the Administrator

will transmit copies of this Memorandum to all personnel affected by its provisions. This Memorandum shall not preclude the Department and the Agency from entering into mutually satisfactory arrangements concerning the handling of a particular case.

17. This Agreement shall apply to all cases filed on or after the date of approval of this Agreement by the Attorney General and the Administrator.

18. The Attorney General and the Administrator may delegate their respective functions and responsibilities under this Agreement.

19. The Department and the Agency shall adjust the conduct of cases arising before the effective date of this Agreement in a manner consistent with the spirit of this Agreement.

Date: June 15, 1977.

GRIFFIN B. BELL,
*Attorney General.*

Date: June 13, 1977.

DOUGLAS M. COSTLE,
*Administrator, Environmental Protection Agency.*

[FR Doc.77-27989 Filed 9-23-77;8:45 am]

## UNITED STATES COMMITTEE ON SELECTION OF FEDERAL JUDICIAL OFFICERS

### Change of Meeting Place

Chairman: Judge David W. Dyer. The place of the second meeting for the United States Committee on Selection of Federal Judicial Officers has been changed.

The second meeting will begin Monday, October 10, 1977, at 9 a.m., in Room 802, of the AFL–CIO Building, 815 16th Street, NW., Washington, D.C. The meeting will continue October 11, 1977 at 9 a.m. in the United States Court of Claims, 717 Madison Place, N.W., Washington, D.C., and will continue, if necessary, through Wednesday, October 12, 1977. The purpose of this meeting will be to conduct interviews of applicants and to determine the recommendations to be made to the President. This meeting wil be closed to the public pursuant to Pub. L. 92–463, Section 10(D) as amended. (CF U.S.C. 552b(c)(6).)

JOSEPH A. SANCHES,
*Advisory Committee Management Officer.*

SEPTEMBER 21, 1977.

[FR Doc.77-27919 Filed 9-23-77;8:45 am]

### Federal Bureau of Investigation

## NATIONAL CRIME INFORMATION CENTER ADVISORY POLICY BOARD

### Meeting

Pursuant to the Federal Advisory Committee Act (Public Law 92–463), notice is hereby given that a meeting of the National Crime Information Center (NCIC) Advisory Policy Board will be held on October 26–27, 1977, at the Hilton Palacio Del Rio Hotel, San Antonio, Texas. The meeting will begin at 9 a.m. and terminate at 5 p.m. each day.

The purpose of this meeting will be to discuss policy matters relating to NCIC including storage and retrieval of stolen construction equipment data, retention period for nonexpiring license tags and other topics which are presented to the Board.

The meeting will be open to the public. Persons who wish to make statements and ask questions of the Board members must notify the Designated Federal Employee (DFE) identified below or the Assistant Director, Administrative Services Division, FBI, Washington, D.C. 20535, at least 24 hours prior to the commencement of the session. Name, corporate designation, consumer affiliation or government designation must be provided along with a capsulized version of the statement to be given and an outline of the material to be offered.

Additional information may be obtained from the DFE, Mr. Frank B. Buell, Chief, NCIC Section, Administrative Services Division, FBI Headquarters, Washington, D.C. 20535, telephone 202–324–2606.

Minutes of the meeting will be available upon request from the above designated FBI official.

CLARENCE M. KELLEY,
*Director.*

[FR Doc.77-24592 Filed 9-23-77;8:45 am]

# LIBRARY OF CONGRESS

### Copyright Office

[Docket RM 77-9]

## APPLICATIONS FOR REGISTRATION OF CLAIM TO COPYRIGHT UNDER REVISED COPYRIGHT ACT

### Inquiry

AGENCY: Library of Congress, Copyright Office.

ACTION: Inquiry.

SUMMARY: The purpose of this notice is to inform the public of certain issues the Copyright Office is considering in connection with the creation of forms to be used by the public in applying for copyright registration after December 31, 1977. The forms are required to be prescribed by the Register of Copyrights under section 409 of the Act for General Revision of the Copyright Law. The issues under consideration concern the parties entitled to apply for copyright registration under various circumstances, together with certain elements to be incorporated in the forms and their accompanying instructions.

DATES: Comments must be received on or before October 11, 1977 to be assured of consideration. Because of constraints imposed by printing requirements in connection with the new application forms, extensions will not be possible.

ADDRESSES: Five copies of all comments should be submitted, if by mail, to: Office of the General Counsel, Copyright Office, Library of Congress, Caller No. 2999, Arlington, Virginia 22202; or, if by hand, to: Office of the General Counsel, Copyright Office, Room 519, Crystal Mall, Building No. 2, 1911 Jefferson Davis Highway, Arlington, Va.

FOR FURTHER INFORMATION, CONTACT:

Jon Baumgarten, General Counsel, Copyright Office, Library of Congress, Washington, D.C. 20559, (703–557–8731).

SUPPLEMENTARY INFORMATION: Sections 408(a) and 409 of Pub. L. 94–553 (90 Stat. 2541) together provide that "at any time during the subsistence of copyright in any published or unpublished work, the owner of copyright or of any exclusive right in the work may obtain registration of the copyright claim" by submitting an appropriate deposit of the work, fee, and application in form prescribed by the Register of Copyrights. Section 408(d) provides that the Register "may also establish, by regulation, formal procedures for the filing of an application for supplementary registration, to correct an error in a copyright registration, or to amplify the information given in a registration."

The purpose of this notice is to offer the public the opportunity to comment on certain matters the Office is considering in connection with the content of application forms for basic and supplementary copyright registration. Although the matters in question are essentially of an interpretative and policy nature, we believe it appropirate to offer them for public comment. These matters pertain to the impact of the doctrine of "divisibility" of copyright on applications for registration.

The divisibility doctrine is reflected throughout the new Act, but is essentially set forth in: (i) section 101, which defines a "copyright owner", with respect to any one of the exclusive rights comprised in a copyright, as "the owner of that particular right"; and (ii) section 201(d)(2), which states that "any of the exclusive rights comprised in a copyright, including any subdivision of the rights [of reproduction, adaptation, distribution, performance, and display] specified by section 106, may be transferred * * * and owned separately." The specific issues which are under consideration, and which will be reflected in the application forms for basic and supplementary registration, may be summarized as: (1) Who is entitled to apply for registration? (2) how many registrations may be made for a particular work?

For the purpose of this discussion, a "basic registration" means a registration made on application under section 408(a) with appropriate deposit and fee; a "supplementary registration" means a registration made on application under section 408(d), to correct or amplify the information in a basic registration.

1. *Who is entitled to apply for a basic registration where there has been no earlier basic registration for the work?*

Under section 408(a), it is clear that the owner of the copyright, or of any

exclusive right in a work, is entitled to apply for a basic registration where no earlier basic registration has been made for the work. We are considering whether, after an author has transferred "all rights" in a work, that author may seek a basic registration.

Where an author retains a royalty interest in the exploitation of his or her work by a transferee of the rights, the author remains a beneficial owner of the copyright[1] and, we believe, should be entitled to make a basic registration for the work. Even where the author has not retained a continuing financial interest in the exploitation of the work, it appears questionable whether that author should be considered any less a copyright owner for the purpose of registration, or be otherwise deprived of the right to secure a basic registration for the work he or she has created. For example, under section 201(a) of the Act the author is the initial owner of all rights comprised in the copyright, and may be considered to retain an ownership interest sufficient for registration purposes by reason of a limited term or grant, or contractual or statutory termination privileges.

2. *How many basic registrations may be made for a particular work?*

Section 408(a) provides that the owner of copyright or of any exclusive right may obtain a basic registration at any time during the subsistence of copyright. We do not believe this to imply that multiple basic registrations for the same work ar generally permitted under the Act. Similarly, we do not believe that those sections of the Act which make certain benefits conditional upon registration should be considered to impose upon the public the obligation, and cost, of multiple registrations for the same work in order to secure those benefits.

That there is a "general rule against allowing more than one registration (i.e., basic registration) for the same work" is clear from the legislative history of the Act. H.R. Rep. No. 94-1476, 94th Cong., 2d sess., Sept. 3, 1976, at 155; S. Rep. No. 94-473, 94th Cong., 1st sess., Nov. 20, 1975, at 138. Section 408(e) of the Act, which expressly permits an additional basic registration to be made for the published edition of a work registered in unpublished form, is a statutory recognition of this general rule, and would be meaningless otherwise. Although section 408(a) refers to registration "of the copyright claim," we do not believe that this indicates a basic registration to be personal to, or limited to the rights owned by, the applicant. Registration is made for the work, and the reference to "claim" is clearly intended in its historical copyright context, that is, to indicate an assertion of copyright in the work by the applicant as distinct from a governmental grant of rights.

[1] See H.R. Rep. No. 94-1476, 94th Cong., 2d Sess., Sept. 3, 1976, at 159; S. Rep. No. 94-473, 94th Cong., 1st sess., Nov. 20, 1975, at 141.

In view of the above, we plan to adopt the general position that the Copyright Office will not knowingly make more than one basic registration for the same work. The form to be prescribed for applications for basic registration will be designed to elicit information on earlier registrations and, unless it falls within one of the qualifications or exceptions discussed below, an application for a second basic registration will be refused. (As the registration system is intended to make a public record of copyright in a work, and not to resolve conflicting claims to the ownership of copyright, we will not establish priorities of applicants either between authors and other copyright owners, or among copyright owners other than authors.)

As a result of the positions just discussed, it will be possible under the new Act for the owner of only one or part of the exclusive rights in a work to make the basic registration for that work, without identifying other owners and their rights. (The author of the work will be identified.) As indicated earlier, we believe that a basic registration made by any one owner is sufficient to secure the statutory benefits of registration to the author of the work and all other owners of rights in the work.[2] However, where the basic registration for a work has been made by the author or the owner of one or more exclusive rights, and the owner or owners of other exclusive rights wishes those rights to be made a matter of public record, the Office does plan to permit a supplementary registration under section 408(d), "to amplify" the information given in the basic registration for the work.[3] At the same time it must be understood that a supplementary registration made to place the ownership of additional specified rights on public record will not serve as a substitute for recordation of the instrument under which that owner has acquired the rights.

Section 205(d) of the Act provides that "[n]o person claiming by virtue of a transfer to be the owner of copyright or of any exclusive right under a copyright is entitled to institute an infringement action under this title until the instrument of transfer under which such person claims has been recorded in the Copyright Office. * * *" The mere making of a supplementary registration to reflect acquired rights in a work would not meet the condition of this section. Similarly, a supplementary registration of additional rights will not be considered a recordation of the transfer of those rights so as to give constructive notice of the facts of the transfer under section 205(c) of the Act, or to assure priority over a conflicting transfer or license under section 205 (e) or (f). In each of these cases recordation of a document evidencing the transfer rather than a supplementary registration pertaining to rights acquired in the work would be necessary.

Where a basic registration has been made by the owner of an exclusive right in a work, other than the author, the Office also plans to permit the author to make a supplementary registration for the work. The author may, for example, wish our records to reflect his or her retained or continued legal or beneficial ownership of certain rights. The recordation of a document of transfer is an inappropriate, burdensome and in many cases an unclear way to reflect retained rights, and supplementary registration may be the most practical method of accomplishing this purpose. At the same time, we do not believe there is any obligation on an author to make such a registration.

3. *Exceptions and qualifications to the general rule against more than one basic registration for a work.*

Although the application forms for basic and supplementary registration are planned to reflect the general rule against multiple basic registrations for a work, certain exceptions and qualifications must also be accommodated.

(a) Where the work for which a second (or other) basic registration is sought contains sufficient new copyrightable matter to constitute a compilation or derivative work, and the application clearly relates to that new matter, an additional basic registration can be made.

(b) Section 408(e) of the Act expressly permits an additional basic registration to be made where an earlier basic registration pertains to the work in unpublished form, and the second basic registration is sought for the first published edition of that work.

(c) A supplementary registration presupposes the validity of the basic registration it is designed to amplify. Where an applicant for a second basic registration for a particular work asserts that an earlier basic registration for the work was unauthorized and legally invalid, we do plan to permit the additional basic registration. Since we will not adjudicate or resolve such assertions or conflicts, it would not be appropriate either to cancel the first basic registration or to relegate the second applicant to a supplementary registration.

(d) We are giving serious consideration to permitting a second basic registration for a work in one other situation. Where someone other than the author is identified as the copyright owner in the earlier basic registration, and the author is now seeking a basic registration in his or her own name as copyright owner, there may be grounds for permitting the author to do so. Recordation of transfers

[3] This is discussed more fully in paragraph 4, below.

[2] Supplementary registrations will also be available to authors and other copyright owners to correct errors in a basic registration and to amplify, explain or reflect changes in other information given in a basic registration. Supplementary registration made for these purposes may pertain to a basic registration made by another author or copyright owner in the same work.

of copyright ownership are essentially directed at the transferee, not at the author from whom all rights derive; as indicated earlier they are a cumbersome, impractical, and inappropriate way of making a public record of an author's retained rights in a work. Also, as noted earlier, it may be asserted that for purposes of registration an author always retains some legal or equitable interest in the ownership of copyright in a work by reason of, for example, a royalty interest in its exploitation, an express limitation on the scope or term of grant, or a contractual or statutory possibility of termination of a transfer.

Although we plan to make supplementary registrations available to authors who wish to make a public record of their interest, supplementary registrations are ancillary to the principal public record of copyright. We therefore recognize that to prohibit an author from securing a basic registration in his or her own name as copyright owner where an earlier basic registration has been made for the work may conflict with the fundamental thrust of the new Act in identifying copyright, and the origin of all rights comprised in a copyright, with the author. We are equally concerned, however, that to acknowledge an exception for authors may work to their disadvantage.

As indicated earlier, and discussed more fully below, we believe that a valid basic registration by one owner (or author) will secure the statutory benefits of registration to all authors and other owners of rights in the work. Accordingly, we do not believe that a refusal of a second basic registration will injure the second applicant (whether author or other copyright owner) in enforcing his or her rights; indeed, our refusal to make multiple basic registrations for the same work is intended, in part, to avoid any implication that all authors and owners must register their claims in order to enforce their rights. We are concerned that permitting an author to make a basic registration for a work, after an earlier basic registration has been made, may lead to legal or judicial implication that authors must bear the expense of registration in order to enforce their rights.

In considering the possibility of exception for authors to the general rule of "one basic registration per work", we are also considering whether the exception should be applied in cases where (i) the earlier basic registration was made by one co-author of the work, and the second application is made by another co-author; and (ii) the work is one made for hire.

4. *Effect of a single basic registration.*

Several sections of the new Copyright Act provide inducements to copyright "registration." The purpose of copyright registration is to make a public record of claimed copyright protection in the work for which it is made, not to reflect the division of copyright in that work among different owners. The benefits accorded to registration are to encourage that record. Although "any of the exclusive rights comprised in a copyright may be transferred * * * and owned separately" (§ 201(d)(2)), transfers of rights are to be reflected by recordation of the underlying document. Accordingly, we believe that the statutory benefits of registration are effective upon one basic registration being made for the work; they are not personal to the owner of the rights who has secured the registration, nor limited to the preservation or enforcement of those rights. Similarly, a supplementary registration is not required in order to assure these benefits to the author or owners of other rights. (However, as indicated above, an application for supplemental registration made to place the owner of other rights on public record will not be refused.)

Specifically:[4]

(a) Under section 205(c)(2) of the Act, the recordation of a document in the Copyright Office will give constructive notice of the facts stated, provided that registration has been made for the work. One basic registration will suffice for this purpose, and that basic registration need not be in the name of a party to the document. Since this section pertains to the effect of recording a document which itself evidences a transfer of rights, there is no reason to require that the registration be in the name of such a party.

(b) Section 405(a)(2) of the Act provides that the omission of a copyright notice from publicly distributed copies or phonorecords does not invalidate the copyright in a work, if among other conditions, registration for the work has been made or is made within five years after the publication without notice. The purpose of registration in this case is clearly to protect the public by evidencing a claim to copyright protection; the identity of the owner of particular rights is immaterial to this purpose. Accordingly a single basic registration made by any author or copyright owner will satisfy this condition, and the basic registration need not be in the name of the owner of the exclusive right to exploit the work in the particular form of copies or phonorecords from which the notice was omitted.

(c) Under section 411(a) of the Act, "registration of the copyright claim" must be made before an action for infringement is instituted. A basic registration made by any author or copyright owner will be sufficient to allow an action to be brought by any author or other copyright owner of the work, provided that the plaintiff has recorded an appropriate document under section 205(d). There is no reason to believe that Congress intended to require both recordation and registration of particular rights as a condition of suit.

(d) Section 412 of the Act prohibits a judicial award of statutory damages or attorney's fees in certain cases where an infringement is committed before registration of a work. A timely registration made by any author or copyright owner will preserve the possibility of such remedies for any other author or copyright owner of the work. The section is clearly intended as an inducement to make a public record of protection and, as recordation of a transfer is required before a suit under section 205(d), no purpose would be served by requiring the registration to be made in the name of the plaintiff for these purposes. Additionally, such a requirement would render the specific 3-month provision of section 412(2) meaningless, or prevent the award of statutory damages and attorney's fees to any owner of rights first exploiting the work more than three months after its first publication.

There are sections of the new statute that pertain to a record of particular authors or other owners of rights in a work for purposes other than constructive notice or judicial enforcement of rights under a recorded document. In these cases, the recordation records, special records of identity, or, where appropriate, supplementary registration may be utilized and there is no requirement that a basic registration be obtained in the name of the author or owner for these purposes. These provisions include: (i) identification of the owner of the right to receive royalties under the compulsory license for phonorecords (§ 115(c)(1)); (ii) identification of one or more of the authors of an anonymous or pseudonymous work (§ 302(c)); (iii) identification of the copyright owner where an error has been made in the copyright notice (§ 406(a)); and (iv) the identification of persons having an interest in the copyright for purposes of notice of suit (§ 501(b)). Similarly, the Office does not plan to require that persons requesting an import statement under section 601(b)(2) of the Act be, or be designated by, the person identified as copyright owner in a basic registration for the work.[5]

Under section 410(c) of the Act, a "certificate of a registration made before or within five years after the first publication of the work shall constitute prima facie evidence of the validity of the copyright and of the facts stated in the certificate." The language and history of the Act indicate that certificates of both basic and supplementary registration may be given such effect. See Supplementary Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law: 1965 Revision Bill, May 1965 at 123.

Under section 408(b) of the Act, certain applications for basic registration

[4] The following is by way of explanation of certain actions to be taken by the Copyright Office, and will not necessarily be reflected in regulations.

[5] Under exceptional circumstances, a second basic registration for a work may become necessary under section 601(d)(3). In such cases, the Copyright Office will consider a request for a second basic registration made at the appropriate time.

are to be accompanied by copies or phonorecords of "the best edition" of the work. The "best edition" is defined in section 101 as "the edition, published in the United States at any time before the date of deposit, that the Library of Congress determines to be most suitable for its purposes." Accordingly, the required deposit * in these cases will be determined by Library of Congress acquisition policy and will not necessarily be the form in which the applicant for a basic registration has exploited his or her rights. For example, if a hardcover edition of a work is considered to be the "best edition," an applicant for basic registration who claims copyright ownership by reason of exclusive paperback rights in a work will be entitled to a basic registration if no earlier basic registration has been made for the work. However, the paperback publisher will be required to deposit copies of the hardcover edition of that work if such an edition has been published in the United States, since that would be considered the "best edition."

(17 U.S.C. 207, and under the following sections of Title 17 U.S. Code as amended by Pub. L. 94-553: 408; 409; 702.)

Dated: September 21, 1977.

BARBARA RINGER,
*Register of Copyrights.*

Approved:

DANIEL J. BOORSTIN,
*Librarian of Congress.*

[FR Doc.77-28035 Filed 9-23-77;8:45 am]

## NATIONAL COMMISSION FOR MANPOWER POLICY

### MEETING

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463; 86 Stat. 770) notice is hereby given that the National Commission for Manpower Policy will conduct a field review on the net employment effects of the public service employment (PSE) program on November 3 and November 4, 1977. The meeting will be held in the South Ballroom of the Stouffer's Denver Inn located at 3203 Quebec Street, Denver, Colorado. The reviews will commence at 9:00 a.m. and conclude at 4:00 p.m. on both days.

The National Commission for Manpower Policy was established pursuant to Title V of the Comprehensive Employment and Training Act of 1973 (Pub. L. 92-203). The Act charges the Commission with the broad responsibility of advising the Congress, the President, the Secretary of Labor, and other Federal agency heads on national manpower issues. The Commission is specifically charged with reporting annually to the President and the Congress on its findings and recommendations with respect to the Nation's manpower policies and programs. The Emergency Jobs Programs Extension Act of 1976 directs the Commission to study and report to Congress on the net employment effects of PSE programs under Title II and Title VI of the Comprehensive Employment and Training Act.

The purpose of the review is to elicit the views of those at the state and local level (in and out of government) on the effects and effectiveness of the public service employment program. Among the issues to be addressed are:

1. What goals and objectives are developed by state and local governments for the PSE programs? How are these goals developed so that they are supportive of national goals; provide needed public services; and are supportive of other services?

2. To what extent has PSE resulted in an increase in the provision of services by state or local governments? Has PSE been instrumental in maintaining the level of services where they would have otherwise been curtailed due to revenue reductions, increased costs or other factors? What types of services are being provided through the PSE programs? What types of agencies (e.g., public safety, sanitation, education) received PSE jobs? If the PSE program were reduced or phased out, to what extent would these services also be reduced or terminated?

3. To what extent has PSE resulted in an increase in the services provided by nonprofit community organizations? How has this changed as a result of the requirements of the Emergency Jobs Programs Extension Act of 1976? What types of services are being provided by community organizations with the employment provided by PSE?

4. What is the ability of state and local governments to absorb additional PSE jobs? To what extent can this be expanded by increased utilization of nonprofit community organizations? What has been the experience in implementing and increasing the PSE programs to date? What are the constraints to further increasing the size of the program?

5. What effect has the presence of the PSE program had on the personnel practices of state and local governments? Have changes been made to provide PSE employees with improved access to regular (i.e., non-PSE) jobs? Has the PSE program resulted in any changes in the composition of the regular employment of the employing jurisdiction in terms of race, sex, education, experience, or other characteristics? Can PSE be used as a means of training the hard-to-employ and then obtaining access for them to permanent, unsubsidized employment?

6. What should be the areas of concern in consideration of phasing out or phasing down the current PSE programs? What areas should be considered if the target populations or mode of operation of the current programs are to be modified? To what extent and how do changes in the scale, mode of operation, target population and/or continuity of the program effect the delivery of needed public services?

Members of the general public or other interested individuals may attend the Commission field reviews. Members of the public desiring to submit written statements to the Commission that are germane to the agenda may do so, provided such statements are in reproducible form and are submitted to the Director no later than two days before and seven days after the meeting.

Additionally, members of the general public may request to make oral statements to the Commission to the extent that the time available for the meeting permits. Such oral statements must be directly germane to the announced agenda items and written application must be submitted to the Director of the Commission three days before the meeting. This application shall identify the following: the name and address of the applicant, the subject of his or her presentation and its relationship to the agenda; the amount of time requested; the individual's qualifications to speak on the subject matter; and shall include a justifying statement as to why a written presentation would not suffice members or other participants unless these questions have been specifically approved by the Chairman.

Minutes of the meeting, working papers and other documents prepared for the meeting will be available for public inspection five working days after the field review at the Commission's headquarters located at 1522 K Street, NW., Room 300, Washington, D.C.

Signed at Washington, D.C., this 15th day of September 1977.

ISABEL V. SAWHILL,
*Director, National Commission for Manpower Policy.*

[FR Doc.77-27998 Filed 9-23-77;8:45 am]

### MEETING

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463; 86 Stat. 770) notice is hereby given that the National Commission for Manpower Policy will hold a formal meeting on October 21, 1977. The meeting wil be held in the Federal Room of the Capital Hilton Hotel located on the corner of 16th and K Streets NW., Washington, D.C. The meeting will commence at 9:00 a.m. and conclude at 4:30 p.m.

The National Commission for Manpower Policy was established pursuant to Title V of the Comprehensive Employment and Training Act of 1973 (Pub. L. 92-203). The Act charges the Commission with the broad responsibility of advising the Congress, the President, the Secretary of Labor, and other Federal agency heads on national manpower issues. The Commission is specifically charged with reporting annually to the President and the Congress on its findings and recommendations with respect to the Nation's manpower policies and programs.

The agenda will cover a review of the status of recommendations that have

* This discussion is only intended to explain the relationship between the deposit provisions and the "one registration per work" rule. Regulations pertaining to specific deposit requirements will be the subject of a separate proceeding.

been made by the Commission thus far; a discussion of the manpower role in rural America; a preliminary report on the status of the Commission's on-going study of the net employment effects of the PSE program, and the development of an outline of areas to be covered in the Commission's third annual report.

Members of the general public or other interested individuals may attend the Commission meetings. Members of the public desiring to submit written statements to the Commission that are germane to the agenda may do so, provided such statements are in reproducible form and are submitted to the Director no later than two days before and seven days after the meeting.

Additionally, members of the general public may request to make oral statements to the Commission to the extent that the time available for the meeting permits. Such oral statements must be directly germane to the announced agenda items and written application must be submitted to the Director of the Commission three days before the meeting. This application shall identify the following: the name and address of the applicant, the subject of his or her presentation and its relationship to the agenda; the amount of time requested; the individual's qualifications to speak on the subject matter; and shall include a justifying statement as to why a written presentation would not suffice. The Chairman reserves the right to decide to what extent public oral presentation will be permitted at the meeting. Oral presentations shall be limited to statements of fact and views and shall not include any question of Commission members or other participants unless these questions have been specifically approved by the Chairman.

Minutes of the meeting, working papers and other documents prepared for the meeting will be available for public inspection five working days after the meeting at the Commission's headquarters located at 1522 K Street, NW., Room 300, Washington, D.C.

Signed at Washington, D.C., this 15th day of September 1977.

ISABEL V. SAWHILL,
*Director, National Commission for Manpower Policy.*

[FR Doc.77-27999 Filed 9-23-77;8:45 am]

## NATIONAL SCIENCE FOUNDATION

### ASTRONOMY ADVISORY PANEL

#### Open Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: Astronomy Advisory Panel.
Date and time: October 13 and 14, 1977—8:30 a.m. both days.
Place: National Radio Astronomy Observatory Green Bank, W. Va.
Type of meeting: Open.
Contact person: Dr. William E. Howard III, Director, Division of Astronomical Sciences, National Science Foundation, Washington, D.C. 20550, phone 202-632-5717; or Dr. Alexander Dalgarno, Harvard College Observatory, 60 Garden St., Cambridge, Mass. 02138. Please call if you plan to attend.
Purpose of panel: To provide advice and recommendations concerning research programs, proposals, and projects in NSF-funded astronomy with the objective of achieving the highest quality forefront research for the funds allocated. To provide advise and recommendations concerning short range and long range plans in astronomy, including a recommendation of relative priorities.
Agenda: Will include the following discussion and presentations:

OCTOBER 13, 1977

8:30 a.m.—Introduction.
8:32 a.m.—Short Status Reports.
9:25 a.m.—Discussion of Budget.
10:50 a.m.—Reports from Astronomy Subcommittees.
12 M—Lunch.
1:15 p.m.—Program Review: Instrumentation.
2:30 p.m.—Manpower Task Force Report.
4 p.m.—Tour of NRAO Facilities.

OCTOBER 14, 1977

8:30 a.m.—Reports from National Centers.
12 M—Lunch.
1:15 p.m.—Long Range Plans.
2 p.m.—Problems of the Astronomical Community Voiced by Panel.
2:30 p.m.—Need for New Decade Review.
2:45 p.m.—Other Business.
4 p.m.—Date for next meeting at NSF.
4:10 p.m.—Adjourn.

M. REBECCA WINKLER,
*Acting Committee Management Officer.*

[FR Doc.77-27982 Filed 9-23-77;8:45 am]

### ADVISORY PANEL FOR SYSTEMATIC BIOLOGY

#### Meeting

In accordance with the Federal Advisory Committee Act, as amended, P.L. 92-463, the National Science Foundation announces the following meeting:

Name: Advisory Panel for Systematic Biology.
Date and time: October 13 and 14, 1977—8:30 a.m. to 5 p.m. each day.
Place: Room 540, National Science Foundation, 1800 G Street NW., Washington, D.C. 20550.
Type of meeting: Closed.
Contact person: Dr. Jason A. Lillegraven, Program Director, Systematic Biology Program, Room 336, National Science Foundation, Washington, D.C. 20550, telephone (202) 632-5846.
Purpose of panel: To provide advice and recommendations concerning support for research in systematic biology.
Agenda: To review and evaluate research proposals as part of the selection process for awards.
Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b (c), Government in the Sunshine Act.
Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of P.L. 92-463. The Committee Management Officer was delegated the authority to make such determinations by the Acting Director, NSF, on February 18, 1977.

Dated: September 21, 1977.

M. REBECCA WINKLER,
*Acting Committee Management Officer.*

[FR Doc.77-27984 Filed 9-23-77;8:45 am]

### ADVISORY PANEL FOR EARTH SCIENCES

#### Meeting

In accordance with the Federal Advisory Committee Act, as amended, Pub. L. 92-463, the National Science Foundation announces the following meeting.

Name: Advisory Panel for Earth Sciences.
Date and time: October 14 and 15, 1977—9 a.m. to 5 p.m. each day.
Place: The Lamont-Doherty Geological Observatory of Columbia University, Palisades, N.Y. 10964.
Type of meeting: Closed.
Contact person: Dr. William E. Benson, Acting Division Director, Earth Sciences, Room 602, National Science Foundation, Washington, D.C. 20550, telephone 202-632-4274.
Purpose of panel: To provide advice and recommendations concerning support for research in Earth Sciences.
Agenda: To review and evaluate research proposals and projects as part of the selection process for awards.
Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.
Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of Pub. L. 92-463. The Committee Management Officer was delegated the authority to make such determinations by the Director, NSF, on February 18, 1977.

Dated: September 21, 1977.

M. REBECCA WINKLER,
*Acting Committee Management Officer.*

[FR Doc.77-27983 Filed 9-23-77;8:45 am]

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-317]

### BALTIMORE GAS AND ELECTRIC CO.

#### Issuance of Amendment to Facility Operating License and Negative Declaration

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 24 to Facility Operating License No. DPR-53, issued to Baltimore Gas and Electric Company (the licensee), which revised the license and its appended Technical Specifications for op-

eration of the Calvert Cliffs Nuclear Power Plant Unit No. 1 (the facility) located in Calvert County, Maryland. The amendment is effective as of the date of its issuance.

The amendment authorized the licensee to operate the facility at a power level of 2700 MWt which is an increase from the previously authorized level of 2560 MWt.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of the Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on June 23, 1977 (42 FR 31844). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has prepared an environmental impact appraisal for the authorized power increase and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to the action significantly greater than that which has already been predicted and described in the Commission's Final Environmental Statement for the facility dated April 1973, and the action will not significantly affect the quality of the human environment.

For further details with respect to this action, see (1) the application for amendment dated March 24, 1977, and supplements dated June 10 and 3, and August 8, 1977, and earlier filings by the licensee dated October 1, 1976 and November 5 and 30, 1976, (2) Amendment No. 24 to License No. DPR-53, (3) the Commission's related Safety Evaluation and (4) the Commission's Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Calvert County Library, Prince Frederick, Maryland 20678. A single copy of items (2), (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 9th day of September, 1977.

For the Nuclear Regulatory Commission.

MARSHALL GROTENHUIS,
*Acting Chief, Operating Reactors Branch #2, Division of Operating Reactors.*

[FR Doc.77-27912 Filed 9-23-77;8:45 am]

[Docket Nos. 50-269, 50-270 and 50-287]

## DUKE POWER CO.

### Issuance of Amendments To Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 46, 46 and 43 to Facility Operating License Nos. DPR-38, DPR-47 and DPR-55, respectively, issued to Duke Power Company which revised the Technical Specifications for operation of the Oconee Nuclear Station, Unit Nos. 1, 2 and 3, located in Oconee County, South Carolina. The amendments are effective within 10 days after the date of issuance.

These amendments provide for the operation of Oconee Unit 3 Cycle 2 with the cycle length extended from 265 effective full power days (EFPD) to 282 EFPDs.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated July 5, 1977, (2) Amendment Nos. 46, 46 and 43 to License Nos. DPR-38, DPR-47 and DPR-55, respectively, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Oconee County Library, 201 South Spring Street, Walhalla, S.C. 29691. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 9th day of September 1977.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
*Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.*

[FR Doc.77-27915 Filed 9-23-77;8:45 am]

[Docket No. 50-322]

## LONG ISLAND LIGHTING CO. (SHOREHAM NUCLEAR POWER STATION, UNIT 1)

### Order

The prehearing conference previously scheduled for October 18, 1977, in the above-entitled matter is hereby rescheduled for October 11, 1977, to begin at 1:00 p.m., in the Port Jefferson Village Hall, 121 West Broadway (Route 25A), Port Jefferson, Long Island, N.Y.

Dated this 20th day of September 1977 at Bethesda, Maryland.

For the Atomic Safety and Licensing Board.

JOHN M. FRYSIAK,
*Chairman.*

[FR Doc.77-27916 Filed 9-23-77;8:45 am]

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[Docket No. 50-263]

## NORTHERN STATES POWER CO.

### Issuance of Amendments to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 29 to Provisional Operating License No. DPR-22 issued to Northern States Power Company (the licensee) which revised Technical Specifications for operation of the Monticello Nuclear Generating Plant (the facility), located in Wright County, Minnesota. The amendment is effective as of its date of issuance.

The amendment permits elimination of claim sampling from the Radiation Environmental Monitoring Program.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated August 9, 1977 and (2) Amendment No. 29 to License No. DPR-22. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Environmental Conservation Library, Minneapolis Public Library, 300 Nicollet Mall, Minneapolis, Minn.

A copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

Dated at Bethesda, Maryland, this 16th day of September 1977.

For the Nuclear Regulatory Commission.

WM. H. REGAN, Jr.,
*Chief, Environmental Projects Branch 2, Division of Site Safety and Environmental Analysis.*

[FR Doc.77-27913 Filed 9-23-77;8:45 am]

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[Docket Nos. 50-522 and 50-523]

## PUGET SOUND POWER AND LIGHT CO., ET AL.

### Availability of Safety Evaluation Report for Skagit Nuclear Power Project, Units 1 and 2

Notice is hereby given that the Office of Nuclear Reactor Regulation has published its Safety Evaluation Report on the proposed construction of the Skagit Nuclear Power Project, Units 1 and 2, to be located in Skagit County, Washington. Notice of receipt of Puget Sound Power and Light Company, Pacific Power and Light Company, Washington Water Power Company and the Portland General Electric Companys' application to construct and operate the Skagit Nuclear Power Project, Units 1 and 2 was published in the FEDERAL REGISTER on December 20, 1974 (39 FR 44064).

The report is being referred to the Advisory Committee on Reactor Safeguards and is being made available at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Sedro Wooley Library, 802 Ball Avenue, Sedro Wooley, Washington 98284 for inspection and copying. The report Document No. NUREG-0309 can also be purchased, at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland this 1st day of September 1977.

For the Nuclear Regulatory Commission.

JOHN F. STOLZ,
*Chief, Light Water Reactors Branch No. 1, Division of Project Management.*

[FR Doc.77-27814 Filed 9-23-77;8:45 am]

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[Docket Nos. 50-259 and 50-260]

## TENNESSEE VALLEY AUTHORITY

### Issuance of Amendments To Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 33 and 30 to Facility Operating License Nos. DPR-33 and DPR-52 issued to Tennessee Valley Authority (the licensee), which revised Technical Specifications for operation of the Browns Ferry Nuclear Plant, Unit Nos. 1 and 2 (the facility), located in Limestone County, Alabama. The amendments are effective as of the date of issuance.

The amendments change the Technical Specifications to clarify that the reactor protection system instrument channels must be operable only when there is fuel in the reactor. In addition, the changes remove the requirement for a minimum countrate on the Source Range Monitors when all the fuel is being removed from the reactor provided that all control rods are fully inserted and rendered electrically inoperable.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statment or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated August 10, 1977, (2) Amendment Nos. 33 and 30 to License Nos. DPR-33 and DPR-52, and (3) the Commission's Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Athens Public Library, South and Forrest, Athens, Alabama 35611. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 13th day of September 1977.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
*Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.*

[FR Doc.77-27914 Filed 9-23-77;8:45 am]

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## ADVISORY COMMITTEE ON REACTOR SAFEGUARDS REACTOR SAFETY STUDY WORKING GROUP

### Change of Time

The October 5, 1977 meeting of the ACRS Reactor Safety Study Working Group, announced in the FEDERAL REGISTER on September 19, page 46962, will be held at 8:30 a.m. until 1:00 p.m. instead of 1:00 p.m. until conclusion of business.

All other matters pertaining to this meeting remain the same.

Dated: September 21, 1977.

JOHN C. HOYLE,
*Advisory Committee Management Officer.*

[FR Doc.77-28080 Filed 9-23-77;8:45 am]

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## ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, WORKING GROUP NO. 3 OF THE SUBCOMMITTEE ON REACTOR SAFETY RESEARCH

### Meeting

In accordance with the purposes of sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b.), Working Group No. 3 of the ACRS Subcommitte on Reactor Safety Research will hold an open meeting on October 13, 1977, in Room 1162, 1717 H Street NW., Washington, D.C. 20555. The purpose of this meeting is to review matters pertaining to the scope of the site safety research and reactor safety improvements currently being performed and planned by the NRC.

The agenda for subject meeting shall be as follows:

THURSDAY, OCTOBER 13, 1977

8:30 A.M. UNTIL CONCLUSION OF BUSINESS

The Working Group may meet in Executive Session, with any of its consultants who may be present, to explore their preliminary opinions regarding matters which should be considered in order to formulate a report and recommendations to the full Committee.

At the conclusion of the Executive Session, the Working Group will meet to hear presentations by representatives of the NRC Staff, Energy Research and Development Administration (ERDA), industry, and their consultants, and will hold discussions with these groups pertinent to this review.

At the conclusion of this session, the Working Group may caucus to determine whether the matters identified in the initial session have been adequately covered.

Practical considerations may dictate alterations in the above agenda or schedule. The Chairman of the Working Group is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an incompleted session from one day to the next.

The Advisory Committee on Reactor Safeguards is an independent group established by Congress to review and report on each application for a construction permit and on each application for an operating license for a reactor facility and on certain other nuclear safety matters. The Committee's reports become a part of the public record. Although ACRS meetings are ordinarily open to the public and provide for oral or written statements to be considered as a part of the Committee's information gathering procedure concerning the health and safety of the public, they are not adjudicatory type hearings such as are conducted by the Nuclear Regulatory Commission's Atomic Safety &

Licensing Board as part of the Commission's licensing process. ACRS meetings do not normally treat matters pertaining to environmental impacts outside the radiological safety area.

With respect to public participation in the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda may do so by providing a readily reproducible copy to the Working Group at the beginning of the meeting. Comments should be limited to safety related areas within the Committee's purview.

Persons desiring to mail written comments may do so by sending a readily reproducible copy addressed to Dr. Richard P. Savio, ACRS, NRC, Washington, D.C. 20555. Comments postmarked no later than October 6, 1977, will normally be received in time to be considered at this meeting.

(b) Persons desiring to make an oral statement at the meeting should make a request to do so prior to the beginning of the meeting, identifying the topics and desired presentation time so that appropriate arrangements can be made. The Working Group will receive oral statements on topics relevant to its purview at an appropriate time chosen by the Chairman.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call on October 12, 1977, to the Office of the Executive Director of the Committee, telephone 202-634-1394, Attn.: Dr. Richard P. Savio, between 8:15 a.m. and 5 p.m. e.d.t.

(d) Questions may be asked only by members of the Working Group, its consultants, and the Staff.

(e) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will be allowed while the meeting is in session at the discretion of the Chairman to a degree that is not disruptive to the meeting. When use of such equipment is permitted, appropriate measures will be taken to protect proprietary or privileged information which may be in documents, folders, etc., being used during the meeting. Recordings will be permitted only during those sessions of the meeting when a transcript is being kept.

(f) A copy of the transcript of the meeting where factual information is presented and a copy of the minutes of the meeting will be available for inspection on or after October 20, 1977, and January 13, 1978, respectively, at the NRC Public Document Room, 1717 H Street NW., Washington, D.C. 20555.

Copies may be obtained upon payment of appropriate charges.

Dated: September 22, 1977.

JOHN C. HOYLE,
*Advisory Committee Management Officer.*

[FR Doc.77-28108 Filed 9-23-77;8:45 am]

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[Docket No. 50-324]

## CAROLINA POWER & LIGHT CO.

### Proposed Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendment to Facility Operating License No. DPR-61, issued to Carolina Power & Light Co. (the licensee), for operation of the Brunswick Steam Electric Plant, Unit No. 2 (the facility) located in Brunswick County, N.C.

The amendment would authorize operation of the facility in Cycle 2 after refueling in which about 25 percent of the fuel assemblies would be replaced with new fuel having a 8 X 8 array of fuel rods. The balance of the core would consist of fuel assemblies having a 7 X 7 array of fuel rods, which would remain in the core from Cycle 1 operation. Both fuel types would have two holes drilled in the lower tieplate. The proposed amendment would also change the Technical Specifications for the facility to increase the safety limit for minimum critical power ratio from 1.05 to 1.06 and to establish operating limits for both fuel types for operation in Cycle 2.

Prior to issuance of the proposed amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By October 26, 1977, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceedings, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commisison, Washington, D.C. 20555, and to Richard E. Jones, Esquire, Carolina Power & Light Co., 336 Fayetteville Street, Raleigh, N.C. 27602, and George F. Trowbridge, Shaw, Pittman, Ports & Trowbridge, 1800 M Street NW., Washington, D.C. 20036, the attorneys for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated August 22, 1977, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555, and at the Southport-Brunswick County Library, 109 West Moore Street, Southport, N.C. 28461.

Dated at Bethesda, Md., this 20th day of September 1977.

For The Nuclear Regulatory Commission.

A. SCHWENCER,
*Chief Operating Reactors Branch No. 1, Division of Operating Reactors.*

[FR Doc.77-28079 Filed 9-23-77;8:45 am]

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[Docket No. 50-155]

## CONSUMERS POWER CO.

### Request for Exemption From Requirements Concerning Emergency Core Cooling System Performance

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has received and is considered a request from Consumers Power Company for an exemption for the Big Rock Point Nuclear Power Plant (located in Charlevoix County, Michigan, and operating under Facility License No.

DPR-6) from the ECCS failure criterion of 10 CFR § 50.46, Appendix K, Paragraph I.D.1 as applied to a Loss-of-Coolant Accident followed by a concurrent single failure in the redundant core spray system. This is for an interim period. Previous requests for a plant life exemption were noticed by the Commission in August 1975 (40 FR 37273) and March 1976 (41 FR 10969). The Commission, in May 1976 (41 FR 22428), granted plant life exemptions for certain aspects of the ECC system and limited exemptions for other aspects of the system. As part of these exemptions, the Commission required additional evidence concerning nozzle spray distribution adequacy for the nozzle spray portion of the ECC spray system. The licensee performed nozzle spray studies and modified the affected nozzle to assure adequate performance. Upon review of spray distribution information, it appears that although the studies were conducted to demonstrate the adequacy of the modified ECCS nozzle spray, further evaluation also suggests some uncertainty in spray distribution from the other ECC spray system, the core ring spray system. Thus, while modifications were made to one ECC system to assure its performance, there is some uncertainty with respect to the other. This may involve a deviation from the Commission single-failure criterion for this instance.

Consumer Power Company has by letter of September 15, 1977, requested an interim exemption from this requirement for the 1978 operating fuel cycle, which will provide an opportunity to gather additional data on spray performance more directly applicable to the core ring spray system and to make modifications in such system if the studies show that modifications are in fact needed. The licensee has submitted, along with its exemption request, information in an accompanying "Technical Justification for Exemption Request" which it asserts demonstrates that the granting of the exemption will not endanger life or property. The exemption request may be granted by the Director, Nuclear Reactor Regulation upon a finding pursuant to 10 CFR § 50.12 that such exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest.

The operating limitations set forth in the licensee's submittal in accordance with 10 CFR § 50.46(a)(2)(iv) are no longer effective. Since that submittal, a new core has been proposed for operation having different fuel thermal and hydraulic characteristics, which have necessitated a revised ECCS performance evaluation, and revised ECCS-based operating limitations. Consequently, the procedural requirements of 10 CFR § 50.46(a)(2)(vi) are not applicable to the requested exemption.

The Director of Nuclear Reactor Regulation finds that it is appropriate to provide interested persons with an opportunity to comment on the exemption request, similar to that provided by the Commission in connection with the prior requests. The Director therefore invites the submission of views and comments by interested persons concerning the alternative requests for exemption made. Such views and comments should be submitted in writing, addressed to the Director, Division of Operating Reactors, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, not later than October 11, 1977.

The licensee's letter of September 15, 1977, and other documents and correspondence related to this request for exemption are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and the Charlevoix Public Library, 107 Clinton Street, Charlevoix, Michigan 39770.

Dated at Bethesda, Maryland, this 22nd day of September, 1977.

For the Nuclear Regulatory Commission.

EDSON G. CASE,
*Acting Director, Office of Nuclear Reactor Regulation.*

[FR Doc.77-28181 Filed 9-23-77;8:45 am]

## INTERSTATE COMMERCE COMMISSION

[Notice No. 228]

### MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 26, 1977.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and transfer rules, 49 CFR Part 1132:

No. MC-FC-77312. By application filed September 15, 1977, FISCHER MOTOR LINES, INC., 31207 Arrowhead, St. Clair Shores, Mich., 48083, seeks temporary authority to lease the operating rights of FAIRALL TRUCKING COMPANY, 184 Allen Road, Wyandotte, Mich., 48192, under section 210a(b). The transfer to FISCHER MOTOR LINES, INC., of the operating rights of FAIRALL TRUCKING COMPANY, is presently pending.

By the Commission.

H. G. HOMME, JR.,
*Acting Secretary.*

[FR Doc.77-28005 Filed 9-23-77;8:45 am]

[Notice No. 227]

### MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 26, 1977.

Application filed for temporary authority under section 210a(b) in connection with transfer application under Section 212(b) and transfer rules, 49 CFR Part 1132:

No. MC-FC-77311. By application filed September 16, 1977, K.N.K. TRANSCO, INC., 603 West Fourth Street, Spencer, Iowa, 51301, seeks temporary authority to lease the operating rights of IOWA PACKERS XPRESS, INC., P.O. Box 231, Spencer, Iowa, 51301, under section 210a (b). The transfer to K.N.K. TRANSCO, INC., of the operating rights of IOWA PACKERS XPRESS, INC., is presently pending.

By the Commission.

H. G. HOMME JR.,
*Acting Secretary.*

[FR Doc.77-28006 Filed 9-23-77;8:45 am]

[Notice No. 226]

### MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

The following publications include motor carrier, water carrier, broker, and freight forwarder transfer applications filed under sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act.

Each application (except as otherwise specifically noted) contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application.

Protests against approval of the application, which may include a request for oral hearing, must be filed with the Commission on or before October 26, 1977. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest must be served upon applicants' representative(s), or applicants (if no such representative is named), and the protestant must certify that such service has been made.

Unless otherwise specified, the signed original and six copies of the protest shall be filed with the Commission. All protests must specify with particularity the factual basis, and the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be presented cannot reasonably be submitted through the use of affidavits.

The operating rights set forth below are in synopses form, but are deemed sufficient to place interested persons on notice of the proposed transfer.

No. MC-FC-77272, filed July 26, 1977. Transferee: C. M. Transport, Inc., 200 South Ella Road, Lake Zurich, Ill. 60047. Transferor: Remo Ciavarella, doing business as Remo Cartage Company, 8116 West Monroe Street, Niles, Ill. 60648. Applicants' Representative: Edward G. Finnegan, Attorney, Kvistad & Finnegan, 188 West Randolph Street, Chicago, Ill. 60601. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Permits No. MC-116272 and MC-116272 (Sub-No. 2) issued November 10, 1958 and March 16, 1960, respectively, as fol-

lows: *Used baking pans*, with restrictions, between Chicago, Ill., on the one hand, and, on the other, points in Illinois, and Indiana, points in Iowa, Missouri, Michigan, and Wisconsin. Also, *used baking pans between Lake Zurich, Illinois and various points in the states of Illinois, Indiana, Iowa, Missouri, Michigan and Wisconsin*. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under section 210a(b).

No. MC–FC–77305, filed September 12, 1977. Transferee: Bill Burton & Sons, Inc., East Victory Way, P.O. Box 404, Newberry, Mich. 49868. Transferor: William J. Burton, East Victory Way, P.O. Box 404, Newberry, Mich. 49868. Applicants' representative: William B. Elmer, Attorney at Law, 21635 East Nine Mile Rd., St. Clair Shores, Mich. 48080. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC–134769, issued January 25, 1971, as follows: *Lumber*, from points in Luce County, Mich., to points in Illinois, Indiana, Ohio, and Wisconsin, with no transportation or compensation on return except as otherwise authorized. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under section 210a(b).

No. MC–FC–77306, filed September 13, 1977. Transferee: Joseph E. Nutt & Son, Inc., doing business as A–1 Limousine Service, Route 1 & Emmons Drive, Princeton, N.J. 08540. Transferor: Travel Tours, Inc. (Arthur Teich, Trustee in Bankruptcy), doing business as Travel Tours, 143 E. State Street, Trenton, N.J. 08608. Applicant's representative: Thomas C. Keck, Attorney at Law, P.O. Box L, Brick Town, N.J. 08723. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certifirate No. MC–77751, issued March 17, 1964, as follows: Passengers and their baggage, in charter operations, from Trenton, N.J., and points within 15 miles of Trenton within New Jersey to Wilmington, Del., Arlington, Alexandria, ann Mount Vernon, Va., points in the New York commercial zone, that part of Pennsylvania east of the Susquehanna River, and those in the District of Columbia and return; and from Burlington, N.J., and points in New Jersey and Pennsylvania within 10 miles of Burlingto,n N.J., to Wilmington, Del., and points in Pennsylvania on and east of U.S. Highway 11 and on and south of U.S. Highway 22 and return. Transferee presently holds no authority from this Commission. Authority has not been filed for temporary authority under Section 210a(b).

H. G. Homme, Jr.
*Acting Secretary.*

[FR Doc.77-28007 Filed 9-23-77;8:45 am]

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[Volume No. 34]

## PETITIONS FOR MODIFICATION, INTERPRETATION, OR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

*Correction*

In FR Doc. 77–26691 appearing at page 46458 in the issue for Thursday, September 15, 1977, in the middle column of page 46471, the MC number for "Olen Burrage Trucking, Inc." now reading "No. MC 13615" should have read "No. MC 136315".

# sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94–409), 5 U.S.C. 552b(e)(3).

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1

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 10 a.m., September 27, 1977.

PLACE: 2033 K Street NW., Washington, D.C., 5th floor hearing room.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public: Review policy for new and continuing contract market designation; oral report on CME actions on live cattle contract; request for review of FOIA denial.

Portions closed to the public: Enforcement matters.

CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254–6314.

[S–1430–77 Filed 9–22–77;10:38 am]

2

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: September 30, 1977, 10 a.m.

PLACE: 2033 K Street NW., Washington, D.C., 8th floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Market surveillance meeting.

CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254–6314.

[S–1431–77 Filed 9–22–77;10:38 am]

3

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

TIME AND DATE: 9:30 a.m. (eastern time), Tuesday, September 27, 1977.

PLACE: Chairman's conference room No. 5240, on the fifth floor of the Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C. 20506.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public:

(1) Freedom of Information Act Appeal 77–9–FOIA–184. A request by a party charging discrimination to examine the Commission's investigative file in the matter while the investigation is in progress.

(2) State and local agency fiscal year 1977 funding proposals.

(3) Proposed contract; National Academy of Sciences; conduct job comparability study.

(4) Proposed interagency agreement; General Services Administration; technical support for the development of a new information system for charges of discrimination.

(5) Proposed contract to print 1978 employer survey forms (EEO–1).

Portion closed to the public:

Litigation authorization; general counsel recommendations. Matters closed to the public under sec. 1612.13(a) of the Commission's regulations (42 FR 13830, March 14, 1977).

A majority of the entire membership of the Commission determined by recorded vote that Commission business required that this meeting be called for this date, and that no earlier announcement was possible.

In favor of motion: Eleanor Holmes Norton, Chair; Ethel Bent Walsh, Commissioner; Daniel E. Leach, Commissioner.

Opposed: None.

NOTE.—Any matter not discussed or concluded may be carried over to a later meeting.

CONTACT PERSON FOR MORE INFORMATION:

Marie D. Wilson, Executive Officer, Executive Secretariat, at 202–634–6748.

This notice issued September 21, 1977.

[S–1432–77 Filed 9–22–77;11:40 am]

4

FEDERAL COMMUNICATIONS COMMISSION.

TIME AND DATE: Follows 9:30 a.m. open meeting, Wednesday, September 21, 1977.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Closed Commission meeting.

CHANGES IN THE MEETING: The following agenda item should be deleted:

*Agenda, Item No., and Subject*

Hearing—3—Applications for review, filed by Melvin Pulley and by the Broadcast Bureau in the Quitman, Miss., FM proceeding (Docket Nos. 20196 and 20197).

CONTACT PERSON FOR MORE INFORMATION:

Samuel M. Sharkey, FCC Public Information Officer, telephone number 202–632–7260.

Issued: September 20, 1977.

[S–1425–77 Filed 9–21–77;2:47 pm]

5

FEDERAL POWER COMMISSION.

SEPTEMBER 21, 1977.

TIME AND DATE: September 28, 1977, 10 a.m.

PLACE: 825 North Capitol Street.

STATUS: Open.

MATTER TO BE CONSIDERED: (Agenda.)

NOTE.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION:

Kenneth F. Plumb, Secretary, telephone 202–275–4166.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda. However, all public documents may be examined in the Office of Public Information, Room 1000.

POWER AGENDA, 769OTH MEETING, SEPTEMBER 28, 1977, REGULAR MEETING

P–1.—Docket No. E–7740, Indiana & Michigan Electric Co.

P–2.—Docket No. ER77–566, New England Power Co.

P–3.—Docket No. ER77–532, Gulf Power Co.

P–4.—Docket No. ER77–523, Puget Sound Power and Light Co.

P–5.—Docket No. ER77–514, Gulf Power Co.

P–6.—Docket No. E–9068, E–9118, and E–9497, Ohio Edison Co.

P-7.—Docket No. E-9555, the Metropolitan Water District of Southern California.

P-8.—Docket Nos. E-9556, IT-5026, E-6723, E-6192, and E-6109, Central Power & Light Co., Commission Federal De Electricidad Division Golfo Nortre.

P-9.—Docket No. ES77-42, Idaho Power Co.

P-10.—Project No. 796, Arizona Salt River Project, Agriculture Improvement and Power District.

POWER AGENDA, 7690TH MEETING, SEPTEMBER 28, 1977, REGULAR MEETING

CP-1.—Docket No. ER77-573, Iowa-Illinois Gas & Electric Co.

CP-2.—Docket No. ER77-399, Washington Water Power Co. and Pacific Power and Light Co.

CP-3.—Docket Nos. ER77-574 and ER77-575, Central Vermont Public Service Corp.

CP-4.—Docket No. ER77-547, Southern California Edison Co.

CP-5.—Docket No. ER77-453, Union Electric Co.

CP-6.—Docket No. ER77-387, Ohio Power Co.

CP-7.—Docket No. ID-1805, Ben T. Ray.

CP-8.—Project No. 2552, Central Maine Power Co.

CP-9.—Docket No. E-9602, Southern California Edison Co.

MISCELLANEOUS AGENDA, 7690TH MEETING, SEPTEMBER 28, 1977, REGULAR MEETING

M-1.—Docket No. RM77-____, reliability and adequacy of electric service—Reporting of data.

M-2.—Docket No. RM76-17, research and development, advance approval of rate treatment.

M-3.—Docket No. RM77-20, associated gas distributors.

MISCELLANEOUS AGENDA, 7690TH MEETING, SEPTEMBER 28, 1977, REGULAR MEETING

CM-1.—Level B report of the Yakima Basin in Washington.

GAS AGENDA, 7690TH MEETING, SEPTEMBER 28, 1977, REGULAR MEETING

G-1.—Docket No. RP74-100 (PGA77-8), National Fuel Gas Supply Corp.

G-2.—Docket No. RP77-128, Mid Louisiana Gas Co.

G-3.—Docket No. RP72-149 (PGA77-10), Mississippi River Transmission Corp.

G-4.—Docket No. RP75-62, Cities Service Gas Co.

G-5.—Docket Nos. RP74-89 and RP73-35 (AP76-1), Trunkline Gas Co.

G-6.—Docket Nos. RP73-35 and RP74-89 (PGA76-1 and PGA76-2), Trunkline Gas Co.

G-7.—Docket Nos. RP72-74 and RP74-6, Southern Natural Gas Co.; Docket Nos. RP72-74 and RP74-6 (Phase I and Phase II), Southern Natural Gas Co.; Docket Nos. RP71-3, RP77-12, and RP77-15, *Carolina Pipeline Company* v. *Southern Natural Gas Co.*; Docket No. CP74-329, *Atlanta Gas Light Co.* v. *Southern Natural Gas Co.*

G-8.—Docket No. RI75-109, Murphy Oil Corp.

G-9.—Docket No. RI77-8, Bob M. Lloyd.

G-10.—Docket No. RI77-14, S.S.C. Gas Producing Co.

G-11.—Docket Nos. RI77-64 and CI77-238, Frio Production Co.

G-12.—Docket No. RI77-68, Mullins & Prichard.

G-13—Docket No. RI77-113, Sun Gas Co., a division of Sun Oil Co., Delaware.

G-14.—Docket No. CI76-358, Alma Oringderff.

G-15.—Docket No. CI75-110, Phillips Petroleum Co.; Docket No. CI75-145, Kerr-McGee Corp,

G-16.—Docket No. CP77-147, *Ft. Pierce Utility Authority of the City of Ft. Pierce et al.*, complainants v. *Florida Gas Transmission Co.*, et al., defendants.

G-17.—Docket No. RP75-295, Texas Gas Transmission Corp.

G-18.—Docket No. CP76-424, Kentucky West Virginia Gas Company.

G-19.—Docket No. CP77-38, Tennessee Gas Pipeline Company, a division of Tenneco Inc. and National Fuel Gas Supply Corporation.

G-20.—Docket No. CP77-485, Natural Gas Pipeline Company of America.

G-21.—Docket No. CP77-512, Clay Basin Storage Company, Docket No. CP77-389, El Paso Natural Gas Company, Docket No. CP76-389, Northwest Pipeline Corporation, Docket No. CP77-511, Northwest Pipeline Corporation, Docket No. CP76-285, Mountain Fuel Resources, Inc.

G-22.—Docket No. CP77-499, Columbia Gulf Transmission Company and Northern Natural Gas Company.

GAS AGENDA, 7690TH MEETING, SEPTEMBER 28, 1977, REGULAR MEETING

CG-1.—Docket No. RP73-92 (PGA No. 77-3a), Raton Natural Gas Company.

CG-2.—Docket No. RP72-122 (PGA Nos. 77-3 and 77-3a), Colorado Interstate Gas Company.

CG-3.—Docket No. RP74-41 (PGA No. 77-7), Texas Eastern Transmission Corporation.

CG-4.—Docket No. RP77-32 (PGA No. 77-4a), South Georgia Natural Gas Company.

CG-5.—Docket No: RP72-110 (PGA No. 77-9a and 77-10b), Algonquin Gas Transmission Company.

CG-6.—Docket No. RP77-130, Transcontinental Gas Pipe Line Corporation.

CG-7.—W. B. Osborn, Jr., (operator).

CG-8.—Phillips Petroleum Company.

CG-9.—Docket No. CP77-173, Northern Natural Gas Company, operating as Peoples Natural Gas Division.

CG-10.—Docket No. CP77-506, Northwest Pipeline Corporation.

CG-11.—Docket No. CP76-296, Northern Natural Gas Company.

CG-12.—Docket No. CP77-514, Mountain Fuel Supply Company.

CG-13.—Docket No. CP77-474, Columbia Gulf Transmission Company, Tennessee Gas Pipeline Company, a division of Tenneco Inc.

CG-14.—Docket No. CP77-395, Sea Robin Pipeline Company.

CG-15.—Docket No. CP77-13, Transwestern Pipeline Company.

CG-16.—Docket No. CP77-450, Northern Natural Gas Company, Docket No. CP77-533, Trunkline Gas Company, Panhandle Eastern Pipe Line Company.

CG-17.—Docket No. CP77-504, Transcontinental Gas Pipe Line Corporation, Docket No. CP77-513, Tennessee Gas Pipeline Company, a division of Tenneco Inc.

CG-18.—Docket No. CP76-107, Transwestern Pipeline Company.

CG-20.—*Cities of Fulton, Missouri, et al.*, v. *F.P.C.* D.C. CIR. No. 73-1294 (CI71-237).

CG-21.—Docket No. CI77-332, El Ran Inc.

KENNETH F. PLUMB,
*Secretary.*

[S-1427-77 Filed 9-22-77;9:29 am]

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6

FEDERAL POWER COMMISSION.

SEPTEMBER 22, 1977.

TIME AND DATE: September 22, 1977, 11:30 a.m.

PLACE: 825 North Capitol Street.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Docket No. CI76-597, Producer's Gas Company.

CONTACT PERSON FOR MORE INFORMATION:

Kenneth F. Plumb, Secretary, Telephone 202-274-4166.

[S-1428-77 Filed 9-22-77;9:29 am]

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7

FEDERAL TRADE COMMISSION.

TIME AND DATE: 2:00 p.m. and 3:20 p.m., Wednesday, September 28, 1977.

PLACE: Room 432, Federal Trade Commission Bldg., 6th Street and Pennsylvania Ave., NW., Washington, D.C. 20580.

STATUS: Open/closed.

MATTERS TO BE CONSIDERED:

OPEN SESSION: 2:00 P.M.

BUREAU OF CONSUMER PROTECTION

(1) Monthly Program Review on I 13 Prescription Drugs.

(2) Monthly Program Review on J 13 Standards and Certification.

(3) Monthly Program Review on I11 Comparative Performance Evaluation. (open portion)

CLOSED SESSION: 3:20 P.M.:

BUREAU OF CONSUMER PROTECTION

(1) Monthly Program Review: I11 Comparative Performance Evaluation-Enforcement Policy Regarding Mileage Guides.

BUREAU OF COMPETITION

(2) Monthly Program Review on DA Industrywide Matters.

(3) Monthly Program Review on DC Horizontal Restraints.

(4) Monthly Program Review on DD Distributional Restraints.

PERSON TO CONTACT FOR MORE INFORMATION:

Leonard J. McEnnis, Jr., Office of Public Information, (202-523-3830), Recorded message (202-523-3806).

[S-1429-77 Filed 9-22-77;10:19 am]

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8

NATIONAL RAILROAD PASSENGER CORPORATION

In accordance with rule 4d. of Appendix A of the By-laws of the National Railroad Passenger Corporation, notice is given that the following items will be added to the agenda for the Board of Directors meeting of September 28, 1977:

4. Consideration of Request for Supplemental Capital Appropriation.

5. 77-269 Headquarters Relocation.

With regard to item 4, Board members Besson, Dunlop, Gallamore, Jacobs, Langdon, Lorentzsen, Luna, MacDonald, Quinn and Reistrup determined by re-

corded vote that the business of the Corporation requires the change in subject matter by addition of the agenda item, and affirmed that no earlier announcement of the change was possible, and directed the issuance of this notice at the earliest practicable time. Board member Head could not be reached for the vote.

With regard to item 5, Board members Besson, Dunlop, Jacobs, Langdon, Luna, MacDonald, Quinn and Reistrup determined by recorded vote that the business of the Corporation requires the change in subject matter by addition of the agenda item, and affirmed that no earlier announcement of the change was possible, and directed the issuance of this notice at the earliest practicable time. Board members Adanas, Head and Lorentzen could not be reached for the vote.

The revised agenda to be discussed at the meeting follows:

AGENDA

NATIONAL RAILROAD PASSENGER CORPORATION, MEETING OF THE BOARD OF DIRECTORS, SEPTEMBER 28, 1977

9:30 a.m.—Closed Session

1. Internal Personnel Matters.
2. Litigation Matters.

10 a.m.—Open Session

3. Approval of Minutes of Regular Meeting of August 31, 1977.
4. Consideration of Request for Supplemental Capital Appropriation.
5. Commitment Approval Requests:
77–192—Maintenance of Way Equipment.
77–193—Baltimore & Potomac (B & P) Tunnel Improvements.
77–253—Lease Extension-Washington City Ticket Office.
77–258—Modifications of Baggage Cars.
77–264—Unit Exchange, SDP–40 Conversions.
77–265—Metroliner Overhaul.
77–266—Lightweight Electric Locomotives.
77–267—Chicago 12th and 16th Street Yards, Phase II.
77–269—Headquarters Relocation.
6. Board Committee Reports:
A. Planning/Equipment: (1) Butte-Helena Public Forums.
B. Northeast Corridor Improvement Project: (1) Status of Improvement Master Plan; (2) Status of 1977 Program; (3) Progress of Clean-Up Program; (4) Status of Woonasquatucket River Bridge; (5) Status of Securing Concrete Ties and Track Laying System Equipment; (6) Labor Situation.
7. President's Reports: A. Operations:
(1) National Operations; (2) Operations Support; (3) Northeast Corridor Operations.
B. Marketing.
C. Government Affairs.
D. Other.
8. Financial Reports.
9. Status of Floridian.
10. New Business.
11. Adjournment.

Inquiries regarding the agenda for the September 28, 1977, Board meeting should be directed to the Corporate Secretary at (202) 484–7679.

Dated: September 21, 1977.

ELYSE G. WANDER,
*Corporate Secretary.*

[S–1426–77 Filed 9–22–77;9:29 am]

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9

NUCLEAR REGULATORY COMMISSION.

TIME AND DATE: Tuesday, September 20 and Wednesday, September 21.

PLACE: Commissioners' Conference Room 1717 H St. NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

TUESDAY, SEPTEMBER 20

3:30 p.m.—Discussion of Intervention Petitions—Low Enriched Uranium Exports to Euratom.

WEDNESDAY, SEPTEMBER 21

4:00 p.m. (approx)—Employee Search Requirements for Nuclear Power Plant Security—Delay in Implementation.

CONTACT PERSON FOR MORE INFORMATION:

Walter Magee, (202–634–1410).

Dated: September 20, 1977.

[S–1422–77 Filed 9–23–77;9:42 am]

federal register

MONDAY, SEPTEMBER 26, 1977

PART II




# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

## Federal Insurance Administration

■

# NATIONAL FLOOD INSURANCE PROGRAM

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-2711]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the City of Sherwood, Pulaski County, Ark.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the city of Sherwood, Pulaski County, Ark. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the city of Sherwood, Pulaski County, Ark.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the city of Sherwood, Pulaski County, Ark., are available for review at the Bulletin Board, City Hall, 201 Country Club, Sherwood, Ark.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll free line 800-424-8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the city of Sherwood, Pulaski County, Ark.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum 1929 |
|---|---|---|
| Fivemile Creek | Upstream corporate limits. | 251 |
| | Downstream corporate limits. | 250 |
| Fivemile Creek tributary 1. | Route 167 | 252 |
| | Brookswood Dr. | 253 |
| | Upstream corporate limits. | 266 |
| Woodruff Creek | Route 167 | 250 |
| | Wind Chime Dr. | 249 |
| | North Beverly St. | 272 |
| | Club Rd. | 292 |
| | East Lee St. | 333 |
| | East Kiehl Ave. | 350 |
| Woodruff Creek tributary 1. | Wildwood Ave. | 253 |
| Woodruff Creek tributary 2. | At mouth | 256 |
| | Club Lane | 265 |
| | Upstream corporate limits. | 273 |
| Woodruff Creek tributary 3. | North Devon | 283 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27555 Filed 9-23-77;8:45 am]

[Docket No. FI-2951]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Town of Mangonia Park, Fla.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the town of Mangonia Park, Fla. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the town of Mangonia Park, Fla.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the town of Mangonia Park are available for review at Town Hall, 5301 Australian Avenue, West Palm Beach, Fla.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll free line 800-424-8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the town of Mangonia Park.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Shallow flooding (rainfall runoff). | Corner of South Tiffany Dr. and East Tiffany Dr. | 16 |
| | Corner of State Rd. 702 and South Tiffany Dr. | 16 |
| | Corner of Lake Shore Dr. and Jeffery Ave. | 16 |
| | Corner of Mauleway and 53rd St. | 16 |
| | Corner of Hill St. and Driftwood St. | 16 |
| | Corner of 47th St. and Foster Dr. | 17 |
| | Corner of 47th St. and East Ave. | 17 |
| | Corner of Fairfield Dr. and Voss Rd. | 17 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27556 Filed 9-23-77;8:45 am]

[Docket No. FI-3096]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Village of Palm Springs, Fla.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Village of Palm Springs, Fla. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the Village of Palm Springs, Fla.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Village of Palm Springs, Florida are available for review at Village Hall, 226 Cypress Lane, Palm Springs, Fla.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St., SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Village of Palm Springs.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Shallow flooding (rainfall runoff). | Corner of Bonnie Blvd. and Davis Rd. | 13 |
| | Corner of Pinehurst Rd. and Davis Rd. | 13 |
| | Corner of Longfellow Dr. and Henthorne Dr. | 13 |
| | Corner of Greenbrier Dr. and Longfellow Dr. | 13 |
| | Corner of Henthorne Dr. and Emerson Circle. | 13 |
| | Corner of Riverdale Rd. and Davis Rd. | 13 |
| | Corner of Henthorne Dr. and 10th Ave. | 13 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27557 Filed 9-23-77;8:45 am]

[Docket No. FI-2900]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Village of Grosse Tete, La.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Village of Grosse Tete, La. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for Village of Grosse Tete, La.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Village of Grosse Tete are available for review at Village Hall, Grosse Tete, La.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St., SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Village of Grosse Tete.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Bayou Grosse Tete. | Texas and Pacific R.R. | 13 |
| | Bridge at Salaris Lane East. | 13 |
| | Interstate 10 | 13 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27558 Filed 9-23-77;8:45 am]

[Docket No. FI-3100]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Town of Jonesville, La.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Town of Jonesville, La. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in

the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the Town of Jonesville, La.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Town of Jonesville are available for review at Town Hall, Jonesville, Louisiana.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St. SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Town of Jonesville.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Bayou Grosse Tete Drainage Ditch No. 1. | L.A. Highway 76 | 16 |
| | L.A. Highway 76 | 14 |
| Drainage Ditch No. 2. | Augusta Ave | 16 |
| | Augusta Ave | 17 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27559 Filed 9-23-77;8:45 am]

[Docket No. FI-3013]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Village of Rosedale, Louisiana

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Village of Rosedale, Louisiana.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the Village of Rosedale, Louisiana.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Village of Rosedale are available for review at Village Hall, Rosedale, Louisiana.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Village of Rosedale.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Pumping Plant Canal. | 10th St.[1] | 55 |
| | 10th St.[2] | 56 |
| | Willow St.[1] | 56 |
| | Willow St.[2] | 57 |
| | U.S. 84 | 57 |
| Little River Canal. | 1st St.[1] | 55 |
| | 1st St.[2] | 56 |

[1] Downstream side.
[2] Upstream side.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27560 Filed 9-23-77;8:45 am]

[Docket No. FI-3123]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the City of Pittsfield, Massachusetts

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final Rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the City of Pittsfield, Massachusetts.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the City of Pittsfield, Massachusetts.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the City of Pittsfield are available for review at City Hall, 70 Allen Street, Pittsfield, Massachusetts.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202) 755–5581 or Toll Free Line (800) 424–8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of

flood elevations for the City of Pittsfield.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Housatonic River | Confluence with Sykes Brook | 969 |
| | Holmes Rd [1] | 971 |
| | Pomeroy Ave [1] | 972 |
| | South St [1] | 974 |
| Sackett Brook | Canoe Meadows Rd | 969 |
| | New Lenox Rd | 984 |
| | Mountain Dr | 1,034 |
| Wampenum Brook | Penn Central RR | 972 |
| | South St | 976 |
| | South Mountain Rd. downstream crossing. | 1,016 |
| | South Mountain Rd. upstream crossing. | 1,043 |
| East Branch | Pomeroy Ave | 974 |
| | Dawes Ave | 980 |
| | Elm St | 989 |
| | Newell St | 991 |
| | East St | 993 |
| | Penn Central RR | 995 |
| | Hubbard Ave | 1,007 |
| | Government Dam | 1,017 |
| Byattle Brook | Grand Ave. extension | 992 |
| Unkamet Brook | Merrill Rd | 995 |
| Barton Brook | Confluence with east branch. | 996 |
| | Hubbard Ave | 1,044 |
| West Branch | West Housatonic St. (Route 20). | 977 |
| | Penn Central RR | 993 |
| | West St | 995 |
| | Columbus Ave | 997 |
| | Wahconah St | 999 |
| | Pontoosuc Ave | 1,004 |
| | Commercial Rd. [1] | 1,016 |
| | Belair Dam [1] | 1,037 |
| | Taconic Island Rd | 1,059 |
| | Keeler Rd | 1,074 |
| | Pontoosuc Lake Dam [1] | 1,101 |
| Onota Brook | Elmvale Place | 1,003 |
| | Pecks Rd. (downstream crossing). | 1,013 |
| | Factory Rd. [1] | 1,069 |
| | Valentine Rd. [1] | 1,068 |
| | Onota Lake Dam [1] | 1,081 |
| Southwest Branch | Penn Central RR. [1] | 984 |
| | West Housatonic St., (downstream crossing). | 1,013 |
| | Hungerford St. [1] | 1,054 |
| | Melbourne Rd | 1,101 |
| | Cloverdale St | 1,110 |
| | Richmond Pond Dam | 1,124 |
| Wild Acres Brook | Confluence with southwest branch | 986 |
| | Barker Rd | 1,061 |
| Smith Brook | Penn Central RR. [1] | 1,031 |
| | Fort Hill Ave | 1,034 |
| | West St | 1,087 |
| Jacoby Creek | Hungerford St | 1,038 |
| | Penn Central R.R. [1] | 1,071 |
| Shaker Brook | Penn Central RR | 1,114 |
| | Central Berkshire Blvd. | 1,149 |
| | West Housatonic St. | 1,163 |

[1] Upstream side.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27561 Filed 9-23-77;8:45 am]

[Docket No. FI-2865]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the City of Ferrysburg, Michigan

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the City of Ferrysburg, Michigan.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the City of Ferrysburg, Michigan.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the City of Ferrysburg are available for review at City Hall, Ferrysburg, Michigan.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll free line 800-424-8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the City of Ferrysburg, Michigan.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided, and the Administrator has resolved the appeals presented by the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Grand River | Route 31 | 584 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 26, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27562 Filed 9-23-77;8:45 am]

[Docket No. FI-3143]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Township of Lincoln, Mich.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the township of Lincoln, Mich. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the township of Lincoln, Mich.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the township of Lincoln are available for review at Lincoln Township Hall, Stevensville, Mich.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll free line 800-424-8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the township of Lincoln. This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of Flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Goodrow drain | Ponderosa Dr. | 626 |
| | Echo Ridge Rd. | 624 |
| | John Beers Rd. | 614 |
| | Alpine Ridge Rd. | 613 |
| Glenlord Rd. drain (north branch). | Washington Ave. | 627 |
| | Glenlord Rd. | 626 |
| Glenlord Rd. drain (south branch). | Washington Ave. | 626 |
| | Cleveland Ave. | 610 |
| Parker/Richardson drain. | John Beers Rd. | 630 |
| | Cleveland Ave. | 629 |
| | Marquette Woods Rd. | 607 |
| | Cleveland Ave. | 603 |
| | Marquette Woods Rd. | 602 |
| Hickory Creek | Stevensville-Baroda Rd. | 608 |
| | Roosevelt St. | 601 |
| | Marquette Woods Rd. | 600 |
| | I-94 | 599 |
| | Glenlord Rd. | 597 |
| | Malden La. | 594 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 11, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27563 Filed 9-23-77;8:45 am]

[Docket No. FI-3084]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Township of Pentwater, Mich.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the township of Pentwater, Mich. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the township of Pentwater, Mich.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the township of Pentwater are available for review at Township Hall, 327 South Hancock Street, Pentwater, Mich.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance (202) 755–5581 or Toll Free Line (800) 424–8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administration gives notice of his final determinations of flood elevations for the township of Pentwater. This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of Flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Pentwater Lake | County road B-15 | 584 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27564 Filed 9-23-77;8:45 am]

[Docket No. FI-2889]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DECISIONS

### Final Flood Elevation Determination for the Village of Nehawka, Nebr.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the village of Nehawka, Nebr. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the village of Nehawka, Nebr.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the village of Nehawka are available for review at Village Clerk's Office, Nehawka, Nebr.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the village of Nehawka. This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Weeping Water Creek. | Nebraska Highway 734. | 996 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968) effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27565 Filed 9-23-77;8:45 am]

[Docket No. FI-2375]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Borough of Bernardsville, N.J.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Borough of Bernardsville, N.J. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the Borough of Bernardsville, New Jersey.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Borough of Bernardsville are available for review at Borough Hall, Route 202, Bernardsville, New Jersey.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St., SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Borough of Bernardsville.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Mine Brook | Whitenack Rd. | 210 |
| | Meeker Rd.[1] | 257 |
| | Mill St.[1] | 369 |
| | Mine Mount Rd. | 434 |
| Tributary F | U.S. Route 202 | 223 |
| | Douglas Rd.[1] | 256 |
| Tributary I | U.S. Route 202[1] | 272 |
| | Harmony Rd. | 283 |
| Tributary MB | Seney Dr. | 419 |
| | Thompson St. | 440 |
| | Olcott La.[1] | 454 |
| Passaic River | Jockey Hollow | 429 |
| Indian Grave Branch. | Hardscrabble Rd.[1] | 312 |
| | Chestnut Ave.[1] | 357 |
| | Washington Corner Rd. | 588 |
| Tributary K | Lloyd Rd.[1] | 496 |
| | Washington Corner | 535 |

[1] Downstream side of road.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority of Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27566 Filed 9-23-77;8:45 am]

[Docket No. FI-2860]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Borough of Manville, N.J.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Borough of Manville, N.J. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the Borough of Manville, N.J.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Borough of Manville are available for review at Borough Hall, 101 South Main Street, Manville, New Jersey.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St. SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Borough of Manville.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided, and the Administrator has resolved the appeals presented by the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Raritan River | North Main St. | 45 |
| | Lehigh Valley Railroad. | 42 |
| Millstone River | Wilhousky St. | 41 |
| Royce Brook | South Main St. | 41 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27567 Filed 9-23-77;8:45 am]

[Docket No. FI-2953]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the City of Gallup, N. Mex.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the City of Gallup, N. Mex. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the City of Gallup, N. Mex.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the City of Gallup are available for review at City Hall, Gallup, N. Mex.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh St. SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the City of Gallup.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Puerco River (south of railroad). | Atchison, Topeka & Santa Fe R.R. | 6,463 |
| | Marguerite St. | 6,473 |
| Puerco River (north of railroad). | Allison Rd. | 6,472 |
| Puerco River | U.S. Highway 66 | 6,489 |
| | Third St. | 6,500 |
| | Second St. | 6,504 |
| Bread Springs Wash. | U.S. Highway 66 | 6,466 |
| Little Puerco Wash. | Green Ave. | 6,510 |
| | Apache Circle Dr. | 6,589 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27568 Filed 9-23-77;8:45 am]

[Docket No. FI-2901]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Village of Cherry Creek, Chautauqua County, New York

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Village of Cherry Creek, Chautauqua County, New York.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the Village of Cherry Creek, Chautauqua County, New York.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Village of Cherry Creek, Chautauqua County, New York are available for review at the Village Clerk's Office, Community Building, Main Street, Cherry Creek, New York.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or Toll Free Line (800) 424–8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Village of Cherry Creek, Chautauqua County, New York.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917), An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet above mean sea level |
|---|---|---|
| Cherry Creek | Downstream corporate limits. | 1,290 |
| | Southside Ave. | 1,291 |
| | Conrail. | 1,295 |
| | Depot St. | 1,295 |
| | Railroad Ave. | 1,300 |
| | Main St. | 1,308 |
| | Confluence with unnamed tributary. | 1,313 |
| Conewango Creek | Downstream corporate limits. | 1,284 |
| | Conrail. | 1,286 |
| | Southside Ave. | 1,294 |
| | East Center St. (downstream crossing). | 1,295 |
| | East Center St. (upstream crossing). | 1,299 |
| | Main St. | 1,304 |
| | Southside Ave. (downstream crossing). | 1,307 |
| | Southside Ave. (upstream crossing. | 1,313 |
| | Union Ave. | 1,315 |
| | Upstream corporate limits. | 1,318 |

National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27569 Filed 9-23-77;8:45 am]

[Docket No. FI-3109]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Town of Geneva, Ontario County, New York

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Town of Geneva, Ontario County, New York. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the Town of Geneva, Ontario County, New York.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Town of Geneva, Ontario County, New York are available for review at Mr. George Kryst's Office, Town Hall, 32 White Springs Road, Geneva.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or Toll Free Line (800) 424-8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Town of Geneva, Ontario County, New York.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet above mean sea level |
|---|---|---|
| Seneca Lake | Northern corporate limits. | 455 |
| | Turk Rd. extended | 451 |
| | Billsboro Rd. extended. | 450 |
| | Armstrong Rd. extended. | 452 |
| | Reed Rd. extended | 452 |
| | Kashong Rd. extended. | 450 |
| | Southern corporate limits. | 448 |
| Kashong Creek | Confluence with Seneca Lake. | 448 |
| | Conrail | 454 |
| | Route 14 | 455 |
| | Upstream corporate limits. | 457 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27570 Filed 9-23-77;8:45 am]

[Docket No. FI-2742]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Village of Little Valley, Cattaraugus County, New York

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Village of Little Valley, Cattaraugus County, New York. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the Village of Little Valley, Cattaraugus County, New York.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Village of Little Valley, Cattaraugus County, New York are available for review at the Municipal Building, Little Valley, New York.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or Toll Free Line 800–424–8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determination of flood elevations for the Village of Little Valley, Cattaraugus County, New York.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet above mean sea level |
|---|---|---|
| Little Valley Creek | Downstream corporate limits. | 1,535 |
| | State 353 | 1,535 |
| | 1st St. | 1,548 |
| | Confluence with unnamed tributary. | 1,555 |
| | North 9th St. | 1,583 |
| | Conrail | 1,583 |
| | 10th St. | 1,586 |
| | Upstream corporate limits. | 1,586 |
| Unnamed tributary to Little Valley Creek (right bank, near 2d St. extended). | Mouth at Little Valley Creek. | 1,555 |
| | Conrail | 1,563 |
| | Railroad Ave. | 1,564 |
| | 2d St. | 1,567 |
| | Rock City St. | 1,570 |
| | Mill St. | 1,580 |
| | Corporate limits | 1,601 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974.).

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27571 Filed 9-23-77;8:45 am]

[Docket No. FI-2959]

## PART 1917—APPEALS FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

### Final Flood Elevation Determination for the Town of Livonia, Livingston County, New York

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Town of Livonia, Livingston County, New York. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the Town of Livonia, Livingston County, New York.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Town of Livonia, Livingston County, New York are available for review at the Town Hall, 35 Commercial Street, Livonia.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or Toll Free Line (800) 424–8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Town of Livonia, Livingston County, New York.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet above mean sea level |
|---|---|---|
| Hemlock Outlet | Corporate limits (downstream). | 877 |
| | Big Tree Rd. | 883 |
| | Hemlock Rd. (NYS 15A, U.S. 20A). | 889 |
| | Confluence with Kinney Creek. | 894 |
| | Confluence with Canadice outlet. | 899 |
| | Rix Hill Rd. | 901 |
| | Dam. | 901 |
| Conesus Creek | West Lake Rd. (downstream corporate limits). | 815 |
| | Stone Hill Rd. (U.S. 20A). | 822 |
| | Private Rd. | 823 |
| | Conesus Lake. | 823 |
| Conesus Lake shoreline. | Elevation varies along shoreline from. | 823–826 |
| Hemlock Lake | Elevation varies along shoreline from. | 909–913 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27572 Filed 9-23-77;8:45 am]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### Federal Insurance Administration

### [ 24 CFR Part 1917 ]

[Docket No. FI-2984]

### PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE CITY OF LINCOLN CITY, OREG.; CORRECTION

AGENCY: Federal Insurance Administration, HUD.

ACTION: Correction of proposed rule.

SUMMARY: The notice published on July 6, 1977, at 42 FR 34623 in the FEDERAL REGISTER, and in the News Guard on June 30, 1977, and July 7, 1977, showing the flood elevation in Lincoln City, Oreg., should be corrected to read:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Siletz Bay | Schooner Creek Rd. | 10 |
| | South of 50th St. | 17 |
| | Fleet Ave. at South 65th St. | 10 |
| | South 63d St. | 10 |
| | Fleet Ave. at South 69th St. | 11 |

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St., SW., Washington, D.C. 20410.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 26, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27591 Filed 9-23-77;8:45 am]

### [ 24 CFR Part 1917 ]

[Docket No. FI-3157]

### PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE CITY OF MANZANITA, OREG.; CORRECTION

AGENCY: Federal Insurance Administration, HUD.

ACTION: Correction of proposed rule.

SUMMARY: The notice published on July 29, 1977, at 42 FR 38729 in the FEDERAL REGISTER, and in the Fishrapper on July 14, 1977, and July 21, 1977, showing the flood elevation in Manzanita, Oreg., should be corrected to read:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Pacific Ocean | Ocean Rd. at Washington Ave. | 29 |
| | Beach St. at Hailey Lane. | 27 |
| | Beach St. at Beeswax Lane. | 26 |

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St. SW., Washington, D.C. 20410.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: August 26, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27592 Filed 9-23-77;8:45 am]

### [ 24 CFR Part 1917 ]

[Docket No. FI-3338]

### PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE BOROUGH OF BRISTOL, BUCKS COUNTY, PA.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the Borough of Bristol, Bucks County, Pa.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review on the Second floor in the Borough Manager's Office, Municipal Building, Pond and Mulberry Streets, Bristol.

Any person, having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mayor William H. Carter, Municipal Building, Pond and Mulberry Streets, Bristol, Pennsylvania 19004.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St., SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the Borough of Bristol, Bucks County, Pennsylvania in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by Section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Delaware River | Upstream and downstream corporate limits. | 11 |
| Otter Run (Mill Creek). | Maple Beach Rd. | 11 |
| | Otter St. | 19 |
| | Bristol Pike (U.S. Route 13). | 24 |
| Adams Hollow Creek. | Radcliffe St. | 11 |
| | Wood St. | 15 |
| | Pond St. | 18 |
| | ConRail | 22 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17808, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 26, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27593 Filed 9-23-77;8:45 am]

[ 24 CFR Part 1917 ]

[Docket No. FI-3339]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE TOWNSHIP OF BUTLER, BUTLER COUNTY, PENNSYLVANIA

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the Township of Butler, Butler County, Pennsylvania.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the Bulletin Board, Municipal Building, Lyndora, Pennsylvania.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. James McClymonds, Chairman of the Board of Commissioners, 6 Chesapeake Street, Lyndora, Pennsylvania.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or Toll Free Line (800) 424–8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the Township of Butler, Butler County, Pennsylvania in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by Section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet above mean sea level |
|---|---|---|
| Connoquenessing Creek. | Armco Plant Bridge | 981 |
| | Confluence with Butcher Run. | 984 |
| | Old Route 422 | 1,004 |
| | Route 422 | 1,011 |
| Butcher Run | B. & O. Railroad (just downstream). | 984 |
| | State Route 8 | 989 |
| | Limit of detailed study. | 1,001 |
| Coal Run | Railroad spur | 1,011 |
| | Confluence with tributary No. 1. | 1,017 |
| Shearer Run | Shearer Rd. | 1,013 |
| | Limit of detailed study. | 1,018 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27594 Filed 9-23-77;8:45 am]

[ 24 CFR Part 1917 ]

[Docket No. FI-3340]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE TOWNSHIP OF BENTON, COLUMBIA COUNTY, PA.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or coments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the township of Benton, Columbia County, Pa. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the home of Walter Gordon, R. D. 3, Benton, Pa. 17814.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. Richard Ashelman, Chairman of the Board of Supervisors, R. D. 1, Stillwater, Pa. 17878.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the township of Benton, Columbia County, Pa., in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Fishing Creek | Downstream corporate limits. | 723 |
| | Upstream side, State Route 254. | 732 |
| | Confluence of West Creek. | 739 |
| | 1st corporate limit crossing. | 748 |
| | 2d corporate limit crossing. | 776 |
| | Downstream crossing, State Route 487. | 811 |
| | Upstream side, upstream crossing, State Route 487. | 820 |
| West Creek | Downstream corporate limits. | 751 |
| | 1st corporate limit crossing. | 752 |
| | 2d corporate limit crossing. | 754 |
| | Upstream side L. R. 19076. | 763 |
| | 3d corporate limit crossing. | 777 |
| | Upstream side L. R. 19077. | 788 |
| | Downstream side, State Route 239. | 807 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27595 Filed 9-23-77;8:45 am]

[ 24 CFR Part 1917 ]

[Docket No. FI-3341]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE TOWNSHIP OF DERRY, MONTOUR COUNTY, PA.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the township of Derry, Montour County, Pa. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the Village Inn on R.D. 2, Danville, Pa.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. George Reigle, R. D. 3, Danville, Pa.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the township of Derry, Montour County, Pa., in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Mud Creek | Pennsylvaina Route 54. | 509 |
| | Pennsylvania Route 254. | 508 |
| | Confluence with Chillasquaque Creek. | 508 |
| Chillasquaque Creek. | Legislative Route 40736. | 513 |
| | Pennsylvania Route 254. | 508 |
| | Confluence of Mud Creek. | 508 |
| | Downstream corporate limits. | 505 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 26, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27596 Filed 9-23-77;8:45 am]

[ 24 CFR Part 1917 ]

[Docket No. FI-2994]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE TOWNSHIP OF FALLS, BUCKS COUNTY, PA.; CORRECTION

AGENCY: Federal Insurance Administration, HUD.

ACTION: Correction of proposed rule.

SUMMARY: The notice published on July 6, 1977, at 42 FR 34632 in the FEDERAL REGISTER, and in the Tunkhannock New Age on June 22, 1977, and June 29, 1977 under the subtitle Addresses as:

Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the Falls Township Municipal Garage, across the street from the Falls United Methodist Church on Route 65011, Falls, Pa.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. Eugene Dziak, Chairman of the Falls Township Board of Supervisors, R.D. No. 1, Falls, Pa. 18615.

Should be corrected to read:

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the Township Building, 285 Yardley Avenue, Fallsington, Pa. 19054.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. John Banko, Acting Manager of the township of Falls, Township Building, 285 Yardley Avenue, Fallsington, Pa. 19054.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.27597 Filed 9-23-77;8:45 am]

[ 24 CFR Part 1917 ]

[Docket No. FI-3342]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE TOWNSHIP OF WRIGHTSTOWN, BUCKS COUNTY, PENNSYLVANIA

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the Township of Wrightstown, Bucks County, Pennsylvania.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the Bulletin Board of the Township Office, Wrightstown, Pennsylvania.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. Kline Fisher, Chairman of the Board of Supervisors of Wrightstown, R.D. 2, Newtown, Pennsylvania 18940.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or Toll Free Line (800) 424–8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the Township of Wrightstown, Bucks County, Pennsylvania in accordance with Section 110 of the Flood Dis-

aster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by Section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Neshaminy Creek | Downstream corporate limits | 114 |
| | Upstream of Worthington Mill Rd. | 122 |
| | 2d St. Pike | 128 |
| | Rushland Rd | 138 |
| | Upstream corporate limits | 140 |
| Little Neshaminy Creek | Sacketts Ford Rd | 136 |
| | Upstream corporate limits | 137 |
| Mill Creek | Confluence with Neshaminy Creek | 133 |
| | Downstream of Swamp Rd. | 140 |
| | Upstream of Swamp Rd. | 144 |
| | Upstream of private road (6,000 ft above mouth). | 161 |
| | Confluence with Robin Run. | 166 |
| | Upstream corporate limits | 180 |
| Robin Run | Confluence with Mill Creek. | 166 |
| | Upstream corporate limits | 172 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 26, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27598 Filed 9-23-77;8:45 am]

## [ 24 CFR Part 1917 ]

[Docket No. FI-3343]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE COUNTY OF MEADE, SOUTH DAKOTA

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the County of Meade, South Dakota.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the lobby in the County Courthouse, 1425 Sherman Street, Sturgis, South Dakota.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. Joseph Rovere, Chairman of the Board of Supervisors of Meade County, Box 537, Sturgis, South Dakota 57785.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or Toll Free Line (800) 424–8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the County of Meade, South Dakota in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by Section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Bear Butte Creek | Unnamed dirt road | 3,470 |
| | Service road | 3,506 |
| | I-90 westbound | 3,508 |
| | I-90 eastbound | 3,508 |
| | Highways 14 and 34 | 3,518 |
| | Private road | 3,587 |
| Cook Canyon | Cook Canyon Rd. | 3,523 |
| | Confluence of South Cook Canyon. | 3,540 |
| South Cook Canyon. | Confluence with Cook Canyon. | 3,540 |
| | Confluence of Middle Cook Canyon. | 3,542 |
| | Private road | 3,570 |
| Middle Cook Canyon. | Confluence with South Cook Canyon. | 3,542 |
| | Confluence of unnamed tributary. | 3,576 |
| Deadman Gulch | Downstream corporate limits. | 3,497 |
| | Harmon St | 3,504 |
| | I-90 on ramp | 3,536 |
| | I-90 westbound | 3,540 |
| | I-90 eastbound | 3,542 |
| | I-90 off ramp | 3,544 |
| Doland Creek | Corporate limits | 3,447 |
| | Interstate 90 | 3,499 |
| | Confluence of South Doland Creek. | 3,502 |
| | Meadowlark Dr. | 3,533 |
| | Ida Dr | 3,534 |
| | Paha State Park | 3,540 |
| | Butte View Dr | 3,563 |
| | Doland Creek Rd. | 3,567 |
| Elk Creek | Confluence of Priest Creek. | 3,389 |
| | County Rd. | 3,400 |
| | Confluence of Little Elk Creek. | 3,441 |
| | Private road | 3,461 |
| Priest Canyon Creek. | Confluence with Elk Creek. | 3,389 |
| | Dirt road | 3,431 |
| | Chicago and Northwestern Ry. | 3,470 |
| | Service Rd (downstream). | 3,483 |
| | Interstate 90 | 3,483 |
| | Service Rd. (upstream). | 3,483 |
| | 2d St | 3,491 |
| Priest Canyon Creek Tributary | Service Rd | 3,482 |
| | Interstate 90 | 3,482 |
| | 1st St | 3,482 |
| | 2d St | 3,493 |
| | 3d St | 3,506 |
| | 4th St | 3,514 |
| | Grand View Dr | 3,539 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27599 Filed 9-23-77;8:45 am]

## [ 24 CFR Part 1917 ]

[Docket No. FI-3344]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE LOUDON COUNTY, TENN.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in Loudon County, Tenn. These base flood

elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the Bulletin Board in the Lobby of the County Courthouse, Loudon County.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Honorable William H. Russel, Judge of Loudon County, Box 246, Loudon, Tenn. 37774.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St., SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for Loudon County, Tennessee in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by Section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet above mean sea level |
|---|---|---|
| Tennessee River | County boundary (downstream). | 748 |
| | Interstate 75 | 751 |
| | Southern Ry. Bridge | 754 |
| | U.S. Highway 11 (Lee Highway). | 754 |
| | Mouth of Little Tennessee River. | 760 |
| | Fort Loudon Dam | 761 |
| Sweetwater Creek | River Rd. (State Route 72). | 751 |
| | Queener Rd | 769 |
| | Roberson Spring Rd | 773 |
| | Private road (river mile 6.9). | 824 |
| | Confluence of Pleasant Run Branch. | 845 |
| | County road (river mile 9.7). | 851 |
| | Confluence of Bacon Creek. | 852 |
| | Sweetwater Pike | 853 |
| | Southern Ry. Bridge | 860 |
| | County boundary | 866 |
| Steekee Creek | County road (river mile 1.85). | 772 |
| | Corinth rd. (river mile 1.99). | 775 |
| | Corinth rd. (river mile 2.85). | 805 |
| | Corinth rd. (river mile 3.30). | 836 |
| | Private road (river mile 3.90). | 870 |
| | Field Rd | 882 |
| | Private road (river mile 4.40). | 907 |
| | Steekee Creek Rd | 926 |
| Little Tennessee River. | Tellico Dam (downstream). | 760 |
| | Tellico Dam (upstream). | 815 |
| | County boundary | 815 |
| Baker Creek | Confluence with Little Tennessee River. | 815 |
| | Private road (river mile 6.0). | 831 |
| | Louisville and Nashville RR. Bridge. | 836 |
| | State Route 95 | 837 |
| | County boundary | 846 |
| Clinch River | County boundary | 754 |
| | State Route 95 | 755 |
| | Melton Hill Dam (downstream). | 758 |
| | Melton Hill Dam (upstream). | 796 |
| | County boundary | 796 |
| Bacon Creek | Corporate limits | 857 |
| | Ford | 874 |
| Town Creek | Simpson Rd | 798 |
| | Town Creek Rd | 829 |
| | Private road (river mile 2.75). | 834 |
| | Private road (river mile 3.5). | 851 |
| | State Route 95 | 861 |
| | Shaw Ferry Rd | 861 |
| | Field Rd | 868 |
| | Ford Rd | 893 |
| | Clifford Smith Rd | 906 |
| | Kingston Pike (U.S. Highway 70). | 913 |
| Muddy Creek | Southern Ry. spur | 761 |
| | Fort Loudon Dam access road. | 761 |
| | State Route 95 | 761 |
| | Lakeview Rd | 768 |
| | Private road (river mile 2.8). | 774 |
| | Southern Ry. | 798 |
| | Martel Rd | 798 |
| | County road (river mile 3.96). | 800 |

(National Flood Insured Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 26, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27600 Filed 9-23-77;8:45 am]

## [ 24 CFR Part 1917 ]

[Docket No. FI-3345]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE CITY OF ROWLETT, DALLAS COUNTY, TEX.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the City of Rowlett, Dallas County, Tex. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at City Hall, Rowlett, Tex.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mayor J. W. Herfurth, P.O. Box 99, Rowlett, Tex. 75088.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, (202–755–5581) or Toll Free Line (800–424–8872), Room 5270, 451 Seventh St. SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the City of Rowlett, Dallas County, Tex., in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by Section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Rowlett Creek | Intersection of Rowlett Rd. with the southwestern corporate limits. | 437 |
| | Intersection of Miller Rd. with the western corporate limits. | 444 |
| Muddy Creek | Northern corporate limits. | 449 |
| Stream 2E10 | Upstream of Chiesa Rd. | 447 |
| Stream 2E9 | Upstream of Edgewater Rd. | 450 |
| | Upstream of Liberty Grove Rd. | 483 |
| Stream 2E2 | Downstream of Liberty Grove Rd. | 451 |
| Long Branch | Upstream of Kirby Rd. | 444 |
| | Upstream of Miller Rd. | 469 |
| Stream 2E1 | Upstream of Kyle Rd. (extended). | 472 |
| Stream 2A3 | Downstream of Dalrock Rd. | 454 |
| | Downstream of Liberty Grove Rd. | 472 |
| Stream 2A4 | Eastern corporate limits. | 454 |
| Stream 2A5 | Upstream of Dalrock Rd. | 446 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27601 Filed 9-23-77;8:45 am]

## [24 CFR Part 1917]

[Docket No. FI-2280]

## CORRECTION OF PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE CITY OF HEWITT, McLENNAN COUNTY, TEX.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Correction of proposed rule.

SUMMARY: The notice published on July 29, 1977, at 42 FR 38732 in the FEDERAL REGISTER, and in the Waco Tribune-Herald, on July 28, 1977, showing a location of Old Temple Road on Chambers Creek for the proposed base flood elevation of 577 feet should be corrected to read approximately 240 feet downstream of Old Temple Road for the same source of flooding and elevation.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27602 Filed 9-23-77;8:45 am]

## [24 CFR Part 1917]

[Docket No. FI-3346]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE CITY OF BENBROOK, TARRANT COUNTY, TEX.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the city of Benbrook, Tarrant County, Tex. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the City Hall, 911 Winscott Road, Benbrook.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. Kenneth Neystel, City Manager of Benbrook, City Hall, 911 Winscott Road, Benbrook, Tex. 76126.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the city of Benbrook, Tarrant County, Tex., in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Clear Fork of Trinity River. | Loop 280 (upstream) | 602 |
| | Limit of Government parkland. | 622 |
| Stream 266 | Downstream corporate limits. | 600 |
| | Bryant-Irvin Rd. (upstream). | 612 |
| Marys Creek | Texas and Pacific R.R. | 624 |
| | U.S. Highway 377 (upstream). | 639 |
| | Loop 820( proposed) | 672 |
| Walnut Creek | U.S. Highway 377 | 662 |
| | Aledo Rd. | 685 |
| | Old railroad bed | 693 |
| | F.M. Road 2871 (downstream). | 708 |
| Boaz Creek | Confluence with Walnut Creek. | 683 |
| | Corporate limits | 675 |
| Willow Bend Creek | Confluence with Marys Creek. | 640 |
| | Herndon Rd. | 678 |
| | Williams Rd. | 707 |
| Plantation East | Springbranch Dr. (upstream). | 655 |
| | Chapin Rd. (downstream). | 690 |
| Plantation West Creek. | Confluence with Marys Creek (upstream). | 656 |
| | Chapin Rd. (downstream). | 698 |
| Timber Creek | Confluence with Clear Fork of Trinity River (upstream). | 616 |
| | Timber Creek Rd. (upstream). | 665 |
| | Warden St. (downstream). | 683 |
| Dutch Branch | U.S. Highway 377 (upstream). | 724 |
| | Upstream corporate limits. | 757 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27603 Filed 9-23-77;8:45 am]

## [24 CFR Part 1917]

[Docket No. FI-3347]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE VILLAGE OF WOODSTOCK, VT.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the village of Woodstock, Vt. These base flood elevations are the basis for the

flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at Town Office, Route 4, Woodstock, Vt. Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. Robert Horne, Manager, Town and Village of Woodstock, Town Office, Route 4, Woodstock, Vermont 05091.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the village of Woodstock, Vt., in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90–448) 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected locations are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Ottaquechee River | U.S. Route 4 Bridge | 696 |
| | Union St. Covered Bridge | 691 |
| | Elm St. Bridge | 684 |
| Kedron Brook | Cross St. Bridge | 702 |
| | Central St. Bridge | 700 |
| | Pleasant St. Bridge | 692 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27604 Filed 9-23-77;8:45 am]

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## [ 24 CFR Part 1917 ]

[Docket No FI-3348]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE TOWN OF HUNTINGTON, CHITTENDEN COUNTY, VERMONT

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed Rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the Town of Huntington, Chittenden County, Vermont.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the Town Clerk's Office, Town of Huntington, RFD #1, Box 66, Huntington, Vermont 05462.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. Roderick E. Ross, Chairman, Board of Selectmen, Town of Huntington, RFD #1, Huntington, Vermont 05462.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or Toll Free Line (800) 424–8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the Town of Huntington, Vermont, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood

Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required my Section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected location are:

| Source of flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Huntington River | Northern corporate limit. | 526 |
| | 4,000 feet upstream of the Main Rd. Bridge. | 567 |
| | East St. Bridge | 618 |
| | Town Highway No. 20. | 646 |
| | Main Rd. Bridge at 0.45 miles downstream of Brush Brook. | 670 |
| | Miles Rd. | 710 |
| | Confluence with Carpenter Brook. | 719 |
| | Confluence with Cobb Brook. | 756 |
| Cobb Brook | Main Rd. Bridge | 779 |
| | Charles Smith Rd. | 806 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27605 Filed 9-23-77;8:45 am]

## [ 24 CFR Part 1917 ]

[Docket No. FI-3349]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE TOWN OF SOUTH HERO, GRAND ISLE COUNTY, VERMONT

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed Rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the Town of South Hero, Grand Isle County, Vermont.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at the Town Clerk's Office, South Hero, Vermont 05486.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. William G. Legge, Chairman, Board of Selectmen, Town of South Hero, Town Office Building, South Hero, Vermont 05486.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or Toll Free Line (800) 424-8872, Room 5270, 451 Seventh Street, Southwest, Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the Town of South Hero, Vermont, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917.

These elevations together with the flood plain management measures required by Section 1910.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected location are:

| Source of Flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Lake Champlain | Shoreline | 102 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 16, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27606 Filed 9-23-77;8:45 am]

## [ 24 CFR Part 1917 ]

[Docket No. FI-3002]

## REVISION OF PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE TOWN OF WAITSFIELD, WASHINGTON COUNTY, VT.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevation (100-year flood) listed below for selected locations in the town of Waitsfield, Washington County, Vt. Due to recent engineering analysis, this notice revises the proposed determinations of base flood elevations published in 42 FR 34478 on July 5, 1977, and in the Valley Reporter published on June 30, 1977, and July 7, 1977, and hence supersedes those notices.

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the Town Clerk's Office, town of Waitsfield, Joslin Library, Waitsfield, Vt. 05673.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mr. Everret Larrow, Chairman, Board of Selectmen, town of Waitsfield, Waitsfield, Vt. 05673.

FOR FURTHER INFORMATION CONTACT:

Mr. Richrd Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll free line 800-424-8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: Proposed flood elevations (100-year flood) are listed below for selected locations in the town of Waitsfield, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (sec. 1917.4(a)).

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations will also be used to calculate the appropriate flood

insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

The proposed 100-year flood elevations for selected location are:

| Source of Flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Mad River | Town Highway No. 8. | 645 |
| | Town Highway No. 15. | 672 |
| | Town Highway No. 22. | 695 |
| | Vermont Route 100 | 721 |
| | Town Highway No. 29. | 767 |
| Shepard Brook | Vermont Route 100 | 639 |
| Mill Brook | Vermont Route 100 | 717 |
| Folsom Brook | Vermont Route 100 | 765 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 26, 1977.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27607 Filed 9-23-77;8:45 am]

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## [ 24 CFR Part 1917 ]

[Docket No. FI-3350]

## PROPOSED FLOOD ELEVATION DETERMINATIONS FOR THE TOWN OF WOODSTOCK, VT.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base flood elevations (100-year flood) listed below for selected locations in the town of Woodstock, Vermont. These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base flood elevations are available for review at Town Office, Route 4, Woodstock, Vt.

Any person having knowledge, information, or wishing to make a comment on these proposed elevations should immediately notify Mr. Robert Horne, Manager, town and village of Woodstock, Town Office, Route 4, Woodstock, Vt. 05091.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll free line 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base flood elevations (100-year flood) for the town of Woodstock, Vt., in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR Part 1917.

These elevations, together with the flood plain management measures required by section 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

| Source of Flooding | Location | Elevation in feet, national geodetic vertical datum |
|---|---|---|
| Ottauquechee River | Upstream corporate limits. | 816 |
| | Lincoln Covered Bridge. | 748 |
| | Taftsville Station Dam. | 650 |
| Gulf Stream Brook | Vermont Route 12 Bridge (stream station location 14,300). | 855 |
| | Vermont Route 12 Bridge (stream station location 10,900). | 818 |
| | Vermont Route 12 Bridge (stream station location 1,800). | 697 |
| Barnard Brook | Barnard-Woodstock State Rd. Bridge | 686 |
| | Upstream side Dam | 690 |
| | Downstream side Dam. | 680 |
| | Maplewood Rd. Bridge (upstream). | 673 |
| Kedron Brook | Vermont Route 106 Bridge. | 1,188 |
| | Morgan Hill Rd. Bridge. | 1,173 |
| | Dunhill Hill Rd. Bridge. | 778 |

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968) as amended; 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 26, 177.

PATRICIA ROBERTS HARRIS,
*Secretary.*

[FR Doc.77-27608 Filed 9-23-77;8:45 am]

federal register

MONDAY, SEPTEMBER 26, 1977
PART III




# DEPARTMENT OF TRANSPORTATION

## Coast Guard

■

# SAFETY RULES FOR SELF-PROPELLED VESSELS CARRYING HAZARDOUS LIQUIDS

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 73-96]

# SAFETY RULES FOR SELF-PROPELLED VESSELS CARRYING HAZARDOUS LIQUIDS

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This amendment revises safety regulations for all self-propelled vessels operating in U.S. navigable waters and self-propelled U.S. vessels in other waters while engaged in the carriage of certain bulk dangerous liquid cargoes. The growing frequency of hazardous chemical shipments in bulk cargo tanks has increased the crew's exposure to cargo hazards and the potential for their release due to accident. This rule will reduce exposure of the crew and people near the vessel to these cargo hazards. The requirements have been chosen to be practical, and economically and technically feasible. The amendment adopts (with some extensions) the recommendations contained in the IMCO Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (Resolution A.212(VII) as amended).

EFFECTIVE DATE: December 27, 1977.

FOR FURTHER INFORMATION CONTACT:

Captain George K. Greiner, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590 (202-426-1477).

SUPPLEMENTARY INFORMATION: On June 24, 1976, the Coast Guard published a proposed rule (41 FR 26126) to revise the regulations governing self-propelled vessels carrying certain bulk dangerous liquid cargoes. Interested persons were given until August 20, 1976 to submit comments. A public hearing was held in Washington, D.C., on August 3, 1976.

## Drafting Information

The principal program person and lawyer involved in the drafting of this rulemaking are Mr. Robert M. Query, Project Manager, Office of Merchant Marine Safety and Mr. Michael N. Mervin, Project Attorney, Office of Chief Counsel.

## Discussion of Major Comments

### GENERAL COMMENTS

The Coast Guard received seven comments of a general nature. The National Transportation Safety Board (NTSB) noted that "* * * a significant risk will exist until the qualification procedures (for the person in charge of cargo transfer operations) are adopted." As noted in the preamble of the proposed rule, the Coast Guard published a Notice of Proposed Rulemaking describing the qualifications a person must have before being designated the person in charge of cargo transfer onboard a chemical tankship (See "Tankerman Requirements," CGD 74-44, 42 FR 21190). The final requirements will be published shortly.

The NTSB further recommended that "* * * the owner's responsibilities for manning the vessel, for the equipment on the vessel * * * (and) the method he should use to indoctrinate the crew to the vessel's systems and to cargo handling procedures" should be included in the rulemaking. Both the notice and final rule describe the owner's responsibility for the equipment on the vessel and the standards the vessel must meet before obtaining a permit endorsed for a particular cargo. The owner's responsibility for manning a vessel is described in Coast Guard regulations located elsewhere in Title 46. Due to the many and varied types of tankship chartering agreements employed today, the owner is generally not the person most familiar with the systems and cargo handling arrangements installed on his vessel. The ship's officers are usually the most familiar with these aspects of the chemical tanker and are in a much better position to indoctrinate the crew than the owner.

Because the ship's officers are themselves responsible for the operation of the chemical tanker under the new rule, they will provide the crew with the instruction necessary to assure the safe transfer of cargo. To facilitate safe cargo transfer, an additional requirement has been incorporated into the operations sections of the final rule. It requires the person in charge of cargo transfer on the tankship to confer with his counterpart ashore before commencing cargo transfer operations.

The NTSB also recommended that each tankship should be required to have an operating manual which describes in detail the procedures involved in operating the liquid transfer systems. The Coast Guard agrees that some specific information on cargo transfer operations may be helpful to the person in charge of cargo transfer. The operating sections have been amended to require a piping diagram that shows the cargo piping, valves, pumps and any other important components of the cargo containment system. A detailed operations manual, as suggested, that describes every possible valving and piping arrangement would be extremely complex and awkward to use on most vessels. However, the Coast Guard has proposed requirements for a reasonably detailed operations manual in part 35 (see 42 FR 23517). These requirements will apply to vessels certificated under part 153.

Finally, the NTSB recommended that the Coast Guard limit the hours of duty for the people involved in cargo transfer operations. This recommendation falls outside the scope of the material presented in the notice of proposed rulemaking but will be considered for inclusion in the appropriate section of the regulations.

### REQUIREMENTS FOR EXISTING VESSELS

The American Institute of Merchant Shipping (AIMS) requested clarification of several points in § 153.7 of the proposal dealing with existing vessels. The Coast Guard has redrafted this section in a second notice of proposed rulemaking discussed later. The redrafted section should clarify these points.

AIMS also forwarded to the Coast Guard the comments of the International Chamber of Shipping (ICS), a group representing, among others, international tanker operators. ICS objected principally to the fact that the Coast Guard proposed standards that exceeded the IMCO Chemical Code in some instances. ICS noted the Coast Guard's participation in developing the IMCO Chemical Code and its support of the adoption of the Code by the IMCO General Assembly in October 1971. ICS feels that the Coast Guard, by going in excess of the Code's requirements in certain instances, is reneging on its support of the IMCO Chemical Code. ICS also commented on the fact that the time period within which existing ships must comply with the rule differs from the timetable prescribed by the IMCO Chemical Code. Several sections of the final rule have been modified to give the Coast Guard wider latitude in its acceptance of equivalent designs than the proposal permitted. One example is the requirement that wheelhouse windows must be tight when tested with a firehose rather than dogged and gasketed.

Since adoption of the Chemical Code the Coast Guard has recommended numerous changes to IMCO. Many of these have been approved as amendments to the Code and will most likely be adopted shortly. However, IMCO intends to amend the Chemical Code only once every two years. Considering the time necessary to put such amendments into effect, a vessel might be operating in U.S. waters for four or more years using techniques and equipment the Coast Guard feels are possibly unsafe. The laws under which the Coast Guard is issuing this rule require that all vessels in U.S. navigable waters operating under the rule meet essentially the same standards. For these reasons, the rule contains standards that in some cases exceed those of the IMCO Chemical Code, even though the Coast Guard has attempted to keep such instances to a minimum.

Section 153.7(c) of the proposal contained a series of dates and section numbers describing the schedule an existing ship would be allowed to follow if it were modified to operate under the new part. This schedule would have extended over a period of approximately five years, so that a ship would have met virtually all the requirements in the proposal by sometime in 1982. A number of people commented on § 153.7(c), mostly on how quickly a ship would have to meet a particular section or whether it would have to meet a section at all.

However, several comments noted that the Coast Guard was, as a practical matter, changing the effective dates of the IMCO Chemical Code. These people argued that the proposed rules would allow ships not following the Code to continue to operate without modification until 1982, whereas those ships which were complying with the Code would have to be modified by April 12, 1978.

This would give an unfair advantage to ships not meeting the Code. Comments also pointed out that the Code was published in 1971 so that the marine chemical shipping industry has had ample notice of the Code's timetable for upgrading.

The Coast Guard reviewed the design of existing chemical ships under U.S. flag and those foreign ships operating in U.S. waters when it assessed the economic impact of the original proposal. The Coast Guard determined that most U.S. flag and many foreign flag ships carrying hazardous chemicals either already comply with or are close to complying with the requirements in part 153. The Coast Guard's estimate of the cost of the original proposal, including existing and new, foreign and U.S. flag ships showed that the cost per year for the first five years (during the period existing tankers were being converted) would be roughly $3,000,000. If the total cost were compressed into one year, it would amount to about $15,000,000, ignoring any inflationary increase since the original evaluation in the spring of 1976 and disregarding costs from lost operating time and shipyard scheduling problems.

After considering the various objections to the time schedule in the original proposal and the costs involved in meeting the schedule for conversion prescribed by the Chemical Code, the Coast Guard determined that the schedule in the proposal should be modified to coincide with that in the Chemical Code. However, since this change represented a significant departure from the original proposal, the Coast Guard issued a second Notice of Proposed Rulemaking on effective dates for existing ships (see 42 FR 23518).

The Coast Guard received two comments on the proposal to change the effective dates for existing ships. One comment, received after the closing date for comments, did not address the subject of the notice but rather differences between the location of deckhouse openings on chemical tankers, liquified gas tankers, and petroleum tankers. The Coast Guard recognizes these differences and has brought the apparent anomaly to IMCO's attention. Work at IMCO is currently underway to harmonize the various Codes as much as possible, and the subject of deckhouse openings will be included.

The second comment concerned an older foreign flag vessel that was to be phased out of operation in the near future. According to the comment the change in effective dates might force this vessel out of operation sooner than expected. However, the comment did not describe in what ways the vessel would fail to meet the new rule, nor how close the vessel was to meeting any standards it failed to meet. The Coast Guard believes any realistic problems can be resolved under § 153.7(c)(6). Therefore, the change in effective dates for existing ships is incorporated in this rule.

One comment suggested that the Coast Guard adopt the IMCO Code verbatim rather than publishing a separate regulation containing the IMCO recommendations. The same comment noted that the IMCO Chemical Code was developed long before this rule was published and for that reason it would appear "* * * that foreign experience should be far ahead of the U.S. flag experience." As previously noted in the preamble of the proposal, the Chemical Transportation Industry Advisory Committee (CTIAC) in cooperation with the Coast Guard began developing the proposed regulations in August, 1968, and completed their recommendations at about the same time the IMCO Chemical Code was adopted in 1971. In the administration of the Letter of Compliance program, the Coast Guard has had about the same amount of experience using the requirements in this rule as it has had using the requirements in the IMCO Chemical Code.

As is the case with many codes and recommendations, the IMCO Chemical Code is not sufficiently detailed in many instances to be used as a regulation. Moreover, the Code's provisions, being written in the form of recommendations, are not suitable as regulations. For these reasons the Coast Guard is required to publish a rule incorporating the Chemical Code rather than to publish the Chemical Code as the rule itself.

The Maritime Administration recommended that the Coast Guard consider incorporating within this rule part of the requirements from 33 CFR Subchapter O that apply to oil pollution prevention. The laws authorizing the Coast Guard to publish this rule are clear in requiring that pollution and safety rules be distinguished. The Coast Guard will develop rules covering chemical pollution but must wait for the Environmental Protection Agency to identify "hazardous substances" in accordance with the Federal Water Pollution Control Act or until ratification and coming into force of the 1973 Marine Pollution Convention.

The Maritime Administration also recommended that the Coast Guard specify a minimum intensity of deck lighting in the cargo transfer area as is now specified in 33 CFR 155.790. The Coast Guard is now in the process of developing regulations that will prescribe requirements for waterfront facilities handling bulk liquid chemicals. Minimum lighting standards for the cargo transfer area will be included in these regulations.

The American Bureau of Shipping (ABS) noted that the proposal would apply to cargoes carried in the deep tanks of chemical tankers and vessels other than chemical tankers. ABS felt that such a requirement on deep tanks is premature. The Coast Guard and IMCO are studying the question of deep tanks and expect to develop standards for these eventually. Because the volume of cargoes carried in deep tanks is quite small at present and because many of the cargoes listed in the proposal would be difficult to carry safely in deep tanks, the Coast Guard will continue to evaluate these situations on a case by case basis.

Several people commented that the term "senior deck officer" does not refer to a specific person but may be the master, chief mate, or whichever officer is in charge of the vessel at any particular time. To clarify whom we are talking about, and to ensure that the master of the tankship is responsible for seeing that the operational responsibilities under his supervision are followed, the term has been changed to "master". To enable the master to delegate his authority to another responsible person if he wishes, the phrase "the master shall ensure that" is used throughout the rule.

COMMENTS ON SPECIFIC SECTIONS

*Changes to existing parts.* Some of the revisions in sections of other regulations included in the proposal to conform with part 153 were modified to accommodate a revised 46 CFR part 154 that will deal with liquefied gases.

Although the proposal included changes to 46 CFR part 2 dealing with the Hazardous Materials Incident Report, the Coast Guard decided to cancel this report altogether (42 FR 41636).

*Section 153.2 Definitions.* The definitions contain five new terms: "accommodation spaces," "Commandant," "dedicated ballast tank," "master," and "service spaces." Several of the definitions are the same as proposed in the rules for liquefied gases (41 FR 43822), and each of the definitions should help clarify the rule.

Two comments were received regarding the definition of "independent tanks". One comment suggested that rather than defining integral and independent tanks, the rule should distinguish only between tanks separated from the sea by an intervening space and those that allow the cargo to contact the vessel's side shell or bottom plating. An independent tank is one that has special supports that prevent it from being stressed by the loads on the tankship itself. An independent tank is not only separated from the sea but is also not as likely to leak as an integral tank, regardless of whether the integral tank is surrounded by void spaces. The Coast Guard requires independent tanks in instances where cargo leakage would pose an unusually hazardous condition or where some property of the cargo would make an integral tank impractical. For example, motor fuel antiknock compound, if leaked from a tank, would be extremely difficult to clean out of a void space or wing tank separating the tank from the sea. Therefore, the Coast Guard requires an independent tank to reduce the chance of cargo leaks.

Another comment asked whether a tank whose foundation was welded to the hull or which had one bulkhead formed from one of the ship's transverse bulkheads would be considered independent. The Coast Guard does not consider such tanks to be independent because in both cases the tanks would be forming part of the vessel's hull and would be subject to the same stresses as the vessel's hull. The definitions of integral and independent tanks have been reworded to clarify the difference between the two.

One person recommended that a definition for "designated ballast space" be

added to the rule. This phrase is not used in the proposed rule; however, the phrase "dedicated ballast tank" is used. A dedicated ballast tank is a tank within the vessel used only for clean ballast. The Coast Guard has added this definition to the final rule.

*Section 153.7 Existing tankships.* The Maritime Administration recommended that section 153.294(a) of the proposed rule, requiring piping systems to be marked with the name of the tank they serve, be made effective immediately since it is not a difficult requirement to meet and is useful from a safety standpoint. The Coast Guard agrees with this suggestion and has made section 153.294 effective immediately for existing vessels by adding it to section 153.7(c)(1).

Another comment noted that proposed section 153.7(c)(5) incorrectly implied that a type I containment system on an existing vessel could have a bottom shell clearance less than type II containment on the same vessel. This section has been changed so that existing type I and II containment systems must both be at least 76 cm from the bottom shell of the vessel.

One comment recommended that proposed sections 153.202 and 153.258 not be required of existing tankships. These sections set forth location requirements for doors, airports and the separation distances of cargo tanks from machinery, service and other spaces. In response, the Coast Guard has deleted the 76 cm separation distance contained in proposed section 153.258. This section has been reassigned to section 153.233 in the final rule. It now contains the same provisions as set forth in the IMCO Chemical Code. Existing vessels should have little difficulty meeting the requirements of this section since segregation has been a tankship design requirement for many years. Furthermore, existing vessels certificated under the IMCO Chemical Code will also have to meet this same requirement by April 1978.

*Section 153.9 Foreign flag vessel endorsement application.* This section, describing measures a foreign vessel must take to get a Letter of Compliance, now includes two certificates under the Safety of Life at Sea Convention. These certificates are necessary to show the vessel meets the Coast Guard's tanker requirements under subchapter D.

The proposed rule may have implied that submitting an IMCO Certificate was optional. The wording of section 153.9 has been changed to make it clear that the owner of a vessel registered in a country that issues IMCO Certificates must submit a copy of the IMCO Certificate in order to receive a Letter of Compliance.

*Section 153.12 IMCO Certificates.* A new section 153.12 is added to explain under what conditions the Coast Guard issues an IMCO Certificate to a U.S. tankship. The IMCO Certificate shows that the U.S. flag tankship meets the recommendations of the IMCO Chemical Code.

*Section 153.30 Permeability of spaces.* When the Coast Guard proposed the rules for liquefied gas tankers in part 154, it described the limits it places on permeability assumptions when assessing a vessel's stability after flooding in greater detail than it did in the proposal for this part. To aid ship designers in understanding the Coast Guard's vessel stability requirements, the more detailed description of permeability assumptions set out in the proposal for liquefied gas tankers is included in § 153.30. Sections 153.31 and 153.34 also have been made more detailed for the same reason.

*Section 153.32 Damage.* One comment suggested that proposed section 153.32(a)(1)(ii) should allow a collision penetration to be calculated from the highest deck level rather than at the assigned loadline so that the protection provided by the flare found at the vessel's bow could be utilized. The same comment stated, with no explanation, that theoretical bottom damage should be based on the vessel's depth rather than it's beam. In both cases, the penetration measurments used were taken from correlations derived from accident statistics. They are convenient reference points from which to describe the penetrations found in IMCO's analysis of accident data, rather than being theoretical deductions. If the Coast Guard had not adopted these recommendations, U.S. flag ships would not meet the minimum requirements of the IMCO Code.

*Section 153.200 Portlights, wheelhouse windows, and wheelhouse doors.* The proposed requirements for locating openings in superstructure, section 153.200, came from the Chemical Code. This section of the final rule was reworded to clarify the requirements and match the wording of the Chemical Code more closely.

*Section 153.202 Location of deckhouse doors and airports.* One comment argues that this section and the corresponding section of the IMCO Chemical Code should be written differently. The comment maintains that the purpose of this rule is to keep openings into the deckhouse clear of the cargo space regardless of the location of the accommodations house front and that, for this reason, the measurements should be made from the after transverse bulkhead of the cargo space. The purpose of this requirement is to reduce the possibility of toxic and flammable vapors being trapped in accommodation spaces bounding the deckhouse front. Vapors that are swept against the house front would be free to enter open portlights and doors if it were not for this design requirement. Taking measurements from the end of the cargo containment system, as suggested, would have no effect on minimizing this particular hazard.

*Section 153.208 Ballast equipment.* One comment said that proposed section 153.208(b)(2) was too restrictive in requiring that a non-return valve be located at the point where the ballast fill line enters the ballast tank. We agree. This section has been modified to allow either a stop value and a check valve or a stop-check valve to be used and to allow this valving arrangement to be located anywhere in the cargo containment area so long as it is not located within a cargo containment system.

*Section 153.214 Personnel emergency and safety equipment.* Two comments pointed out that the protective clothing described in proposed section 153.214(b) was too specific and would not insure adequate personnel protection from many corrosive or toxic cargoes. This section has been modified to broaden the description of the protective clothing while at the same time requiring it to be made of chemically resistant materials. Other comments suggested changes to § 153.527 as well as this section to require that the respiratory equipment and first aid kits be approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health, or similar foreign organization. This suggestion has been adopted. The respiratory equipment has also been described in greater detail to exclude a type that can be hazardous if used incorrectly; the respiration equipment now must be ". . . a portable oxygen inhalation and bag valve mask manual resuscitator."

One comment suggested that the safety equipment lockers required by proposed 153.214(c) should be located in a protected area. While moving these lockers into protected areas may make them less subject to damage, the lockers would also be less available in an emergency. The lockers themselves should sufficiently protect the safety equipment and this requirement has not been changed. Another comment noted that proposed section 153.214(f) did not require the shower and eye wash fountain to operate at any ambient temperature. This suggestion has been incorporated in section 153.216 of the final rule.

*Section 153.217 Access to void spaces.* A section 153.217 is added that requires access openings to void spaces adjacent to cargo tanks to be the same minimum size as openings to cargo tanks. These void spaces may easily have cargo vapors within them so that a man wearing self-contained breathing equipment should be able to get in them.

*Section 153.230 Type I system.* One person commented that this section appeared contradictory in that a type I cargo containment system would have to be located 76 cm in from the vessel's shell while also having to be inboard a distance of B/5 at the assigned loadline. However, depending on the curvature of the hull at the tank location, a straight-sided tank located a distance of B/5 inboard at the loadline might be only 76 cm from the hull where the hull turns inward near the turn of the bilge. This section is not contradictory and has not been changed.

*Section 153.235 Exceptions to cargo piping location restrictions.* One comment stated that the exceptions contained in this section could result in placing the cargo piping in a poor location. This allowance is also included in the IMCO Chemical Code, and permits cargo piping to be located closer to the vessel's shell than a cargo tank, provided that the piping is designed in such a way that no cargo release will result in the event of a collision. This piping location would not

present a hazard and may offer some flexibility to the designer. The section has been modified slightly to more clearly reflect its purpose.

*Section 153.236 Prohibited materials.* In volume 42 number 28 of the FEDERAL REGISTER dated February 10, 1977 on page 8377 the Coast Guard published a final rule modifying the restrictions in 46 CFR 151 on the use of certain materials in containment systems on barges carrying caustic soda and caustic potash. In the preamble, the Coast Guard noted that "there are some data that show that copper alloys with a high zinc content are attacked by caustic." The Coast Guard restricted the use of alloys containing more than 10 percent zinc by weight at that time. This section has been modified to adopt this restriction.

*Section 153.258 Tank separation.* This section was moved to section 153.233. The entire section was redrafted in an attempt to clarify some of the ambiguities described in several comments. One comment said many existing small tankships will not meet the proposed requirement. Section 153.233, as written in the final rule, is a standard that U.S. tankships have been required to meet for many years and is also an IMCO requirement. The Coast Guard will not exempt existing vessels from this requirement.

*Section 153.280 Cargo transfer valving.* In response to several questions received regarding the group of sections entitled "Cargo Handling Equipment" in the proposal, this area has been reorganized for clarification. This particular section has been redesignated as section 153.283 and slightly modified to require that a valve be located within each tank a cargo line serves.

*Section 153.294 Marking of piping systems.* One comment asked whether the cargo piping system should not be marked at more than one location. This section is modified to require that the cargo piping system be marked at each hose connection and at each valve and blind flange in the piping system. This modification should aid in preventing mistakes in tank loading.

*Section 153.296 Emergency shutdown stations.* One comment recommended that this section be modified to require an emergency shutdown station at the point where cargo transfer is controlled. The Coast Guard agrees with this recommendation and has made the change. Another comment recommended that the power shutdown control in the engine room be acceptable as one of the required emergency shutdowns. Since such a control would be nowhere near the point of cargo transfer and would be awkward to get to in an emergency, the Coast Guard will not accept this as one of the shutdown stations. This section of the final rule contains an additional requirement: emergency actuators must not interact with one another in a way that could prevent operation of the other emergency systems.

*Section 153.330 Access.* One comment stated that the ANSI standard for industrial stairs referred to in this section of the proposal was inappropriate and conflicted with other parts of the same section. Reference to this standard has been dropped from the final rule. One comment objected to the requirements for guard railings on ladders and platforms. The same comment also found the ladder inclination requirement "difficult and costly." The Coast Guard finds it somewhat difficult to believe that a requirement for guard railings and limitations on the inclination of ladders would have a significant financial impact on a ship costing 40 to 50 million dollars. Except where mentioned, this section has not been changed.

*Section 153.361 Arrangements for removal of valves from venting systems having multiple relief valves.* Included in the final rule is this new section that allows the use of vent systems with multiple relief valves which can be removed for servicing without taking the cargo tank out of service.

*Section 153.404 Containment systems requiring closed gauges.* Several sections describing requirements for cargo gauging systems were reorganized for clarity. The requirement for a high level alarm system, originally described in section 153.404 of the proposal, has been separated from the other requirements for closed gauging systems and redesignated section 153.409.

One comment recommended that the Coast Guard review its proposal to require vapor return connections on cargo tanks endorsed for cargoes having the greatest vapor hazards. This recommendation is based on the belief that a number of these cargoes are now being transferred without using vapor return and without creating any "* * * problems whatsoever." The Coast Guard's purpose in proposing this requirement was to minimize the amount of hazardous vapor discharged during cargo loading. Since many of these vapors pose chronic toxicity hazards that may take effect only after long periods of time, their dangers may not be immediately obvious to persons conducting cargo transfer operations. It is for this reason that the Coast Guard is retaining these requirements as proposed.

The same person suggested that the high level alarm and the tank overfill control system should be actuated at the same level. He recommended that 98 percent of the tank's capacity be used in each case but offered no reason for this comment. The high level alarm is provided to alert personnel filling cargo tanks than an immediate corrective action is necessary. The one percent set point difference, as provided in these sections, will give the operator sufficient time to take corrective action before the loading operation is automatically terminated. Both the high level alarm and the overfill control system are provided as safety devices in the event of personnel error or a failure of the required tank gauging system. Routine and frequent use of these backup devices is undesirable from both an operational and safety standpoint. For these reasons the Coast Guard did not change the proposed rule.

*Section 153.406 Containment systems requiring restricted gauges.* One comment recommended that the restricted gauge maximum diameter should be increased because 5 cm would be too small to allow accurate gauging of cargo tanks of 30 to 40 feet in depth. The maximum diameter has been increased to 20 cm, which has been found to be sufficient to allow gauging of a tank that is 40 or more feet deep.

*Section 153.407 Special requirements for sounding tube gauges.* In response to several comments, this section has been expanded to describe the requirements for sounding tube gauges in more detail. Sounding tubes will now be required to extend to within one meter of the tank bottom. This requirement will minimize the amount of vapor escaping through the tube during tank loading operations.

*Section 153.408 Tank overfill controls.* One comment recommended that a 30-second maximum closure time for quick-closing valves be allowed after the cargo tank has reached the 98 percent level. The intent of this requirement is to assure that the shutdown valve is completely closed by the time the tank level reaches 98 percent. Therefore, it is not necessary to specify a maximum closure time. The final rule was reworded slightly to clarify this point.

*Section 153.432 Cooling systems.* One person commented that this section should also describe the size of the backup units and how readily they must be placed in operation. Paragraph (b) has been rewritten to insure that the standby refrigeration equipment is installed and ready for immediate use. Paragraph (c) was also added; it requires a piping diagram for the refrigeration system and instructions on changing over to the standby unit.

*Section 153.438 Cargo temperature alarms required.* One comment argued that the cargo high temperature alarm should not be required to be located on the bridge but only to be audible and visible from the bridge. The Coast Guard has not modified this section because in many circumstances, such as when the vessel is underway, a person on the bridge of the vessel might not be able to hear the cargo high temperature alarm or see it if it were located only on the deck of the vessel. It is important that the alarm be immediately recognized and corrective actions be taken.

*Section 153.440 Cargo temperature sensors required.* One comment recommended that section 153.440 be rewritten to allow a thermometer well on the tank rather than having a remote sensing thermometer located at the point from which cargo transfer is controlled. The comment pointed out that remote reading temperature indicators are unreliable and that the requirement as applied to elevated temperature cargoes affects only the quality of a cargo and not the safety of the vessel or crew. Overheating of cargo can often create safety problems as well as affecting cargo quality. Furthermore, heating a cargo beyond the temperature for which a tank is designed can cause a tank to crack and leak or can raise stresses in main structural mem-

bers within the vessel beyond the values they were designed to accommodate. This problem has appeared to be involved in some past accidents with sulfur carriers. For these reasons the Coast Guard has retained the requirement, though modifying it slightly to require only two rather than three remote reading temperature sensors on each tank.

*Section 153.460 Fire protection systems.* A number of people commented on the fire protection requirements described in section 153.460. These comments can be summarized as follows:

a. The section on fire protection systems refers to part 34 of title 46. Part 34 contains no standards for dry chemical fire protection systems.

b. Water spray systems are ineffective in controlling a fire and the requirement should be changed to foam spray systems.

c. Dry chemical systems are ineffective in controlling flash back and reignition.

d. A category of fire protection systems requiring AFFF fire fighting agent should be created.

e. Dry chemical agents are ineffective in controlling cargo vapor.

f. The regulations would allow a dry chemical system to be substituted for any other fire protection system specified. Dry chemical systems may not be effective with many of the cargoes. This provision should be changed to require only approved type fire protection systems.

The objections to dry chemical systems are generally correct. The proposal would have allowed substitution of dry chemical for a type A or B system, (and mistakenly for a type C system) apparently at the choice of the designer. Because of the many considerations involved in substituting dry chemical for other systems, and since standards for dry chemical systems do not exist in part 34, the regulations have been revised. Section 153.460 now requires that a dry chemical system substituted for a type A or B system must be specially approved, by the Commandant (G–MMT). The Coast Guard will publish rules for dry chemical systems on chemical tankers in a future rulemaking.

Water spray systems are generally ineffective in controlling a fire, and are not usually prescribed for fire extinguishment purposes. They are effective, however, in cooling exposed tanks and piping and in preventing reignition of cargo vapors after a fire is out. Therefore, water spray systems are still required for some cargoes.

The Coast Guard has not added a category requiring AFFF agents. These agents are not unique in being effective on both regular hydrocarbons and polar solvents since all Coast Guard approved polar solvent foams are suitable for regular hydrocarbons as well. The terms "alcohol" and "regular foam" have been deleted from the footnotes to table I, since they may be subject to misinterpretation.

*Section 153.463 Vent system discharges.* One comment objected to the 10 meter separation distance required between cargo tank vent discharges and ignition sources. This section has been revised to apply only to those cargoes requiring PV venting, a provision contained in the IMCO Chemical Code.

*Section 153.465 Flammable vapor detector.* In keeping with the IMCO Code, this section was modified to permit one of the two required flammable vapor detectors to be the permanently installed type.

*Section 153.466 Electrical equipment.* This new section was added to ensure that all electrical equipment meets the provisions of Subchapter J of Title 46.

*Section 153.467 Ventilation systems for flammable cargoes.* This new section requires non-sparking ventilation equipment for all flammable cargoes. This was added because the Coast Guard actually reviews ventilation equipment on tankers carrying any flammable cargo to see that the equipment is non-sparking. To mention the requirement only under alkylene oxides as was done in the proposal would have been misleading.

*Section 153.500 Inert gas systems.* One comment objected that the proposal required that isopropylamine, toluene diisocyanate, and vinylidene chloride be inerted when carried. Toluene diisocyanate is carried with an inerted, pressurized vapor space to prevent water vapor from entering the tank. The Coast Guard had intended to include for toluene diisocyanate the requirement that the inert gas system supply inert gas with no more than 100 parts per million water. This requirement was contained in section 153.501, and was omitted in table 1 of the proposal. Toluene diisocyanate decomposes when mixed with water and releases carbon dioxide. If much water vapor, such as might come through an inert gas system supplying scrubbed stack gas, mixed with the cargo, the rate of carbon dioxide evolution might be greater than the tank venting equipment could handle, overpressuring the tank. The Chemical Code requires that normal propylamine and vinylidene chloride both be inerted. Since isopropylamine and normal propylamine differ only slightly in the characteristics that make inerting important, such as autoignition temperature, flammable limits, and reactivity with air, the Coast Guard proposed that isopropylamine also be carried under an inert gas pad. The Coast Guard will review with IMCO the requirement that these cargoes be inerted; however, in the interim the requirement will be imposed.

The comment further recommended that the requirements for inert gas systems be modified to allow part of the system's capacity to come from auxiliary inert gas supplies on shore during cargo discharge. This is a reasonable alternative so long as there are operational controls to prevent a tank's vacuum relief valve from operating when discharging a cargo required to be inerted. Therefore, the Coast Guard has modified section 153.975 to add an operational requirement that any necessary auxiliary inert gas supplies be connected before cargo discharge.

One comment remarked that the Coast Guard's proposal to require about 14 kiloPascal (kPa) gauge pressure of inert gas within a tank is excessive. He suggested that a pressure of about 1.75 kPa would be sufficient, would cut down on inert gas use, and would decrease the amount of cargo vapor vented. The Coast Guard agrees that the inerting pressure of 14 kPa is excessive and has modified this requirement to make the minimum inert gas pressure in the tank equal to the minimum pressure at which a tank relief valve may begin to open, that is, 3.5 kPa.

The Maritime Administration suggested that in order to specify the volumetric flow capacity of the inert gas system accurately, the pressure at which the volumetric flow capacity must be computed should be specified. The Coast Guard agrees and has modified section 153.500(d) to specify that when calculating the system's flow, the gas be at 46°C and 3.5 kPa pressure.

*Section 153.520 Special requirements for carbon disulfide.* Paragraph (d) of the carbon disulfide requirements was modified slightly to specify a type 304 or 316 stainless steel on the pv valves instead of the unspecified type in the proposal.

*Section 153.525 Special requirements for unusually toxic cargoes.* Two comments suggested changes to the requirements for toxic cargoes contained in this proposed rule. One comment recommended that section 153.525(d) be changed to read, "be arranged so as not to contaminate other systems via supply and return of heating source". The proposed rule would require an independent heating system or a heating system totally external to the cargo containment system. The IMCO Code is worded similarly, but allows a third alternative in which the heat transfer fluid may be sampled for the presence of cargo before being returned from the tank to the heat exchanger. The Coast Guard will consider systems for sampling the fluid that would prevent circulation of contaminated heat transfer fluid into other heat transfer systems. To clarify this point, a provision has been added to section 153.525(d) of the final rule that will allow such sampling systems, provided they have the approval of Commandant (G–MHM).

One comment objected to the requirement in section 153.525(b) that the relief valve on a cargo tank carrying unusually toxic cargoes be set at no less than 21 kPa. The comment argued that venting a tank at about 2-kPa would relieve a much lesser "volume of toxic vapors". Under normal operating conditions a cargo tank carrying an unusually toxic cargo would release vapors through the vent system only because of pressure changes caused by temperature variations within the cargo liquid and vapor phases. This cyclical phenomenon is commonly referred to as "tank breathing". The amount of cargo released during breathing is a function of the temperature extremes encountered and the pressure setting of the vent system relief

valve. The Coast Guard has set the lower limit on this relief valve setting at 21 kPa to minimize tank breathing by forcing the relief valve to operate less often. If vapor is vented, it will be released a distance of at least 6 meters above the deck where personnel may be working and at a higher velocity than if vented at 2 kPa. This distance and initial velocity should be sufficient to disperse and dilute the vented vapors.

One comment objected to the excessive separation distance required under 153.525(e) between toxic cargoes and bunkers. This section of the proposal is modified to require separation of the cargo and not cargo containment from bunkers by two bulkheads.

*Section 153.530 Special requirements for alkylene oxides.* One comment recommended that this section include all IMCO Chemical Code requirements and that the Coast Guard review its requirements for propylene oxide in light of its highly flammable and reactive characteristics. Upon review, proposed section 153.530 was revised to incorporate the restrictions on construction materials contained in the IMCO Chemical Code. In conjunction with the Chemical Transportation Industry Advisory Committee (CTIAC), the Coast Guard is continuing a review of its propylene oxide requirements. The Coast Guard is also conducting an active testing program aimed at determining possible reactions between seawater and propylene oxide in the presence of various catalysts, such as rust. Any rule changes that might result from the test program findings or the recommendations of the CTIAC's Subcommittee on Chemical Vessels will be handled in a separate rulemaking.

*Section 153.556 Special requirements for sulfuric acid and oleum.* One comment asked why the requirements for sulfuric acid did not mention stainless steel as a material of construction. Although the Coast Guard would consider stainless steel equivalent to mild steel in its ability to resist corrosion by sulfuric acid and oleum, the Coast Guard has no evidence that stainless steels are sufficiently more corrosion resistant than mild steel to be useful at all concentrations of sulfuric acid. Therefore, the Coast Guard has left this requirement unchanged and will handle any requests to use materials other than those specified in the section on a case by case basis as described in paragraph (c) of the section.

The proposed rule was possibly misleading in allowing unlined steel to be used for tanks carrying oleum containing more than 4 percent free sulfur trioxide. The 4 percent figure applies only to a method of measuring oleum concentration peculiar to the sulfuric acid industry. As the proposal was worded, this concentration should have been 20 percent rather than 4 percent. Twenty percent free sulfur trioxide is specified in the final rule.

*Section 153.806 Stability test and information.* One person commented that this section is confusing because it refers to the requirements for Cargo and Miscellaneous Vessels in Part 93 of title 46 when describing the stability tests and information a tankship must have before its Certificate is endorsed. The requirements in part 93 are general in nature and can be applied to any vessel. In fact, the Coast Guard recently proposed to apply these same requirements to tankers certificated under parts 30–35 of title 46. The Coast Guard does not believe this reference will cause confusion once people become familiar with it and, therefore, has left the rule as proposed.

*Sections 153.808 through 153.812.* Four sections from the existing 46 CFR Part 154 were added in the "Testing and Inspection" group to describe the procedures the owner of a foreign flag vessel must follow to arrange for the Coast Guard to examine his vessel. The new sections describe a systematic procedure to follow to arrange an examination and list the information the Coast Guard needs for the examination. The Coast Guard requires a minimum of 14 calendar days to set up an examination. A vessel that does not have a Letter of Compliance may carry a dangerous cargo into U.S. waters on the examination voyage only if it has specific authorization from the Coast Guard.

*Sections 153.900–153.976.* Many of these sections have been moved and renumbered to improve the order of presentation.

*Section 153.902 Expiration of Letters of Compliance.* A section was added to state that a Letter of Compliance, like a Certificate of Inspection, is good for a period not exceeding two years. This is an existing rule in part 154 that is now incorporated here.

*Section 153.907 Cargo information cards.* One comment stated that the ship's personnel should not be responsible for ensuring that terminal personnel "* * * be knowledgeable of the nature of the products that the terminal handles." By this rule the Coast Guard is not requiring that ship's personnel ensure that terminal personnel be familiar with all the cargoes handled by the terminal, but rather that they ensure that terminal personnel are aware of the products being carried on the tankship. The ship may have onboard cargoes that are not necessarily handled by the terminal. It is imperative in emergency situations that terminal personnel have a copy of the vessel's shipping document and a set of cargo information cards. Proposed section 153.907(b) is being retained but has been moved to section 153.914 of the final rule.

*Section 153.910 Cargo piping plan.* As previously mentioned, this new section requires that a cargo piping plan be provided on board each tankship.

*Section 153.933 Protective clothing required.* This new section is added to the final rule to give direction to the master regarding the wearing of protective clothing for specific cargo handling operations.

*Section 153.950 Person in charge of cargo transfer.* One comment opposed the description in section 153.950 of the proposal, redesignated section 153.957, of the person in charge of cargo transfer and felt that the Coast Guard should require a tankerman at the point of cargo transfer in addition to the licensed officer. According to the comment, the complexities of cargo transfer are such that more than one person is necessary to continuously oversee the transfer procedures. The Coast Guard agrees that in most transfer operations more than one person would likely be necessary to do all the operations on the ship necessary to transfer the cargo. However, in drafting the rule, the Coast Guard has tried to place both the responsibility and authority to supervise a cargo transfer operation on the person in charge of cargo transfer. The Coast Guard has in no way limited the freedom of the person in charge to use other people on board the vessel and to assign them various tasks in the cargo transfer operations. However, it is unwise to fragment the responsibility for coordination of cargo transfer operations by assigning more than one person responsibility for the overall transfer, and the requirement as proposed has been retained. As mentioned in the preamble to the proposal of this part, section 153.957 refers to proposed regulations for tankermen (42 FR 21190, April 25, 1977). The Coast Guard expects these rules to be published in final form shortly. In the interim, § 153.957 has been changed to refer to 33 CFR 155.710 that describes requirements for the person in charge of an oil transfer operation.

*Section 153.952 Warning signs.* One comment suggested that 153.952 of the proposal, now redesignated 153.955, might be clearer if the sign containing the cargo warnings were illustrated rather than described in the text. The Coast Guard has retained the description of the sign in the text but has added an illustration of the sign to that section.

*Section 153.1020 Unusually toxic cargoes.* In the proposal, the requirement that a toxic cargo be isolated from other cargoes was described as a design requirement. However, unless a tankship dedicates certain cargo tanks only to toxic cargoes, it is impractical to guarantee this requirement in the design phase of the vessel. Therefore, the Coast Guard has modified the requirement slightly so that the cargo tank and piping system for an unusually toxic cargo must be designed so that they can be isolated. To make sure this is done when a toxic cargo is loaded, the Coast Guard has added to section 153.1020 a prohibition again any person loading or carrying toxic cargoes in containment systems which are not isolated from other cargo containment systems.

*Section 153.1025 Motor fuel antiknock compounds.* Two comments questioned the requirement in section 153.1025 that a person get specific approval from the Commandant (G-MHM) before entering a cargo tank endorsed for motor fuel antiknock compounds. The decontamination of a cargo tank which has carried motor fuel antiknock compounds is a difficult, dangerous, and tedious operation. For this reason the Coast

Guard does not want people haphazardly cleaning and entering motor fuel antiknock compound tanks. The manufacturers of motor fuel antiknock compounds usually have specially trained personnel to decontaminate materials that have been in contact with motor fuel antiknock compounds. To accommodate in part a suggestion that the manufacturers be allowed to enter tanks without Coast Guard approval, the Coast Guard has added a provision in section 153.1025 which would allow manufacturers to obtain prior approval of a decontamination procedure from the Coast Guard, and to obtain specific authorization to enter a tank in accordance with that procedure by merely calling Commandant (G-MHM).

*Section 153.1052 Carriage of other cargoes in acid tanks.* One comment questioned why the ship's personnel could not be given responsibility for deciding whether another cargo could be carried in a containment system endorsed for sulfuric, hydrochloric, or phosphoric acid. The Coast Guard's concern in this instance is that lining materials or other materials designed specifically to protect the tank against attack by one of these acids might be damaged if used with another cargo. Determining the compatibility of cargoes and tank lining materials can be quite complicated in many cases. The Coast Guard does not believe that the ship's licensed officers are likely to have the specialized training necessary to make such determinations. Therefore, the Coast Guard has left this requirement as proposed.

*Section 153.1055 Nitropropane.* One comment argued that the Coast Guard's proposal for nitropropane is too restrictive and ". . . not justified by any published technical data." The Coast Guard proposed that nitropropane be treated as follows:

a. It could not be carried in deck tanks.

b. It could not be carried in heated tanks, adjacent to heated cargoes, or adjacent to hold spaces containing tanks with heated cargoes.

c. If carried in a tank containing heating coils, the heating supply to the coils must be disconnected to prevent inadvertent heating.

The Coast Guard, in effect, is safeguarding against the possibility of this cargo becoming heated while carried on the tankship. The comment is correct in saying that the Coast Guard has no data to show that nitropropane is more hazardous when heated above ambient temperatures. In fact, the Coast Guard has data to show that nitropropane is not shock sensitive, even when heated, some of which the commenter furnished. However, nitromethane sometimes detonates violently when heated, and the chemical similarity of the two products raises the possibility that nitropropane might behave similarly. While some tests have shown that it will not, there is no assurance that those test procedures adequately simulate all the conditions under which the product might detonate. Similar testing difficulties were encountered with nitromethane. Until further testing has demonstrated that nitropropane will not behave similarly to nitromethane when heated under certain conditions, the relatively minor restrictions on the carriage of nitropropane will be retained.

Besides the changes to the original proposal described in this preamble, the final rule corrects many typographical errors.

This rule has been reviewed for economic effects under the Department of Transportation "Policies to Improve Analysis and Review of Regulations" (41 FR 16200). When doing so, the Coast Guard reviewed the design of both new and existing chemical ships under U.S. flag and those foreign ships operating in U.S. waters. As mentioned previously, the Coast Guard estimates that the rule will cost about $15,000,000 over the approximately one year period owners of existing vessels will have to meet the requirements. The rule will reduce the exposure of the crew and others near the vessel to cargo hazards. As a side effect, the rule may also reduce the likelihood of cargoes being spilled into waterways, though the incidence of spillage of these particular cargoes has been very low. Because the rule applies to all tankships carrying the listed cargoes in U.S. waters, and because the rule becomes fully effective on the same day as does the IMCO Chemical Code, no tankship will be put at an economic disadvantage in trying to meet the Chemical Code.

In consideration of the foregoing, Chapter I of Title 46 of the Code of Federal Regulations is amended by revoking Part 39; amending Parts 1, 2, 24, 30, 31, 32, 35, 40, 42, 56, 90, 91, 98, 105, 110, and 151 thereof; and adding a new Part 153 as follows:

## PART 1—ORGANIZATION, GENERAL COURSE AND METHODS GOVERNING MARINE SAFETY FUNCTIONS

1. In § 1.01(b)(1), by inserting the words "Chief, Cargo and Hazardous Materials Division," immediately after the words "Chief, Merchant Vessel Inspection Division" and by adding § 1.01(b)(1)(iv) to read as follows:

**§ 1.01 Organization.**

* * * * *

(b) * * *

(1) * * *

(iv) The Chief, Cargo and Hazardous Materials Division at Coast Guard Headquarters, under the direction of the Chief, Office of Merchant Marine Safety, administers the program for the development of safe containment systems for certain bulk dangerous cargoes, administers the Letter of Compliance program for foreign vessels carrying cargoes of unusual hazard and evaluates the hazards involved in the shipment of dangerous cargoes.

**§ 1.20 [Amended]**

2. By striking out in the third sentence of § 1.20(b) the word "three" and inserting the word "four" in place thereof.

## PART 2—VESSEL INSPECTIONS

**§ 2.01–1 [Amended]**

3. By adding in § 2.01–1(c) the words "O (Certain Bulk Dangerous Cargoes)," immediately after the words, "J (Electrical Engineering)".

4. By revising footnote number 10 to Table 2.01–7(a) to read as follows: "10 Bulk dangerous cargoes are cargoes specified in table 151.01–10(b), in table I of Part 153, and in table 4 of Part 154 of this chapter" and in table 2.01–7(a) by revising column 8 and adding footnote 12 to read as set forth below, and by adding a new paragraph (b)(6) as follows:

**§ 2.01–7 Classes of vessels (including motorboats) examined or inspected and certificated.**

* * * * *

(b) * * *

(6) For vessels carrying certain bulk dangerous cargoes see subchapter O of this chapter.

| Col. 1 | Col. 2 | * * * | Col. 8 |
|---|---|---|---|
| Steam | Vessels not over 65 ft in length | | All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.[12] |
| | Vessels over 65 ft in length | | Do. |
| Motor | Vessels not over 15 gross tons | | Do. |
| | Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over. | | |
| | Seagoing motor vessels of 300 gross tons and over | | Do. |
| Sail | Vessels not over 700 gross tons | | Do. |
| | Vessels over 700 gross tons | | Do. |
| Non-self-propelled | Vessels less than 100 gross tons | | All tank barges carrying in bulk the cargoes listed in table 151.05 of this chapter.[11,12] |
| | Vessels 100 gross tons or over | | Do. |

* * * * * * * *

[12] Except those cases excluded under 46 U.S.C. 170 or 391a.

* * * * * * * *

7. By revising § 2.01–13(c) to read as follows:

**§ 2.01–13 Inspection requirements—foreign vessels.**

* * * * *

(c) For details concerning application of regulations to foreign vessels, see Part 30 (Tank Vessels), Part 70 (Passenger Vessels), Part 90 (Cargo and Miscellaneous Vessels), § 146.02–2 (Danger-

ous Cargoes), Part 148 (Bulk Solid Hazardous Materials), Parts 153 and 154 (Certain Bulk Dangerous Cargoes), and Part 175 (Small Passenger Vessels) of this chapter.

8. By adding § 2.01–15(a)(10) to read as follows:

**§ 2.01–15 Vessel repairs.**

* * * * *

(a) * * *

(10) For vessels carrying compressed gases regulated by Subchapter O (Certain Bulk Dangerous Cargoes), see § 151.-50–30(c) of this chapter.

9. By revising the last sentence of § 2.01–25(b)(1) to read as follows:

**§ 2.01–25 International Convention for Safety of Life at Sea, 1960.**

* * * * *

(b) * * *

(1) * * * Further details are set forth in Subchapter D (Tank Vessels), Subchapter H (Passenger Vessels), Subchapter I (Cargo and Miscellaneous Vessels), Subchapter O (Certain Bulk Dangerous Cargoes), and Subchapter T (Small Passenger Vessels) of this chapter.

* * * * *

10. By adding § 2.90–1(h) to read as follows:

**§ 2.90–1 General requirements.**

* * * * *

(h) The requirements for vessels carrying certain bulk dangerous cargoes are in Parts 148, 151, 153, and 154 of this chapter.

## PART 24—GENERAL PROVISIONS

**§ 24.05–1 [Amended]**

In § 24.05–(a) the table is amended by revising footnote number 10 to read as follows: "10 Bulk dangerous cargoes are cargoes specified in table 151.01–10(b), in table I of Part 153, and in table 4 of Part 154 of this chapter" and by revising column 8 and adding footnote 12 as follows:

| Col. 1 | Col. 2 | * * * | Col. 8 |
|---|---|---|---|
| Steam | Vessels not over 65 ft in length | | All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.[12] |
| | Vessels over 65 ft in length | | Do. |
| Motor | Vessels not over 15 gross tons | | Do. |
| | Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over. | | Do. |
| | Seagoing motor vessels of 300 gross tons and over | | Do. |
| Sail | Vessels not over 700 gross tons | | Do. |
| | Vessels over 700 gross tons | | Do. |
| Non-self-propelled | Vessels less than 100 gross tons | | All tank barges carrying in bulk the cargoes listed in table 151.05 of this chapter.[11, 12] |
| | Vessels 100 gross tons or over | | Do. |

* * * * * * * *

[11] Except those cases excluded under 46 U.S.C. 170 or 391a.

* * * * * * * *

## PART 30—GENERAL PROVISIONS

**§ 30.01–5 [Amended]**

By revoking §§ 30.01–5(b)(8) and (9), and by amending the table in paragraph (d) by revising footnote number 10 to read as follows: "10 Bulk dangerous cargoes are cargoes specified in table 151.01–10(b), in table I of Part 153, and in table 4 of Part 154 of this chapter" and by revising column 8 and adding footnote 12 as follows:

| Col. 1 | Col. 2 | * * * | Col. 8 |
|---|---|---|---|
| Steam | Vessels not over 65 ft in length | | All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.[12] |
| | Vessels over 65 ft in length | | Do. |
| Motor | Vessels not over 15 gross tons | | Do. |
| | Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over. | | Do. |
| | Seagoing motor vessels of 300 gross tons and over | | Do. |
| Sail | Vessels not over 700 gross tons | | Do. |
| | Vessels over 700 gross tons | | Do. |
| Non-self-propelled | Vessels less than 100 gross tons | | All tank barges carrying in bulk the cargoes listed in table 151.05 of this chapter.[11, 12] |
| | Vessels 100 gross tons or over | | Do. |

* * * * * * * *

[11] Except those cases excluded under 46 U.S.C. 170 or 391a.

* * * * * * * *

**§ 30.10–15 [Amended]**

In § 30.10–15, by striking out the second sentence.

**§ 30.10–22 [Amended]**

In § 30.10–22, by striking out the second sentence.

By revising § 30.25–1 to read as follows:

**§ 30.25–1 Cargoes carried in vessels certificated under the rules of this subchapter.**

The cargoes listed in table 30.25–1 and mixtures composed solely of these cargoes have been found to be flammable or combustible and may be transported in bulk only in vessels certificated under the rules of this subchapter.[1]

TABLE 30.25–1

Acetone
Amyl Acetate (iso-, n-)
Amyl Alcohol (n-)
Amyl Tallate
Asphalt
Asphalt Blending Stocks:
  Roofers Flux
  Straight Run Residue
Butane
Butyl Acetate (iso-, n-, sec-)
Butyl Alcohol (iso-, n-, sec-, tert-)
Butyl Benzyl Phthalate
Butylene
1,3-Butylene Glycol
Cumene
Cycloaliphatic Resins
Cyclohexane
Cyclohexanol
Cymene (para-)
Decyl Alcohol (iso-, n-)
Decyl Benzene (-n)
Decaldehyde (iso-, n-)
Decene
Diacetone Alcohol
Dibutyl Phthalate (ortho-)
Diethylbenzene
Diethylene Glycol
Diethylene Glycol Monobutyl Ether (Methyl Carbitol)
Diethylene Glycol Monobutyl Ether Acetate
Diethylene Glycol Monoethyl Ether
Diethylene Glycol Monomethyl Ether
Diglycidyl Ether of Bisphenol A
Diheptyl Phthalate
Diisobutylene
Diisobutyl Carbinol
Diisobutyl Ketone
Diisodecyl Phthalate
Dinonyl Phthalate
Dioctyl Phthalate
Diphenyl-diphenyl oxide
Dipropylene Glycol
Distillates:
  Straight Run
  Flashed Feed Stocks
Diundecyl Phthalate
Dodecanol
Dodecylbenzene (commercial)
Epoxylated Linear Alcohols, C11–C15
Ethane
Ethoxylated Alcohols, C12–C15
Ethoxy Triglycol (crude)
Ethyl Acetate
Ethyl Alcohol

[1] See Parts 151, 153, and 154 of this chapter for additional rules governing the bulk carriage of dangerous cargoes.

Ethyl Benzene
Ethyl Butanol
Ethylene
Ethylene Glycol
Ethylene Glycol Monobutyl Ether
Ethylene Glycol Monobutyl Ether Acetate
Ethylene Glycol Monoethyl Ether
Ethylene Glycol Monoethyl Ether Acetate
Ethylhexaldehyde
2-Ethyl Hexanol
Ethyl Hexyl Tallate
Furfuryl Alcohol
Gas Oil:
  Cracked
Gasoline Blending Stocks:
  Alkylates
  Reformates
Gasolines:
  Casinghead (natural)
  Automotive (containing not over 4.23 grams lead per gallon)
  Aviation (containing not over 4.86 grams lead per gallon)
  Polymer
  Straight Run
Glycerine
Glycol Diacetate
Glyoxal (40%)
Heptane
Heptanol
Hexane (iso-, n-)
Hexanol
Hexene
Hexylene Glycol
Isophorone
Jet Fuels:
  JP-1 (Kerosene)
  JP-3
  JP-4
  JP-5 (Kerosene, Heavy)
Kerosene
Latex, Liquid Synthetic
Methane
Methyl Acetate
Methyl Alcohol
Methyl Amyl Acetate
Methyl Amyl Alcohol
Methyl Ethyl Ketone
Methyl Formal (Dimethyl Formal)
Methyl Isobutyl Ketone
Methyl Isobutyl Carbinol
Mineral Spirits
Naphtha:
  Solvent
  Stoddard Solvent
  Varnish Makers' and Painters' (75%)
Nonane
Nonene
Nonyl Alcohol
Nonyl Phenol
Nonyl Phenol (ethoxylated)
Octene
Octyl Alcohol (iso-, n-)
Octyl Aldehyde (iso-)
Octyl Epoxytallate
Oils:
  Absorption
  Aromatic
  Clarified
  Coal Oil
  Coal Tar
  Croton
  Crude Oil
  Diesel Oil
  Fuel Oils:
    No. 1 (Kerosene)
    No. 1-D
    No. 2
    No. 2-D
    No. 4
    No. 5
    No. 6
  Heartcut Distillate
  Lubricating
  Mineral Seal
  Mineral
  Motor
  Neatsfoot
  Linseed
  Penetrating
  Range
  Residual
  Resin
  Resinous Petroleum
  Road
  Rosin
  Sperm
  Spindle
  Spray
  Tall
  Tanner's
  Transformer
  Turbine
Edible Oils, including:
  Castor
  Coconut
  Cotton Seed
  Fish
  Lard
  Olive
  Palm
  Peanut
  Safflower
  Soya Bean
  Tucum
  Vegetable
Pentadecanol
Pentane (iso-, n-)
1-Pentene
Petrolatum
Petroleum Naphtha
Phosphorized Bicyclic Terpine
Phthalate Plasticizers
Polybutene
Polyethylene Glycols
Polymerized Esters
Polypropylene
Polypropylene Glycol Methyl Ether
Polypropylene Glycols
Propane
Propyl Acetate (iso-, n-)
Propyl Alcohol (iso-, n-)
Propylene
Propylene Butylene Polymer
Propyl Ether (iso-)
Propylene Glycol
Propylene Tetramer
Soybean Oil (Epoxidized)
Sulfolane
Tallow
Tetradecanol
Tetradecene
Tetradecyl Benzene
Tetraethylene Glycol
Tetrahydronaphthalene
Toluene
Tridecanol
Tridecene
Tridecyl Benzene
Triethyl Benzene
Triethylene Glycol
Triethylene Glycol Diethyl Butyrate
Tripropylene Glycol
Turpentine
Undecanol
Undecene
Undecylbenzene
Waxes:
  Carnauba
  Paraffin
Xylene (meta-, para-, ortho-)
Zinc Dialkyldithiophosphate

**§ 30.25-5 [Revoked]**

By revoking § 30.25-5 and table 30.25-5.

## PART 31—INSPECTION AND CERTIFICATION

**§ 31.05-1 [Amended]**

By striking out the last sentence in § 31.05-1(b).

## PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

By revising § 32.55-20(b)(1) to read as follows:

**§ 32.55-20 Venting of cargo tanks of tankships constructed on or after July 1, 1951—T/ALL.**

* * * * *

(b) * * *

(1) Cargo tanks in which Grade A liquids are to be transported must be fitted with a venting system consisting of a branch vent line from each cargo tank connected to a vent header which must extend to a height above the weather-deck equal to at least 13.1 feet and must terminate at a comparable distance from any living or working space, ventilator inlet, or source of ignition. When special conditions will prevent the vent line or header outlets being permanently installed at a height above the deck of 13.1 feet, an adjustable system must be provided which, when extended vertically, is capable of reaching a height of 13.1 feet.

* * * * *

## PART 35—OPERATIONS

**§ 35.30-1 [Amended]**

By striking out § 35.30-1(b)(2).

## PART 39—FLAMMABLE OR COMBUSTIBLE LIQUIDS HAVING LETHAL CHARACTERISTICS [REVOKED]

By revoking Part 39.

## PART 40—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS FOR CARRYING CERTAIN FLAMMABLE OR COMBUSTIBLE DANGEROUS CARGOES IN BULK

### Subpart 40.10 [Revoked]

By revoking Subpart 40.10.

## PART 42—DOMESTIC AND FOREIGN VOYAGES BY SEA

**§ 42.20-5 [Amended]**

In § 42.20-5(a-1), by adding the words "46 CFR 153.20, 153.21, 153.22, or 154.210" immediately after the words "33 CFR 157.21".

## PART 56—PIPING SYSTEMS AND APPURTENANCES

**§ 56.04-2 [Amended]**

By revising footnote 2 of table 56.04-2 in § 56.04-2 to read as follows:

[2] For definitions, see 46 CFR Parts 30, 151, and 154. Note that the category "B and C" poisons is not used in the rules applying to self-propelled vessels (46 CFR Part 153).

## PART 70—GENERAL PROVISIONS

In § 70.05—1(a) the table is amended by revising footnote number 10 to read as follows: "10 Bulk dangerous cargoes are cargoes specified in table 151.01-10 (b), in table I of Part 153, and in table 4 of Part 154 of this chapter" and by revising column 8 and adding footnote 12 as follows:

| Col. 1 | Col. 2 | • • • | Col. 8 |
|---|---|---|---|
| Steam | Vessels not over 65 ft in length | | All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.[12] |
| Motor | Vessels over 65 ft in length | | Do. |
| | Vessels not over 15 gross tons | | Do. |
| | Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over. | | Do. |
| | Seagoing motor vessels of 300 gross tons and over | | Do. |
| Sail | Vessels not over 700 gross tons | | Do. |
| | Vessels over 700 gross tons | | Do. |
| Non-self propelled | Vessels less than 100 gross tons | | All tank barges carrying in bulk the cargoes listed in table 151.05 of this chapter.[11, 12] |
| | Vessels 100 gross tons or over | | Do. |

[11] Except those cases excluded under 46 U.S.C. 170 or 391a.

## PART 90—GENERAL PROVISIONS

In § 90.05–1 (o) the table is amended by revising footnote number 10 to read as follows: "10 Bulk dangerous cargoes are cargoes specified in table 151.01–10 (b), in table I of Part 153, and in table 4 of Part 154 of this chapter" and by revising column 8 and adding footnote 12 as follows:

| Col. 1 | Col. 2 | • • • | Col. 8 |
|---|---|---|---|
| Steam | Vessels not over 65 ft in length | | All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.[12] |
| Motor | Vessels over 65 ft in length | | Do. |
| | Vessels not over 15 gross tons | | Do. |
| | Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over. | | Do. |
| | Seagoing motor vessels of 300 gross tons and over | | Do. |
| Sail | Vessels not over 700 gross tons | | Do. |
| | Vessels over 700 gross tons | | Do. |
| Non-self propelled | Vessels less than 100 gross tons | | All tank barges carrying in bulk the cargoes listed in table 151.05 of this chapter.[11, 12] |
| | Vessels 100 gross tons or over | | Do. |

[12] Except those cases excluded under 46 U.S.C. 170 or 391a.

## PART 91—INSPECTION AND CERTIFICATION

§ 91.55–15 [Amended]

In § 91.55–15(a)(2), by striking out the words "1300 'E' Street NW., Washington, D.C. 20590" and substituting the words "Washington, D.C. 20590" in place thereof.

## PART 98—SPECIAL CONSTRUCTION, ARRANGEMENT, AND PROVISIONS FOR CERTAIN DANGEROUS CARGOES IN BULK

§ 98.01–5 [Amended]

By revoking § 98.01–5(d).

By striking out the first sentence of § 98.01–5(e).

**Subpart 98.05 [Revoked]**

By revoking Subpart 98.05.

**Subpart 98.10 [Revoked]**

By revoking Subpart 98.10.

**Subpart 98.15 [Revoked]**

By revoking Subpart 98.15.

**Subpart 98.18 [Revoked]**

By revoking Subpart 98.18.

## PART 105—COMMERCIAL FISHING VESSELS DISPENSING PETROLEUM PRODUCTS

§ 105.10–10 [Amended]

In § 105.10–10(a), by striking out the second sentence.

§ 105.10–15 [Amended]

In § 105.10–15(a), by striking out the second sentence.

## PART 110—GENERAL PROVISIONS

In § 110.05–1(a) the table is amended by revising footnote number 10 to read as follows: "10 Bulk dangerous cargoes are cargoes specified in table 151.01–10 (b), in table I of Part 153, and in table 4 of Part 154 of this chapter" and by revising column 8 and adding footnote 12 as follows:

| Col. 1 | Col. 2 | * * * | Col. 8 |
|---|---|---|---|
| Steam | Vessels not over 65 ft in length | | All vessels carrying in bulk the cargoes listed in table 1 of pt. 153 and table 4 of pt. 154.[2] |
| | Vessels over 65 ft in length | | Do. |
| Motor | Vessels not over 15 gross tons | | Do. |
| | Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over. | | Do. |
| | Seagoing motor vessels of 300 gross tons and over | | Do. |
| Sail | Vessels not over 700 gross tons | | Do. |
| | Vessels over 700 gross tons | | Do. |
| Non-self-propelled | Vessels less than 100 gross tons | | All tank barges carrying in bulk the cargoes listed in table 151.05 of this chapter.[1], [2] |
| | Vessels 100 gross tons or over | | Do. |

[2] Except those cases excluded under 46 U.S.C. 170 or 391a.

## PART 151—UNMANNED BARGES CARRYING CERTAIN BULK DANGEROUS CARGOES

By amending table 151.01–10(d) in § 151.01–10(d) as follows:

TABLE 151.01–10(d) * * *

Acetone
Amyl Acetate (iso-, n-)
Amyl Alcohol (n-)
Amyl Tallate
Asphalt
Asphalt Blending Stocks:
  Roofers Flux
  Straight Run Residue
Butane
Butyl Acetate (iso-, n-, sec-)
Butyl Alcohol (iso-, n-, sec-, tert-)
Butyl Benzyl Phthalate
Butylene
1,3-Butylene Glycol
Cumene
Cycloaliphatic Resins
Cyclohexane
Cyclohexanol
Cymene (para-)
Decyl Alcohol (iso-, n-)
Decyl Benzene (n-)
Decaldehyde (iso-, n-)
Decene
Diacetone Alcohol
Dibutyl Phthalate (ortho-)
Diethylbenzene
Diethylene Glycol
Diethylene Glycol Monobutyl Ether (Methyl Carbitol)
Diethylene Glycol Monobutyl Ether Acetate
Diethylene Glycol Monoethyl Ether
Diethylene Glycol Monomethyl Ether
Diglycidyl Ether of Bisphenol A
Diheptyl Phthalate
Diisobutylene
Diisobutyl Carbinol
Diisobutyl Ketone
Diisodecyl Phthalate
Dinonyl Phthalate
Dioctyl Phthalate
Diphenyl-diphenyl oxide
Dipropylene Glycol
Distillates:
  Straight Run
  Flashed Feed Stocks
Diundecyl Phthalate
Dodecanol
Dodecylbenzene (commercial)
Epoxylated Linear Alcohols, C11–C15
Ethane
Ethoxylated Alcohols, C12–C15
Ethoxy Triglycol (crude)
Ethyl Acetate
Ethyl Alcohol
Ethyl Benzene
Ethyl Butanol
Ethylene
Ethylene Glycol
Ethylene Glycol Monobutyl Ether
Ethylene Glycol Monobutyl Ether Acetate
Ethylene Glycol Monoethyl Ether
Ethylene Glycol Monoethyl Ether Acetate
Ethylhexaldehyde
2-Ethyl Hexanol
Ethyl Hexyl Tallate
Furfuryl Alcohol
Gas Oil:
  Cracked
Gasoline Blending Stocks:
  Alkylates
  Reformates
Gasolines:
  Casinghead (natural)
  Automotive (containing not over 4.23 grams lead per gallon)
  Aviation (containing not over 4.86 grams lead per gallon)
  Polymer
  Straight Run
Glycerine
Glycol Diacetate
Glyoxal (40 percent)
Heptane
Heptanol
Hexane (iso-, n-)
Hexanol
Hexene
Hexylene Glycol
Isophorone
Jet Fuels:
  JP–1 (Kerosene)
  JP–3
  JP–4
  JP–5 (Kerosene, Heavy)
Kerosene
Latex, Liquid Synthetic
Methane
Methyl Acetate
Methyl Alcohol
Methyl Amyl Acetate
Methyl Amyl Alcohol
Methyl Ethyl Ketone
Methyl Formal (Dimethyl Formal)
Methyl Isobutyl Ketone
Methyl Isobutyl Carbinol
Mineral Spirits
Naphtha:
  Solvent
  Stoddard Solvent
  Varnish Makers' and Painters' (75 percent)
Nonane
Nonene
Nonyl Alcohol
Nonyl Phenol
Nonyl Phenol (ethoxylated)
Octene
Octyl Alcohol (iso-, n-)
Octyl Aldehyde (iso-)
Octyl Epoxytallate
Oils:
  Absorption
  Aromatic
  Clarified
  Coal Oil
  Coal Tar
  Croton
  Crude Oil
  Diesel Oil
Fuel Oils:
  **No. 1 (Kerosene)**
  **No. 1–D**
  No. 2
  No. 2–D
  No. 4
  No. 5
  No. 6
Heartcut Distillate Lubricating:
  Mineral Seal
  Mineral
  Motor
  Neatsfoot
  Linseed
  Penetrating
  Range
  Residual
  Resin
  Resinous Petroleum
  Road
  Rosin
  Sperm
  Spindle
  Spray
  Tall
  Tanner's
  Transformer
  Turbine
Edible Oils, Including:
  Castor
  Coconut
  Cotton Seed
  Fish
  Lard
  Olive
  Palm
  Peanut
  Safflower
  Soya Bean
  Tucum
  Vegetable
Pentadecanol
Pentane (iso-, n-)
1-Pentene
Petrolatum
Petroleum Naphtha
Phosphorized Bicyclic Terpine
Phthalate Plasticizers
Polybutene
Polyethylene Glycols
Polymerized Esters
Polypropylene
Polypropylene Glycol Methyl Ether
Polypropylene Glycols
Propane
Propyl Acetate (iso-, n-)
Propyl Alcohol (iso-, n-)
Propylene
Propylene Butylene Polymer
Propyl Ether (iso-)
Propylene Glycol
Propylene Tetramer
Soybean Oil (Epoxidized)
Sulfolane
Tallow
Tetradecanol
Tetradecene
Tetradecyl Benzene
Tetraethylene Glycol
Tetrahydronaphthalene
Toluene
Tridecanol
Tridecene
Tridecyl Benzene
Triethyl Benzene
Triethylene Glycol
Triethylene Glycol Diethyl Butyrate
Tripropylene Glycol
Turpentine
Undecanol
Undecene
Undecylbenzene

Waxes:
Carnauba
Paraffin
Xylene (meta-, para-, ortho-)
Zinc Dialkyldithiophosphate

In § 151.01–10(f) the table is amended by revising footnote number 10 to read as follows: "10 Bulk dangerous cargoes are cargoes specified in table 151.01–10 (b), in table I of Part 153, and in table 4 of Part 154 of this chapter" and by revising column 8 and adding footnote 12 as follows:

| Col. 1 | Col. 2 | • • • | Col. 8 |
|---|---|---|---|
| Steam | Vessels not over 65 ft in length | | All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.[12] |
| Motor | Vessels over 65 ft in length | | Do. |
| | Vessels not over 15 gross tons | | Do. |
| | Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over. | | Do. |
| | Seagoing motor vessels of 300 gross tons and over | | Do. |
| Sail | Vessels not over 700 gross tons | | Do. |
| | Vessels over 700 gross tons | | Do. |
| Non-self propelled | Vessels less than 100 gross tons | | All tank barges carrying in bulk the cargoes listed in table 151.05 of this chapter.[10 12] |
| | Vessels 100 gross tons or over | | Do. |

[12] Except those cases excluded under 46 U.S.C. 170 or 391a.

## PART 175—GENERAL PROVISIONS

In § 175.05–1(a) the table is amended by revising footnote number 10 to read as follows: "10 Bulk dangerous cargoes are cargoes specified in table 151.01–10 (b), in table I of Part 153, and in table 4 of Part 154 of this chapter" and by revising column 8 and adding footnote 12 as follows:

| Col. 1 | Col. 2 | • • • | Col. 8 |
|---|---|---|---|
| Steam | Vessels not over 65 ft in length | | All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.[12] |
| Motor | Vessels over 65 ft in length | | Do. |
| | Vessels not over 15 gross tons | | Do. |
| | Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over. | | Do. |
| | Seagoing motor vessels of 300 gross tons and over | | Do. |
| Sail | Vessels not over 700 gross tons | | Do. |
| | Vessels over 700 gross tons | | Do. |
| Non-self-propelled | Vessels less than 100 gross tons | | All tank barges carrying in bulk the cargoes listed in table 151.05 of this chapter.[10, 12] |
| | Vessels 100 gross tons or over | | Do. |

[12] Except those cases excluded under 46 U.S.C. 170 or 391a.

## PART 188—GENERAL PROVISIONS

In § 188.05–1(a) the table is amended by revising footnote number 10 to read as follows: "10 Bulk dangerous cargoes are cargoes specified in table 151.01–10 (b), in table I of Part 153, and in table 4 of Part 154 of this chapter" and by revising column 8 and adding footnote 12 as follows:

| Col. 1 | Col. 2 | • • • | Col. 8 |
|---|---|---|---|
| Steam | Vessels not over 65 ft in length | | All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.[12] |
| Motor | Vessels over 65 ft in length | | Do. |
| | Vessels not over 15 gross tons | | Do. |
| | Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over. | | Do. |
| Sail | Seagoing motor vessels of 300 gross tons and over | | Do. |
| | Vessels not over 700 gross tons | | Do. |
| | Vessels over 700 gross tons | | Do. |
| Non-self-propelled | Vessels less than 100 gross tons | | All tank barges carrying in bulk the cargoes listed in table 151.05 of this chapter.[10, 12] |
| | Vessels 100 gross tons or over | | Do. |

[12] Except those cases excluded under 46 U.S.C. 170 or 391a.

## PART 153—SAFETY RULES FOR SELF-PROPELLED VESSELS CARRYING HAZARDOUS LIQUIDS

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[Reserved]

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AUTHORITY: 46 U.S.C. 170 for all dangerous cargoes except flammable and combustible liquids, for which the authority for the regulations is 46 U.S.C. 391a.

## Subpart A—General

### § 153.1 Applicability.

This part prescribes rules that apply to tankships[1] that have on board the cargoes described in § 153.5 for the purpose of implementing the requirements in the law governing vessels having on board flammable or combustible liquid cargo in bulk (46 U.S.C. 391a) and the law governing the carriage of explosives and

[1] Because the definition of "tankship" includes the condition that at least one of the cargo tanks have some quantity of cargo liquid or vapor inside, this part does not apply to a vessel whose cargo tanks are clean and gas free.

other dangerous articles in bulk (46 U.S.C. 170).

**§ 153.2 Definitions.**

As used in this part:

"Accommodation spaces" means halls, dining rooms, lounges, lavatories, cabins, staterooms, offices, hospitals, cinemas, game and hobby rooms, pantries containing no cooking appliances, and similar permanently enclosed spaces.

"B" means the breadth of the vessel in meters and is defined in § 42.13–15(d) of this chapter.

"Cargo containment system" means a cargo tank, its cargo piping system, its venting system, and its gauging system.

"Cargo handling space" means an enclosed space that must be entered during a routine loading, carriage, or discharge of cargo and that contains an element of the cargo containment system having a seal or packing to prevent the escape of cargo, such as a valve, cargo pump, or cargo vapor compressor.

"Cargo piping system" means a tankship's permanently installed piping arrangement, including any valves and pumps, that carries cargo to or from a cargo tank.

"Cargo tank" means a tank that—

(1) Is part of or permanently affixed to a tankship; and

(2) Carries a cargo described in § 153.5 in any quantity, including residual liquid or vapor.

"Closed gauging system" means an arrangement for gauging the amount of cargo in a tank, such as a float and tape or a magnetically coupled float and indicator, that does not have any opening through which cargo vapor or liquid can escape.

"Combustible" is defined in § 30.10–15 of this chapter.

"Commandant" means Commandant of the U.S. Coast Guard.

The term is often followed by a mailing code in parentheses. The mailing address should include any mailing code and should be written as follows:

Commandant (mailing code), U.S. Coast Guard, Washington, D.C. 20590.

"Dedicated ballast tank" means a tank that is used only for clean ballast.

"Emergency shutdown station" means a part of the tankship where the required emergency shutdown controls are clustered.

"Flammable" is defined in § 30.10–22 of this chapter.

"Forward perpendicular" is defined in § 42.13–15(b) of this chapter.

"IMCO" means the Inter-Governmental Maritime Consultative Organization.

"IMCO Certificate" means a Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk issued under the IMCO *Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk*, Resolution A.212 (VII), 1971.

"Independent tank" means a cargo tank that is permanently affixed to the vessel, that is self-supporting, that incorporates no part of the vessel's hull and that is not essential to the integrity of the hull.

"Intank cargo pump" means a pump—

(1) Located within the cargo tank it serves; and

(2) Whose piping passes through only the top of the cargo tank.

"Integral tank" means a cargo tank that also is part of or is formed in part by the vessel's hull structure so that the tank and the hull may be stressed by the same loads.

"L" means the length of the vessel in meters and is defined in § 42.13–15(a) of this chapter.

"Letter of Compliance" means a letter issued by the Commandant (G–MHM) permitting a foreign flag tankship to carry a bulk cargo regulated under this part.

"Marine Inspector" is defined in § 30.10–43 of this chapter.

"Master" means the master of a tankship of 100 gross tons or more or the operator of a tankship of less than 100 gross tons.

"Open gauging" means an arrangement for gauging the amount of cargo in a tank through a large opening, such as a tank hatch or ullage opening.

"Open venting system" means a venting system that always allows vapor to flow freely to and from the tank.

"Phosphoric acid" means phosphoric acid, superphosphoric acid, and aqueous solutions of phosphoric acid.

"Pressure-vacuum (PV) valve" means a valve that is normally closed and which opens under a preset positive pressure or a vacuum.

"Pumproom" means any enclosed space containing a pump that is part of a cargo containment system.

"Refrigerated tank" means a cargo tank that is equipped to carry a cargo that must be cooled in order to keep the cargo's vapor pressure from exceeding the tank's pressure-vacuum or safety relief valve setting under ambient conditions of 32° C (approx. 90° F) still water and 46° C (approx. 115° F) still air.

"Relief valve setting" means the inlet line pressure at which a vent system's pressure-vacuum or safety relief valve fully opens.

"Restricted gauging system" means a method of gauging the amount of cargo in a tank through an opening of limited size that does not vent the tank's vapor space, such as an unperforated sounding tube.

"Safety relief (SR) valve" means a normally closed valve that opens under a preset positive pressure.

"Service spaces" mean spaces outside the cargo area used for galleys, pantries containing cooking appliances, lockers, store rooms, workshops other than those forming part of machinery spaces, and trunks to such spaces.

"SR venting system" means a venting system in which an SR valve controls vapor flow from the cargo tank.

"Tankship" means any self-propelled vessel having on board a permanently affixed tank that contains a cargo described in § 153.5 in any quantity, including residual liquid or vapor.

"Venting system" means a permanent piping arrangement leading from a cargo tank and used to control the flow of vapor to and from the tank.

**§ 153.5 Carriage of hazardous or flammable cargo in bulk.**

(a) A hazardous or flammable cargo listed in table I may be carried in bulk on board self-propelled vessels if the requirements of this part are met.

(b) When authorized by the Commandant (G–MHM), a hazardous or flammable cargo not listed in table I, table 4 of part 154, or in § 30.25–1 of this chapter may be carried in bulk on board a self-propelled vessel if the requirements of this part and any additional requirements for the cargo that the Commandant (G–MHM) may prescribe are met.

**§ 153.7 Existing tankships.**

(a) *Definitions.*

(1) "Permit" means a Certificate of Inspection or a Letter of Compliance.

(2) "Existing tankship" means a tankship for which a contract was let on or before December 27, 1977.

(b) *Endorsements for existing tankships.*

(1) The Coast Guard endorses the permit of an existing tankship to carry a cargo listed in table I if—

(i) The tankship held a permit on December 27, 1977, endorsed for the cargo in question;

(ii) The tankship meets the construction standards under which the Coast Guard issued the permit; and

(iii) The tankship meets the standards in paragraph (c) of this section.

(2) The Coast Guard endorses the permit of an existing tankship to carry a cargo listed in table I if—

(i) The tankship held a permit on December 27, 1977;

(ii) The Coast Guard did not require the permit to be endorsed with the name of the cargo at any time before December 27, 1977;

(iii) The tankship meets the construction standards under which the Coast Guard issued the permit;

(iv) The tankship carried the cargo in question; and

(v) The tankship meets the standards in paragraph (c) of this section.

(3) The Coast Guard endorses the permit of an existing tankship to carry a cargo listed in table I if—

(i) The tankship held a permit on December 27, 1977 endorsed to carry class B or C poisons under 46 CFR part 39;

(ii) The cargo in question is a class B or C poison;

(iii) The tankship meets the construction standards in 46 CFR part 39; and

(iv) The tankship meets the standards in paragraph (c) of this section.

(4) The Commandant (G–MHM) endorses on a case by case basis the permit of an existing tankship to carry a cargo listed in table I if—

(i) The tankship does not come within the categories described in subparagraphs (1) through (3) above;

(ii) The tankship meets paragraph (c) of this section; and

(iii) The tankship meets any additional requirements the Commandant (G-MHM) may prescribe.

(c) *Requirements for existing tankships.* In addition to the standards required of existing tankships in paragraph (b) of this section, every existing tankship must meet the sections of this part according to the following schedule:

(1) The following sections in this part apply to an existing tankship after December 27, 1977: 153.1, 153.2, 153.5, 153.7, 153.8, 153.9, 153.10, 153.208, 153.214, 153.294, 153.515, 153.520, 153.530, 153.559, and subpart C.

(2) After April 12, 1978, an existing tankship must meet all the requirements of this part except as described in subparagraphs (3), (4), (5), and (6) of this section.

(3) The Commandant (G-MHM) considers on a case by case basis endorsing as a type II containment system one that fails to meet §§ 153.21, 153.231(b), and 153.234 if the tankship and containment system meet the following minimum conditions:

(i) The tankship has a loadline certificate.

(ii) The cargo tank is not part of the tankship's shell plating.

(iii) The distance between the bottom plating of the cargo tank and the bottom shell plating of the tankship is at least 76 cm measured parallel to the vertical axis of the tankship.

(4) The Commandant (G-MHM) considers on a case by case basis endorsing a containment system as a type II containment system if—

(i) The containment system is modified after December 27, 1977 to meet § 153.231(b) by adding double bottoms or wing tanks; and

(ii) The tankship can survive the damage described in §§ 153.32 and 153.34 to those parts of the tankship other than machinery spaces.

(5) The Commandant (G-MHM) considers on a case by case basis endorsing as a type III containment system one that does not meet §§ 153.22 and 153.234 if the tankship has a loadline certificate.

(6) The Commandant (G-MHM) considers on a case by case basis extending beyond April 12, 1978 the time an existing tankship may operate before meeting the requirements effective on that date.

### § 153.8 U.S. flag vessel endorsement application.

(a) A person who desires the endorsement required by § 153.900 for a U.S. flag vessel must submit an application to one of the Coast Guard offices described in § 91.55-15 of this chapter, requesting endorsement of the vessel's subchapter D Certificate of Inspection.

(b) The person requesting an endorsement under paragraph (a) of this section must transmit to the Coast Guard when requested—

(1) Hull type calculations;

(2) The plans and information listed in §§ 54.01-18, 56.01-10, 91.55-5(a), (b), (d), (g), and (h), and 111.05-5(d) of this chapter; and

(3) Any other vessel information, such as plans, design calculations, test results, certificates, and manufacturer's data, that the Coast Guard needs to determine that the vessel meets the standards of this part.

### § 153.9 Applications for Letters of Compliance.

(a) *Letter of Compliance applications for a vessel whose flag administration issues IMCO certificates.* A person who desires the endorsed Letter of Compliance described by § 153.900 for a vessel whose flag administration issues IMCO certificates must submit to the Commandant (G-MHM) an application that includes the following:

(1) The vessel's IMCO Certificate.[1]

(2) The vessel's Cargo Ship Safety Construction Certificate and Cargo Ship Safety Equipment Certificate issued under the International Convention for Safety of Life at Sea, 1960.

(3) A general arrangement plan.

(4) A capacity plan.

(5) A midship section plan.

(6) A diagram of cargo piping on deck and in tanks, including all valves and pumps (schematic).

(7) A diagram of cargo tank vent piping, including location of relief valves and flame screens (schematic).

(8) A fire fighting and safety plan.

(9) A description of tank liquid level gauging systems.

(10) Details of tank cooling, heating, and inerting systems.

(b) *Letter of Compliance applications for a vessel whose flag administration does not issue IMCO Certificates.* A person who desires the endorsed Letter of Compliance described by § 153.900 for a vessel whose flag administration does not issue IMCO Certificates must submit to the Commandant (G-MHM) an application that includes the following:

(1) A copy of the vessel's Cargo Ship Safety Construction Certificate and Cargo Ship Safety Equipment Certificate issued under the International Convention for Safety of Life at Sea, 1960.

(2) A list of those cargoes for which the Letter of Compliance is to be endorsed.

(3) The specific tanks that are to be endorsed for each cargo.

(4) The names of the U.S. ports in which the person anticipates operating the vessel.

(5) The name of the vessel's flag administration.

(6) The name of the society that classes the vessel.

(7) A brief description of the vessel's cargo containment systems.

(8) Hull type calculations.

(9) The plans and information listed in §§ 54.01-18, 56.01-10, 91.55-5 (a), (b), (d), (g), and (h), and 111.05-5(d) of this chapter.

(c) *Conditions applying to all Letter of Compliance applications.* If requested by the Commandant (G-MHM), a person desiring a Letter of Compliance for a vessel must furnish any other vessel information, such as plans, design calculations, test results, certificates, and manufacturer's data, that the Coast Guard needs to determine that the vessel meets the standards of this part.

### § 153.10 Equivalent standards.

(a) A vessel that does not meet each standard required in this part for an endorsement on a Certificate of Inspection or Letter of Compliance may meet an alternate standard if the Commandant finds that the alternate standard provides an equivalent or greater level of protection for the purpose of safety.

(b) The Commandant considers on a case by case basis the issuance of a determination of equivalence to a standard required by this part if the person requesting the determination sends a written application to Commandant (G-MHM) that includes—

(1) A detailed explanation of the vessel's characteristics that do not meet the requirements in this part; and

(2) An explanation of how the substituted standards enable the vessel to meet a level of safety equivalent to the standards of this part.

### § 153.12 IMCO Certificates for U.S. flag vessels.

(a) The Coast Guard Officer in Charge of Marine Inspection issues an IMCO Certificate to a U.S. flag tankship if the—

(1) Tankship's owner or representative requests an IMCO Certificate for the tankship;

(2) The tankship meets the recommendations in the IMCO Chemical Code; and

(3) The tankship meets the requirements of this part.

(b) The IMCO Certificate expires on the day when the tankship's Certificate of Inspection expires.

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[1] Generally, the IMCO Certificate is sufficient for the Coast Guard to endorse the vessel's Letter of Compliance with the names of those cargoes in table I that are listed on the IMCO Certificate. The IMCO Certificate would not be sufficient when the Certificate authorizes a cargo that is not permitted in U.S. waters, when the Certificate is in error or waives part of the Code, when the regulations in this part exceed those of the Code, or similar situations.

TABLE I—TABLE OF MINIMUM REQUIREMENTS

| Cargo name | Cargo containment system [1] | Vent height [2] | Vent [3] | Gage [4] | Fire protection system [5] | Special requirements | Electrical hazard group and class [6] |
|---|---|---|---|---|---|---|---|
| Acetic acid | III | 4 m | PV | Restr. | A | .238(a), .554 | I-D |
| Acetic anhydride | II | 4 m | PV | Restr. | A | .238(a), .526, .554, | I-D |
| Acetone cyanohydrin | II | B/3 | PV | Closed | A | .238(a), .316, .336, .408, .525, .526, .912(b), .933, .1020, .1035 | |
| Acetonitrile | II | B/3 | PV | Restr. | A | .336, .525, .526, .1020 | I-D |
| Acrylic acid | III | 4 m | PV | Restr. | A | .238(a), .526, .912(a) | I-D |
| Acrylonitrile | II | B/3 | PV | Closed | A | .236 (a), (c), (d), .316, 336, .408, .525, .526, .912(a), .1020 | I-D |
| Adiponitrile | III | 4 m | PV | Restr. | A | .526 | |
| Allyl alcohol | II | B/3 | PV | Closed | A | .316, .336, .408, .525, .526, .933, .1020 | I-C |
| Allyl chloride | II | B/3 | PV | Closed | A | .316, .336, .408, .525, .526, .1020 | I-D |
| Aminoethylethanolamine | III | NR | Open | Open | A | .236 (a), (b), (c), (g) | |
| Ammonium hydroxide (28 pct or less $NH_3$). | III | 4 m | PV | Restr. | C | .236 (b), (c), (f), .526 | I-D |
| Aniline | II | B/3 | PV | Closed | A | .316, .336, .408, .525, .526, .933, .1020 | |
| Benzene | III | B/3 | PV | Restr. | B | .316, .526 | I-D |
| Benzyl chloride | II | B/3 | PV | Closed | B | .316, .336, .408, .525, .526, .912(b), .1020 | |
| (iso-, n-) Butyl Acrylate | II | 4 m | PV | Restr. | A | .526, .912(a) | I-D |
| (iso-, n-, sec-, tert-) Butylamine. | II | B/3 | PV | Closed | A | .236 (b), (c), .336, .408, .525, .526, .1020 | |
| (n-) Butyl ether | III | B/3 | PV | Closed | A | .408, .525, .526, .1020 | |
| Butyl methacrylate | III | 4 m | PV | Restr. | B | .526, .912(a) | |
| (iso-, n-, crude) butyraldehyde | III | 4 m | PV | Open | A | .526 | I-C |
| Camphor oil | III | 4 m | PV | Open | B | None | I-D |
| Carbolic oil | II | B/3 | PV | Closed | A | .408, .525, .526, .933, .1020 | |
| Carbon disulfide | II | B/3 | PV | Closed | C | .236(c), .252, .408, .500, .515, .520, .525, .526, .1020, .1040 | (7) |
| Carbon tetrachloride | III | B/3 | PV | Closed | | .316, .336, .408, .525, .526, .1020 | |
| Caustic potash solution | III | NR | Open | Open | | .236 (a), (c), (g), .933 | |
| Caustic soda solution | III | NR | Open | Open | | .236 (a), (c), (g), .933 | |
| (mono-) Chlorobenzene | III | 4 m | PV | Restr. | B | .526 | I-D |
| Chloroform | III | B/3 | PV | Restr. | | .525, .526, .1020 | |
| (crude) Chlorohydrins | II | B/3 | PV | Closed | A | .408, .525, .526, .1020 | I-D |
| Chloroprene | II | B/3 | Pv | Closed | B | .316, .336, .525, .526, .912(a), .1020 | |
| Chlorosulfonic acid | I | B/3 | PV | Closed | | .408, .525, .526, .554, .555, .933, .1000, .1020, .1045. | |
| Coal tar naphtha | III | 4 m | PV | Restr. | A | .526 | I-D |
| Creosote | III | NR | Open | Open | B | .409 | |
| Cresols | III | NR | Open | Open | B | None | |

Footnotes at end of table.

TABLE 1—TABLE OF MINIMUM REQUIREMENTS

| Cargo name | Cargo containment system [1] | Vent height [2] | Vent [3] | Gage [4] | Fire protection system [5] | Special requirements | Electrical hazard group and class [6] |
|---|---|---|---|---|---|---|---|
| Crotonaldehyde | II | B/3 | PV | Restr. | A | .316, .336, .525, .526, .1020 | I-C |
| Cyclohexanone | III | 4 m | PV | Restr. | A | .236 (a), (b), .526 | I-D |
| Cyclohexylamine | III | 4 m | PV | Restr. | A | .236 (a), (b), (c), (g), .526 | |
| (Iso-, n-) Decyl acrylate | III | NR | Open | Open | A, C | .236 (b), (c), .912(a) | |
| Dibutylamine | III | 4 m | PV | Restr. | B | .236 (b), (c), .526 | |
| Dichlorobenzene | III | 4 m | PV | Restr. | B | .236 (a), (b), .526 | |
| 1,1-Dichloroethane | III | 4 m | PV | Restr. | B | .526 | |
| 2,2'-Dichloroethyl ether | II | 4 m | PV | Restr. | A | .236 (a), (b), .526 | I-D |
| Dichloromethane | III | 4 m | PV | Restr. | | .526 | |
| 1,1- or 1,2-Dichloropropane | II | B/3 | PV | Restr. | B | .525, .526, .1020 | I-D |
| 1,3-Dichloropropene | II | B/3 | PV | Closed | B | .316, .336, .408, .525, .526, .1020 | I-D |
| Diethanolamine | III | NR | Open | Open | A | .236 (b), (c) | |
| Diethylamine | III | B/3 | PV | Restr. | A | .236 (a), (b), (c), (g), .525, .526, .1020 | I-C |
| Diethylenetriamine | III | NR | Open | Open | A | .236 (b), (c) | |
| Diethylethanolamine | III | 4 m | PV | Restr. | A | .236 (a), (b), (c), (g), .526 | |
| Diisopropanolamine | III | NR | Open | Open | A | .236 (b), (c) | I-D |
| Diisopropylamine | II | B/3 | PV | Closed | A | .236 (b), (c), .408, .525, .526, .1020 | I-C |
| Dimethylamine (40 pct or less) | III | B/3 | PV | Restr. | A, C | .236 (a), (b), (c), (d), .525, .526, .1020 | I-C |
| Dimethylethanolamine | III | 4 m | PV | Restr. | A | .236 (b), (c), .526 | |
| Dimethylformamide | III | 4 m | PV | Restr. | A | .236 (b), .526 | |
| 1,4-Dioxane | II | B/3 | PV | Closed | A | .408, .525, .526, .1020 | I-C |
| Epichlorohydrin | II | B/3 | PV | Closed | A | .316, .336, .408, .525, .526, .1020 | I-C |
| Ethanolamine | III | NR | Open | Open | A | .236 (b), (c), .526 | |
| Ethyl acrylate | II | 4 m | PV | Restr. | A | .526, .912(a) | I-D |
| Ethylene chlorohydrin | II | B/3 | PV | Closed | A, C | .316, .336, .408, .525, .526, .933, .1020 | |
| Ethylene cyanohydrin | III | NR | Open | Open | A | None | I-D |
| Ethylenediamine | II | 4 m | PV | Restr. | A | .236 (b), (c), .526 | I-D |
| Ethylene dibromide | II | B/3 | PV | Closed | | .408, .525, .526, .1020 | |
| Ethylene dichloride | II | 4 m | PV | Restr. | B | .236(b), .409, .526 | I-D |
| Ethyl ether | II | 4 m | PV | Closed | A | .236(g), .252, .408, .500, .513, .526 | I-C |
| 2-Ethylhexyl acrylate | III | NR | Open | Open | A | .912(a) | |
| Ethyl methacrylate | III | 4 m | PV | Restr. | B | .912(a), .526 | |
| 2-Ethyl-3-Propyl acrolein | III | 4 m | PV | Restr. | A | .526 | |
| Formaldehyde solution (37 to 50 pct). | III | 4 m | PV | Restr. | A | .526 | I-C |
| Formic acid | III | 4 m | PV | Restr. | A | .236 (b), (c), .526, .554 | |
| Furfural | III | 4 m | PV | Restr. | A | .526 | |
| Hydrochloric acid | III | 4 m | PV | Restr. | | .252, .526, .554, .555, .557, .933, .1045, .1052 | |
| 2-Hydroxyethyl acrylate | II | B/3 | PV | Closed | A | .408, .525, .526, .912(a), .933, .1020 | |
| Isoprene | III | 4 m | PV | Restr. | B | .912(a) | I-C |
| Mesityl oxide | III | 4 m | PV | Restr. | A | .409, .526 | I-D |
| Methyl acrylate | II | 4 m | PV | Restr. | B | .526, .912(a) | I-D |
| 2-Methyl-5-Ethyl pyridine | III | NR | Open | Open | A | .236(b) | |
| Methyl methacrylate | II | 4 m | PV | Restr. | B | .526, .912(a) | I-D |
| (alpha-) Methyl styrene | III | 4 m | PV | Restr. | B | .526, .912(a) | |

Footnote at end of table.

TABLE 1—TABLE OF MINIMUM REQUIREMENTS

| Cargo name | Cargo containment system [1] | Vent [2] height | Vent [3] | Gage [4] | Fire protection system [5] | Special requirements | Electrical hazard group and class [6] |
|---|---|---|---|---|---|---|---|
| Morpholine | III | 4 m | PV | Restr. | A | .236 (b), (c) | I-C |
| Motor fuel anti-knock compounds (containing lead alkyls). | II | B/3 | PV | Closed | B, C | .252, .336, .408, .525, .526, .933, .1020, .1025 | |
| Naphthalene (liquid) | III | 4 m | PV | Restr. | B, C | None | |
| Nitric acid (70 pct or less) | II | 4 m | PV | Restr. | | .408, .526, .554, .555, .559, .933, .1045 | |
| (mono-) Nitrobenzene | II | B/3 | PV | Closed | B, C | .316, .336, .408, .525, .933, .1020 | |
| 1- or 2-Nitropropane [9] | III | 4 m | PV | Restr. | A [9] | .526, .600, .1025 | I-C |
| (ortho-, para-) Nitrotoluene | II | B/3 | PV | Closed | B | .316, .336, .408, .525, .526, .1020 | |
| Oleum [10] | II | B/3 | PV | Closed | | .316, .336, .408, .526, .554, .555, .556, .933, .1000, .1045, .1052 | |
| Paraldehyde | III | 4 m | PV | Restr. | A | None | |
| Pentachloroethane | III | B/3 | PV | Restr. | | .316, .336, .525, .526, .1020 | |
| Phenol | II | B/3 | PV | Closed | A | .408, .525, .526, .933, .1020 | |
| Phosphoric acid | III | NR | Open | Open | | .554, .555, .558, .1045, .1052 | |
| Phthalic anhydride (liquid). | III | 4 m | PV | Restr. | D | None | |
| (iso-,n-) Propanolamine | III | NR | Open | Open | A | .236 (b), (c), .526 | |
| Propionic acid | III | 4 m | PV | Restr. | A | .238(a), .554 | I-D |
| Propionic anhydride | III | 4 m | PV | Restr. | A | .238(a), .556 | |
| (iso-,n-) Propylamine | II | B/3 | PV | Closed | C | .236 (b), (c), .408, .500, .525, .526, .1020, .1060 | I-D |
| Propylene oxide | II | 4 m | PV | Closed | A | .500, .526, .530, .1040, .1041 | I-B |
| Pyridine | III | 4 m | PV | Restr. | A | .236(b) | |
| Sodium hydrosulfide solution (45 pct or less). | III | 4 m | PV | Restr. | | .526, .933 | |
| Sodium hypochlorite solution (15 pct or less). | III | 4 m | PV | Restr. | | .236 (a), (b) | |
| Styrene | III | 4 m | PV | Open | B | .236(b), .912(a) | I-D |
| Sulfur (liquid) | III | NR | Open | Open | | .252, .526, .545 | |
| Sulfuric Acid | III | NR | Open | Open | | .554, .555, .556, .933, .1000, .1045, .1046, .1052 | |
| 1,2,2,2-Tetrachloroethane | III | B/3 | PV | Restr. | | .316, .336, .525, .526, .1020 | |
| Tetraethylenepentamine | III | NR | Open | Open | A | .236 (b), (c) | |
| Tetrahydrofuran | III | 4 m | PV | Restr. | A, D | .526, .912(b) | I-C |
| Toluene Diisocyanate | II | B/3 | PV | Closed | C, D | .236(b), .316, .408, .500, .503, .525, .526, .1000, .1020, | |
| Triaresyl phosphate (containing 1 pct or more of the ortho isomer). | II | 4 m | PV | Closed | B | .408, .525(a), .1020 | |
| Triethanolamine | III | NR | Open | Open | A | .236 (a), (b), (c), (g) | |
| Triethylamine | II | B/3 | PV | Restr. | B | .236 (b), (c), .525, .526, .1020 | I-C |
| Triethylenetetramine | III | NR | Open | Open | A | .236 (a), (b), (c) | |
| Urea, ammonium nitrate solution (containing more than 2 pct $NH_3$). | III | 4 m | PV | Restr. | A | .236(b), .526 | I-D |
| (iso-,n-) Valeraldehyde | III | 4 m | PV | Restr. | A | .500, .526, | I-C |
| Vinyl acetate | III | 4 m | PV | Open | A | .912(a) | I-D |
| Vinylidene chloride | II | 4 m | PV | Restr. | B | .236 (a), (b), .500, .526, .912(a), | I-D |
| Vinyl ethyl ether | II | 4 m | PV | Closed | A | .236 (b), (f), (g), .408, .500, .515, .526, .912(a), | |
| Vinyl toluene | III | 4 m | PV | Restr. | B | .236 (a), (c), (g), .912(a) | I-D |

*For details see these sections*
[1] 153.230–153.232.
[2] 153.350–153.351.
[3] 153.355.
[4] 153.400–153.406.
[5] 153.460.
[6] 46 CFR 111.80–5.
[7] 153.520(b).
[8] Dry chemical extinguishers should not be used on nitropropane fires because some dry chemicals may react with nitropropane and make the fire worse.

NOTES ON TABLE I

*Cargo containment system*—The containment system type, either I, II, or III, is listed. See secs. 153.230 through 153.232.
*Vent heights*—The location and height of the vent riser is described in terms of the vent height, either B/3 or 4 m. See secs. 153.350 and 153.351.
*Vent*—The type of venting control valve, either pressure vacuum (PV) or open, is listed. See sec. 153.355.
*Gauge*—The type of gauge, either closed, restricted (Restr.), or open, is listed. See secs. 153.400–153.406.
*Fire protection system*—The type of fire protection system is shown, where: A is a foam system for water soluble cargoes (polar solvent foam), B is a foam system for water insoluble cargoes (noupolar solvent form), C is a water spray system, and D is a dry chemical system.
Unless table 1 specifies a dry chemical (D) system as an option, a dry chemical system may be substituted for an A or B type system only if the Commandant (G–MMT) approves the substitution.
*Special requirement*—The special requirements are shown by the digits of the section numbers, without the "153" part number preceding them.
*Electrical hazard group and class*—This column is for use with subchapter J (Electrical Engineering) of this chapter.
NOTE.—See app. I of this part for a list of cargoes to which neither this part nor subch. D (tank vessels) of this chapter apply.

## Subpart B—Requirements

### GENERAL

**§ 153.15 Requirements for U.S. flag vessel permits.**

To have its Certificate of Inspection endorsed with the name of a cargo listed in table I, a U.S. flag vessel must meet the requirements for the cargo in this subpart.

**§ 153.16 Requirements for foreign flag vessel permits.**

To have its Letter of Compliance endorsed with the name of a cargo listed in table I, a foreign flag vessel must:

(a) Have an IMCO Certificate, if the flag administration issues IMCO Certificates, endorsed with the name of the cargo and meet any specific requirements in this subpart that the Commandant (G–MHM) may prescribe; or

(b) Meet the requirements of this subpart and § 30.01–5(e) of this chapter.

### HULL TYPE CALCULATIONS

**§ 153.20 Type I hull calculations.**

Calculations for a type I hull must show that it can survive damage as described in §§ 153.32 and 153.34 to any location.

**§ 153.21 Type II hull calculations.**

(a) Calculations for a type II hull 150 m (approx. 492 ft) or less in length must show that it can survive damage described in §§ 153.32 and 153.34 to any location except the transverse bulkheads bounding an aft machinery space.

(b) Calculations for a type II hull greater than 150 m (approx. 492 ft) in length must show that it can survive damage described in §§ 153.32 and 153.34 to any location.

**§ 153.22 Type III hull calculations.**

(a) Calculations for a type III hull less than 125 m (approx. 410 ft) in length must show that it can survive damage described in §§ 153.32 and 153.34 to any location except to an aft machinery space.

(b) Calculations for a type III hull 125 m (approx. 410 ft) or greater in length must show that it can survive damage as described in §§ 153.32 and 153.34 to any location except the transverse bulkheads bounding an aft machinery space.

**§ 153.30 Permeability of spaces.**

(a) As used in this section, "permeability of a floodable space" means the ratio of the volume within the space that is assumed to be occupied by water to the total volume of the space.

(b) The permeability of a floodable space must be assumed as follows:

(1) Machinery spaces: 0.85 unless a permeability of less than 0.85 is justified in detail.

(2) Storerooms: 0.60.

(3) Accommodation spaces: 0.95.

(4) Voids: 0.95.

(5) Tanks containing consumable liquids: 0.95 or 0.0, whichever is the more disabling.

(6) Tanks containing liquids other than consumables: 0.95 or 0.0, the permeability of partially filled tanks to be consistent with the density and amount of liquid carried in the tank.

(c) If a cargo tank would be penetrated under the assumed damage, the cargo tank must be assumed to lose all cargo and refill with salt water up to the level of the tankship's final plane of equilibrium.

**§ 153.31 Free surface effect.**

(a) The virtual increase in the vertical center of gravity of the tankship due to a liquid in a space must be determined by calculating either:

(1) The free surface effect with the ship assumed heeled 5° from the vertical; or

(2) The shift of the center of gravity of the liquid by the moment of transference method.

(b) In calculating the free surface effect of consumable liquids, the following must be done:

(1) For each type of liquid, at least one transverse pair of wing tanks or a single centerline tank must be assumed to have a free surface.

(2) Of the two assumptions in subparagraph (1), the one having the greater free surface effect must be chosen.

**§ 153.32 Damage.**

(a) Calculations must assume both collision and grounding damage, separately; and the damage must consist of the most disabling penetration up to and including penetrations having the following dimensions:

| | | |
|---|---|---|
| (1) Collision penetration: | | |
| (i) Longitudinal extent | | (1/3)$L^{2/3}$ or 14.5 m (approx. 0.495$L^{2/3}$ or 47.6 ft), whichever is less. |
| (ii) Transverse extent: (inboard from the ship's side at right angles to the centerline at the level of the summer loadline assigned under subchapter E). | | B/5 or 11.5 m (approx. 37.7 ft), whichever is less. |
| (iii) Vertical extent | | From the base line upwards without limits. |
| (2) Grounding penetration: | | |
| At the forward end but excluding any damage aft of a point 0.3L aft of forward perpendicular. | | At any other longitudinal position. |
| (i) Longitudinal | L/10 | L/10 or 5 m (approx. 16.4 ft), whichever is less. |
| (ii) Transverse | B/6 or 10 m (approx. 32.8 ft), whichever is less. | 5 m (approx. 16.4 ft). |
| (iii) Vertical extent from the base line. | B/15 or 6 m (approx. 19.7 ft), whichever is less. | B/15 or 6 m (approx. 19.7 ft), whichever is less. |

(b) If the damage assumption excludes a transverse bulkhead bounding a machinery space, the machinery space must be assumed to be flooded as a case separate from the damage assumption.

(c) Damage must be assumed to include transverse bulkheads spaced more closely than the longitudinal extent of damage specified in paragraphs (a)(1)(i) and (a)(2)(i) of this section.

### § 153.34 Survival.

A tankship is presumed to survive if it meets the following conditions:

(a) *Heel angle.* (1) Except as described in paragraph (a)(2) of this section, in the final condition of flooding the angle of heel must not exceed 15° (17° if no part of the freeboard deck is immersed).

(2) The Commandant (G-MMT) considers on a case by case basis vessels 150m or less in length having heel angles greater than 17° but less than 25°.

(b) *Final waterline.* The final waterline, taking into account sinkage, heel, and trim, must be below the lower edge of openings such as air pipes and openings closed by weathertight doors or hatch covers. The following types of openings may be submerged when the tankship is at the final waterline:

(1) Openings covered by watertight manhole covers or watertight flush scuttles.

(2) Small watertight cargo tank hatch covers.

(3) Remotely operated watertight sliding doors.

(4) Side scuttles of the non-opening type.

(c) *Range of stability.* Through an angle of 20° beyond its position of equilibrium after flooding, a tankship must meet the following conditions:

(1) The righting lever curve must be positive.

(2) The maximum of the righting lever curve must be at least 10 cm (approx. 4 in.).

(3) Each submerged opening must be weathertight.

(d) *Metacentric height.* After flooding, the tankship's metacentric height must be at least 5 cm (approx. 2 in.) when the ship is in the upright position.

(e) *Watertight superstructure.* Watertight superstructure beyond the extent of damage adds to the stability of the tankship only if it is separated from the damaged space by a watertight bulkhead.

(f) *Progressive flooding.* Pipes, ducts, or tunnels within the assumed extent of damage must be either:

(1) Equipped with arrangements such as stop check valves to prevent progressive flooding in other spaces with which they connect; or

(2) Assumed to flood the spaces with which they connect.

(g) *Equalization arrangements.* Flooding equalization arrangements requiring mechanical operation such as valves or cross flooding lines may not be assumed to reduce the angle of heel. (However, note that spaces joined by ducts of large cross section may be assumed to be common spaces.)

(h) *Intermediate stages of flooding.* If it is not clear that a tankship meets the requirements of this section throughout intermediate stages of flooding, the shipowner shall furnish calculations showing that the tankship meets these requirements in intermediate flooding if requested by the Commandant (G-MMT).

### § 153.35 Loadline requirements.

A vessel that meets §§ 153.20, 153.21, or 153.22 also meets § 42.20-5 of this chapter.

## General Vessel Arrangements

### § 153.200 Portlights, wheelhouse windows, and wheelhouse doors.

(a) In this section, "hosetight" means tight when tested with a firehose at not less than 207 kPa gauge (approx. 30 psig).

(b) Except as permitted under paragraph (c),

(1) Each portlight must be fixed and hosetight; and

(2) Each wheelhouse window and door must be hosetight.

(c) The following are not required to meet paragraph (b):

(1) Portlights, wheelhouse windows, wheelhouse portlights, and wheelhouse doors on the after bulkhead of a superstructure or deckhouse.

(2) Portlights, wheelhouse windows, wheelhouse portlights, and wheelhouse doors on the outboard side of a deckhouse or superstructure and the greater of L/25 or 3.05 m (approx. 10 ft) aft, measured from the aftermost forward bulkhead of the deckhouse.

### § 153.202 Location of doors and airports on deckhouses and superstructures.

Doors and airports on a deckhouse or superstructure must be on its aft or outboard side and, if on the side, at least L/25 but no less than 3.05 m (approx. 10 ft) aft, measured from the aftermost forward bulkhead of the deckhouse.

### § 153.208 Ballast equipment.

(a) Except for the arrangement described in paragraph (b), no piping that serves a dedicated ballast tank that is adjacent to a cargo tank may enter an engine room or accomodation space.

(b) Piping used only to fill a dedicated ballast tank adjacent to a cargo tank may enter an engine room or accommodation space if the piping has a valve or valving arrangement:

(1) Within the part of the tankship where a containment system may be located under § 153.234;

(2) That allows liquid to flow only towards that ballast tank (such as a check valve); and

(3) That enables a person to shut off the fill line from the weatherdeck (such as a stop valve).

(c) Piping, pumps and vent lines serving a dedicated ballast tank may not be located within a cargo containment system.

### § 153.209 Bilge pumping systems.

Bilge pumping systems for cargo pumprooms, slop tanks, and void spaces separated from cargo tanks by only a single bulkhead must be entirely within the locations allowed containment systems in §153.234.

### § 153.214 Personnel emergency and safety equipment.

Each tankship must have the following: (a) Two stretchers or wire baskets complete with equipment for lifting an injured person from a pumproom or a cargo tank.

(b) In addition to any similar equipment required by subchapter D of this chapter, three each of the following:

(1) A 30 minute self-contained breathing apparatus of the pressure demand type, approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health, or the tankship's flag administration with five refill tanks or cartridges of 30 minutes capacity each.

(2) A set of coveralls or large apron, boots, long sleeved gloves, and goggles, each made of materials resistant to the cargoes in table I that are endorsed on the Certificate of Inspection or Letter of Compliance.

(3) A steel-cored lifeline with harness.

(4) An explosion-proof lamp.

(c) A first aid kit approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health, or the tankship's flag administration for the number of crewmen normally aboard the vessel.

(d) A portable oxygen inhalator and bag valve mask manual resuscitator.

### § 153.215 Safety equipment lockers.

(a) Each tankship must have at least two safety equipment lockers.

(b) One safety equipment locker must be adjacent to the emergency shutdown station required by § 153.296(b). This locker must contain one set of the equip-

ment required by § 153.214(a) and two sets of that required by § 153.214(b).

(c) The second safety equipment locker must be adjacent to the second emergency shutdown station required by § 153.296(b). This locker must contain the remaining equipment required by § 153.214 (a) and (b).

(d) Each safety equipment locker must be marked as described in § 153.955 (c), (d), and (e) with the legend "SAFETY EQUIPMENT."

### § 153.216 Shower and eye wash fountains.

Each tankship must have a shower and an eye wash fountain that:

(a) Operate in any ambient temperature;

(b) Are located on the weatherdeck; and

(c) Are marked "EMERGENCY SHOWER" as described in § 153.955 (c), (d), and (e), so that the legend is visible from work areas in the part of the deck where the cargo containment systems are located.

### § 153.217 Access to void spaces.

Any access opening to a void space must meet the requirements for a cargo tank access in §§ 153.254 (b), (c), and (d) if:

(a) The void space is adjacent to a cargo containment system; or

(b) A part of a cargo containment system lies within the void space.

## Cargo Containment Systems

### § 153.230 Type I system.

A type I containment system must meet the following requirements:

(a) It must be in a type I hull.

(b) Except as described in § 153.235:

(1) It may be no closer to the tankship's shell than 76 cm (approx. 29.9 in.); and

(2) It may not be located in any part of the tankship subject to the damage described in §§ 153.32(a)(1)(ii) and 153.32(a)(2)(iii).

### § 153.231 Type II system.

A type II containment system must meet the following requirements:

(a) It must be in either a type I or II hull.

(b) Except as described in § 153.235:

(1) It may be no closer to the tankship's shell than 76 cm (approx. 29.9 in.); and

(2) It may not be located in any part of the tankship subject to the damage described in § 153.32(a)(2)(iii).

### § 153.232 Type III system.

A type III containment system must be in either a type I, II, or III hull.

### § 153.233 Separation of tanks from machinery, service, and other spaces.

(a) To prevent leakage through a single weld failure, the following spaces must be separated from a cargo by two walls, two bulkheads, or a bulkhead and a deck not meeting in a cruciform joint:

(1) Machinery spaces.

(2) Service spaces.

(3) Accommodation spaces.

(4) Spaces for storing potable domestic, or feed water.

(5) Spaces for storing edibles.

(b) Some examples of arrangements that may separate cargo from the spaces listed in paragraph (a) of this section are the following:

(1) Dedicated ballast tanks.

(2) Cargo pumprooms.

(3) Ballast pumprooms.

(4) Tanks not carrying a cargo listed in this part.[2]

(5) A cofferdam aft of the cargo containment systems and whose forward bulkhead is forward of any joint common to an accommodations space and the deck.

(6) Double walled piping or a piping tunnel.

### § 153.234 Fore and aft location.

(a) Each cargo containment system and any compartments within which a containment system is located must be forward of a tankship's accommodation spaces.

(b) Except as described in § 153.235, each cargo containment system must be located at least 0.05L aft of the forward perpendicular, but in no case forward of a collision bulkhead.

### § 153.235 Exceptions to cargo piping location restrictions.

Cargo piping must not be located in those areas from which a containment system is excluded by §§ 153.230(b), 153.231(b), and 153.234(b) unless the cargo piping:

(a) Drains back to the cargo tank under any heel or trim resulting from the damage specified in § 153.32; and

(b) Enters the cargo tank above the liquid level for a full tank in any condition of heel or trim resulting from the damage specified in § 153.32.

### § 153.236 Prohibited materials.

When one of the following paragraphs of this section is referenced in table I, the materials listed in that paragraph may not be used in components that contact the cargo liquid or vapor:

(a) Aluminum or aluminum alloys.

(b) Copper or copper alloys.

(c) Zinc, galvanized steel or alloys having more than 10 percent zinc by weight.

(d) Magnesium.

(e) Lead.

(f) Silver or silver alloys.

(g) Mercury.

### § 153.238 Required materials.

When one of the following paragraphs of this section is referenced in table I, only those materials listed in that paragraph may be used in components that contact the cargo liquid or vapor:

(a) Aluminum, stainless steel, or steel covered with a protective lining or coating.

(b) With cargo concentrations of 98 percent or greater, aluminum or stainless steel.

(c) With cargo concentrations of less than 98 percent, 304L or 316 stainless steel.

### § 153.239 Cast iron prohibited.

No gray cast iron may be used in a cargo containment system.

### § 153.240 Insulation.

Cargo containment system insulation made necessary by the requirements of this part must meet the requirements in § 38.05-20 of this chapter. However, the vapor barrier required by § 38.05-20(b) is unnecessary if the insulation is—

(a) Protected from the weather, and attached to a containment system maintained at a temperature in excess of 46° C (approx. 115° F); or

(b) In an atmosphere whose dewpoint is less than the temperature of any surface in contact with the insulation.

## Cargo Tanks

### § 153.250 Double-bottom and deep tanks as cargo tanks.

Except in those cases in which Commandant (G-MHM) specifically approves another arrangement, such as a double-bottom or deep tank as a cargo tank, an integral cargo tank or the hold within which an independent cargo tank is located must extend to the weatherdeck.

### § 153.251 Independent cargo tanks.

(a) An independent cargo tank must meet § 38.05-10 (a)(1), (b), (d), and (e)(1) of this chapter, even if the tank is not to be endorsed to carry a cargo requiring an independent tank.

(b) A tank endorsed to carry a cargo requiring an independent cargo tank must meet §§ 38.05-2(d) and 38.05-4(g) of this chapter. (See also § 153.256(b)).

### § 153.252 Special requirement for an independent cargo tank.

When table I refers to this section, the cargo tank must be an independent tank.

### § 153.253 Quick closing shutoff valves required with spill valves.

A cargo tank with a spill valve must have a remotely actuated quick closing shutoff valve in its fill line.

### § 153.254 Cargo tank access.

(a) A cargo tank must have at least one covered manhole opening into the vapor space described in § 153.354.

(b) An access through a vertical cargo tank surface must be at least 60 cm by 80 cm (approx. 23.6×31.5 in.) and no more than 60 cm above a foothold, grating, or surface on both sides of the access way.

(c) An access through a horizontal cargo tank surface must be at least 60 cm by 60 cm (approx. 23.6×31.5 in.).

(d) An access trunk must be no less than 76 cm (approx. 29.9 in.) in diameter.

[2] See also §§ 32.56-5 and 32.60-10 of this chapter for limitations on the stowage of combustible liquids adjacent to ignition sources.

**§ 153.256 Trunks, domes, and openings of cargo tanks.**

(a) The hatch of a cargo tank must—

(1) Be at the highest point of the tank; and

(2) Open on or above the weatherdeck.

(b) To be endorsed to carry a cargo requiring an independent cargo tank, a tank must have—

(1) A trunk or dome at the uppermost part of the tank, extending above the weatherdeck;

(2) Its hatch at the top of the trunk or dome; and

(3) No openings below the weatherdeck.

**§ 153.266 Tank linings.**

A tank lining must be—

(a) At least as elastic as the tank material; and

(b) Applied or attached to the tank as recommended by the lining manufacturer.

PIPING SYSTEMS AND CARGO HANDLING EQUIPMENT

**§ 153.280 Piping system design.**

(a) Each cargo piping system must meet the standards of part 56 and §§ 38.-10–1(b), 38.10–1(e), and 38.10–10(a) of this chapter.

(b) Piping carrying cargo or cargo residue may not enter any machinery space except a cargo pumproom.

**§ 153.281 Piping to required independent tanks.**

An independent cargo tank required by this part must have no piping except through that part of the trunk or dome extending above the weatherdeck.

**§ 153.282 Cargo filling lines.**

The discharge point of a cargo tank filling line must be no higher above the bottom of the cargo tank or sump than 10 cm (approx. 4 in.) or the radius of the filling line, whichever is greater.

**§ 153.283 Valving for cargo piping.**

(a) Except as described in this section, a cargo line must have a deck operable, manual stop valve—

(1) In each tank which the line serves; and

(2) At each cargo hose connection point.

(b) The valve required by (a)(1) may be in a cargo pumproom at the pumproom bulkhead if the cargo tank the cargo line serves is adjacent to the pumproom.

(c) The valve required by (a)(1) may be on the weatherdeck if—

(1) The weatherdeck is the top of the tank;

(2) The line goes through the weatherdeck into the tank; and

(3) The valve is at the point where the line penetrates the weatherdeck.

(d) The valve required by (a)(1) may be outside the tank if—

(1) The tank is an independent tank; and

(2) The valve is at the point where the line penetrates the tank.

(e) The discharge line of an intank cargo pump need not have the valve required by (a)(1).

**§ 153.284 Characteristics of required quick closing valves.**

Remotely actuated quick closing shutoff valves required by this part must—

(a) Be of the fail-closed type that closes on loss of power;

(b) Allow manual operation; and

(c) Operate from fully open to fully closed in no more than thirty seconds.

**§ 153.285 Valving for cargo pump manifolds.**

(a) When cargo lines serving different tanks enter a pumproom and connect to the same pump—

(1) Each cargo line must have a stop valve within the line;

(2) The valve must be before the cargo line joins the other lines or pump; and

(3) The valve must be within the pumproom.

(b) The valve in paragraph (a) is required in addition to any valve required under § 153.283(b).

**§ 153.294 Marking of piping systems.**

(a) Each cargo piping system must be marked with the designation number of the cargo tank it serves at each hose connection, valve, and blind in the piping system. The markings must be in characters at least 5 cm (approx. 2 in.) high.

(b) Every hose connection of a cargo piping system must be marked with the cargo piping system's working pressure required by § 38.10–10(a) of this chapter.[*]

**§ 153.296 Emergency shutdown stations.**

(a) Each tankship must have at least two emergency shutdown stations.

(b) One emergency shutdown station must be located forward of the deckhouse, in the after part of the weatherdeck in which the cargo tanks are located.

(c) An emergency shutdown station must be accessible from any part of the weatherdeck if a break in a cargo piping system or hose causes spraying or leaking.

(d) Each emergency shutdown station must contain a single remote actuator for all quick closing shutoff valves required by this part.

(e) Each emergency shutdown station must have the controls necessary to stop all cargo pumps on the tankship.

(f) Any remote emergency actuator, such as that for a quick closing shutoff valve, a cargo pump, or a water spray system, must be of a type that will not defeat the operation of other remote emergency actuators. The emergency action must occur whether one or several actuators are operated.

(g) Each emergency shutdown station must be marked as described in § 153.955 (c), (d), and (e) with the legend "EMERGENCY SHUTDOWN STATION" so that the legend is visible from work areas in the part of the deck where the cargo containment systems are located.

[*] See § 153.282 of this part.

**§ 153.297 Emergency actuators at the point of cargo control.**

(a) The point from which cargo transfer is controlled must have the same actuators an emergency shutdown station must have under § 153.296 and an actuator for any deck water spray systems required by this part.

(b) The point from which cargo transfer is controlled may be one of the emergency shutdown stations required under § 153.296 if it meets the requirements of that section.

CARGO HANDLING SPACE VENTILATION

**§ 153.310 Ventilation system type.**

A cargo handling space must have a permanent forced ventilation system of the exhaust type.

**§ 153.312 Ventilation system standards.**

A cargo handling space ventilation system must meet the following:

(a) A ventilation system exhaust duct must discharge no less than 10 m (approx. 32.8 ft) from openings into or ventilation intakes for, accommodation or service spaces.

(b) A ventilation system must not recycle vapors from ventilation discharges.

(c) Except for the space served by the ventilation duct, a ventilation duct must not pass through a machinery room, an accommodation space, or working spaces.

(d) A ventilation system must be operable from outside the space it ventilates.

(e) A ventilation system must be sized to change the air in the ventilated space at least 30 times per hour.

(f) A ventilation system must not allow air to stagnate in any part of a ventilated space.

(g) A ventilation system must be able to exhaust air from both above and below the deck plates of a ventilated space.

**§ 153.314 Ventilation of spaces not usually occupied.**

(a) Each tankship must have portable ventilation equipment that fits the mount required in paragraph (b)(1) of this section.

(b) Each cofferdam, duct keel, pipe tunnel, and cargo tank hold that does not have a permanent ventilation system meeting § 153.312 must have—

(1) A mount for the portable mechanical ventilation equipment required by this section; and

(2) Either permanent ventilation ductwork connected to the mount and arranged to supply air to the extremities of the space; or

(3) An attachment for temporary ductwork at the mount with enough ductway in the ventilated space and temporary ductwork stowed aboard the vessel to supply air to the extremities of the space.

**§ 153.316 Special cargo pumproom ventilation rate.**

When table I refers to this section, the cargo pumproom ventilation system must change the air in the cargo pumproom 45 times per hour and discharge no less than 4 m (approx. 13.1 ft) above the deck.

CARGO PUMPROOMS

**§ 153.330 Access.**

(a) The access door to a cargo pumproom must open on the weatherdeck.

(b) The access way to a cargo pumproom and its valving must allow passage of a man wearing the breathing apparatus required by § 153.214(b)(1).

(c) Each ladderway in a cargo pumproom must be free from obstructions by piping, framework, or other equipment.

(d) Cargo pumproom ladders and platforms must have guard railings.

(e) Each ladder to a cargo pumproom must have an incline from the horizontal of less than 60°.

**§ 153.332 Hoisting arrangement.**

(a) A cargo pumproom located below the weatherdeck must have a permanent hoisting arrangement with a lifting capacity of 2500 N (approx. 562 lbs), operable from the weatherdeck, for the removal of an unconscious person.

(b) The cargo pumproom must have a 60 cm by 60 cm (approx. 2 ft by 2 ft) cross-sectional clearance through the hoistway.

**§ 153.333 Cargo pump discharge pressure gauge.**

Each cargo pump within a pumproom must have a discharge pressure gauge outside the pumproom.

**§ 153.334 Bilge pumping systems.**

(a) A cargo pumproom must have a bilge pumping system.

(b) The bilge pumping system must have—

(1) Complete remote operating controls outside the cargo pumproom; and

(2) An alarm that operates when the depth of liquid in the bilges exceeds 50 cm (approx. 19.7 in.).

**§ 153.336 Special cargo pump or pumproom location requirements.**

When table I refers to this section—

(a) The cargo pump must be an in-tank cargo pump;

(b) The cargo pumproom must be on or above the weatherdeck; or

(c) The cargo pumproom must have the specific approval of the Commandant (G-MHM).

CARGO VENTING SYSTEMS

**§ 153.350 Location of B/3 vent discharges.**

(a) A B/3 venting system must discharge at the highest of the following points:

(1) 6 m (approx. 19.7 ft.) above the weatherdeck.

(2) B/3 above the weatherdeck.

(3) 6 m (approx. 19.7 ft.) above a walkway if the walkway is within 6 m (approx. 19.7 ft.) of a line drawn through the vent discharge and perpendicular to the deck.

(b) A B/3 venting system must discharge at least 15 m (approx. 49.2 ft) from air intakes for, or openings into, accommodation and service spaces.

**§ 153.351 Location of 4 m vent discharges.**

(a) A 4 m venting system must discharge at least 4 m (approx. 13.1 ft) above the higher of—

(1) The weatherdeck; or

(2) Any walkway that is within 4 m (approx. 13.1 ft) of a line through the vent discharge and perpendicular to the deck.

(b) A 4 m venting system must discharge at least 10 m (approx. 32.8 ft) from air intakes for, or openings into, accommodation or service spaces.

**§ 153.352 B/3 and 4 m venting system outlets.**

A B/3 or 4 m venting system outlet must—

(a) Discharge vertically upwards; and

(b) Prevent precipitation from entering the vent system.

**§ 153.353 High velocity vents.**

The Commandant (G-MHM) approves on a case by case basis reductions in the 4 m or B/3 vent height requirements with the use of high velocity variable orifice vent outlets.

**§ 153.354 Venting system inlet.**

A venting system must terminate in the vapor space above the cargo when the tank is filled to a 2 percent ullage and the tankship has no heel or trim.

**§ 153.355 PV venting systems.**

When table I requires a PV venting system, the cargo tank must have a PV valve in its vent line. The PV valve must be located between the tank and any connection to another tank's vent line (such as a vent riser common to two or more tanks).

**§ 153.358 Venting system flow capacity.**

(a) The cross-sectional flow area of any vent system segment, including any PV or SR valve, must at no point be less than that of a pipe whose inside diameter is 6.4 cm (approx. 2.5 in.).

(b) When table I requires a closed or restricted gauging system, calculations must show that, under conditions in which a saturated cargo vapor is discharged through the venting system at the maximum anticipated loading rate, the pressure differential between the cargo tank vapor space and the atmosphere does not exceed 28 kPa gauge (approx. 4 psig), or, for independent tanks, the maximum working pressure of the tank.

**§ 153.360 Venting system restriction.**

A venting system must have no assembly that could reduce its cross-sectional flow area or flow capacity to less than that required in § 153.358.

**§ 153.361 Arrangements for removal of valves from venting systems having multiple relief valves.**

A venting system must have no arrangement that allows the easy removal of a valve (for repair, as an example) unless it—

(a) Has multiple relief valves;

(b) Has valves that are interlocked, so that a person cannot remove so many valves that the venting system no longer has the minimum relieving capacity required by § 153.358; and

(c) Does not allow cargo vapor to escape through the opening left after a valve has been removed.

**§ 153.362 Venting system drain.**

Unless a cargo vent system at every point is level or slopes back to the cargo tank under all conditions of heel and trim allowed under § 153.806, the cargo vent system must have a drain valve at each low point (trap) in the vent line.

**§ 153.364 Venting system supports.**

Supports for a vent system must meet § 38.10-10(c) of this chapter.

**§ 153.366 Spill valves.**

A spill valve—

(a) Must discharge into a container that has at least 0.6 $m^3$ (approx. 21.2 $ft^3$) capacity at any heel or trim allowed in the stability manual required by § 153.806; and

(b) Must meet subpart 162.017 of this chapter.

**§ 153.368 Pressure-vacuum valves.**

(a) The pressure side of a required pressure-vacuum relief valve must begin to open only at a pressure exceeding 3.5 kPa gauge (approx. 0.5 psig).

(b) A pressure-vacuum relief valve must meet the requirements of subpart 162.017 of this chapter.

**§ 153.370 Minimum relief valve setting for ambient temperature cargo tanks.**

The relief valve setting for a containment system that carries a cargo at ambient temperature must at least equal the cargo's vapor pressure at 46° C (approx. 115° F).

**§ 153.371 Minimum relief valve setting for refrigerated cargo tanks.**

The relief valve setting for a containment system that carries a refrigerated cargo must at least equal the lesser of—

(a) That in § 153.370; or

(b) 110 percent of the cargo's vapor pressure at the steady state temperature obtained by a full tank of cargo with the refrigeration system operating under ambient conditions described within the definition of a refrigerated tank in § 153.2.

**§ 153.372 Gauges and vapor return for cargo vapor pressures exceeding 100 kPa (approx. 1 atmosphere).**

por pressure exceeds 100 kPa absolute at ambient temperature a cargo whose vapor pressure exceeds 100 kPa absolute at 37.8° C (approx. 14.7 psia at 100° F) must have a—

(a) Tank pressure gauge at the point where cargo flow is controlled during transfer; and

(b) Vapor return connection.

CARGO GAUGING SYSTEMS

**§ 153.400 General requirements for gauges.**

(a) Columnar gauge glasses must not be installed on a cargo containment system.

(b) Flat sight glasses must meet § 38.10-20(h) of this chapter.

**§ 153.404 Standards for containment systems having required closed gauges.**

When table I requires a cargo's containment system to have a closed gauge, the containment system must have the following:

(a) A permanently installed closed gauging system.

(b) A vapor return connection.

(c) The high level alarm described in § 153.409.

(d) Either a closed cargo sampling system or a cargo sampling arrangement allowing the retrieval of a sample through an orifice not exceeding—

(1) 0.635 cm (approx. 0.25 in.) diameter when the cargo's vapor pressure is 28 kPa gauge (approx. 4 psig) or less; or

(2) 0.140 cm (approx. 0.055 in.) diameter when the cargo's vapor pressure exceeds 28 kPa (approx. 4 psig).

**§ 153.406 Standards for containment systems having required restricted gauges.**

When table I requires a cargo's containment system to have a restricted gauge, the containment system must have—

(a) A closed gauging system; or

(b) A system that has—

(1) A restricted gauge (e.g., a sounding tube) with an orifice diameter not exceeding 20 cm (approx. 7.8 in.);

(2) A permanently attached gauge cover that is vapor tight when in place; and

(3) A venting system that has either—

(i) Lock open PV valves; or

(ii) Valved bypasses around the PV valves.

**§ 153.407 Special requirements for sounding tube gauges.**

(a) A sounding tube installed as a restricted gauge must extend to within one meter (approx. 39.4 in.) of the bottom of the tank.

(b) A sounding tube must not be installed on a tank whose relief valve setting exceeds 28 kPa (approx. 4 psig) unless it is specifically permitted by the Commandant (G-MHM).

(c) A sounding tube must have no perforations in the tube wall.

**§ 153.408 Tank overfill controls.**

(a) When table I refers to this section, a cargo containment system must have—

(1) A cargo high level alarm system that meets § 153.409 and whose operation can be checked before each loading;

(2) A tank overfill control system that automatically closes the filling line before the tank is filled to 98 percent of its capacity; and

(3) A continuous tank cargo level indicator.

(b) The high level alarm system must be completely independent of the overfill control system.

(c) Each high level alarm must be marked as described in § 153.955 (c), (d), and (e) with the legend "TANK OVERFILL ALARM" so that the legend is visible from work areas in the part of the deck where the cargo containment systems are located.

**§ 153.409 High level alarms.**

When table I refers to this section or requires a cargo to have a closed gauging system, the cargo's containment system must have a high level alarm that—

(a) Gives an audible and visual signal before the cargo tank fills to 97 percent of its capacity; and

(b) Can be seen and heard where cargo transfer is controlled and on the open deck.

CARGO TEMPERATURE CONTROL SYSTEMS

**§ 153.430 Heat transfer systems; general.**

Each cargo cooling system required by this part and each cargo heating system must—

(a) Meet the standards of subchapters F (Marine Engineering) and J (Electrical Engineering) of this chapter;

(b) Have valving that enables the system to be isolated from all other cooling and heat transfer systems; and

(c) Allow manual regulation of the system's heat transfer rate.

**§ 153.432 Cooling systems.**

(a) Each cooling system required by this part must have an equivalent standby unit that is installed and that can be placed in operation immediately after an equipment failure.

(b) Each tankship that has a cargo tank with a required cooling system must have a manual that contains—

(1) A piping diagram for the cooling system; and

(2) Instructions for changing over to the standby system described in paragraph (a).

**§ 153.434 Heat transfer coils within a tank.**

A cargo cooling or heating system having coils within a tank must keep the heat transfer fluid at a pressure greater than that of the cargo.

**§ 153.436 Heat transfer fluid.**

A heat transfer fluid must have the approval of the Commandant (G-MHM) for use with each particular cargo.

**§ 153.438 Cargo pressure or temperature alarms required.**

(a) Each refrigerated tank must have—

(1) An alarm that operates when the cargo's pressure exceeds the vapor pressure described in § 153.371(b); or

(2) An alarm that operates when the cargo's temperature exceeds the steady state temperature described in § 153.371 (b).

(b) The alarm must give an audible and visual signal on the bridge and at the cargo control station.

(c) The cargo pressure or temperature alarm must be independent of other cargo pressure or temperature sensing arrangements.

**§ 153.440 Cargo temperature sensors required.**

(a) Each elevated temperature or refrigerated cargo tank must have a remote reading thermometer sensing the temperature within the cargo tank at the bottom of the tank.

(b) A refrigerated cargo tank must have a second thermometer at the top of the tank.

(c) A readout for each thermometer required by this section must be at the point where cargo transfer is controlled.

SPECIAL REQUIREMENTS FOR FLAMMABLE OR COMBUSTIBLE CARGOES

**§ 153.460 Fire protection systems.**

(a) With the exception of the vent riser, each part of a cargo containment system exposed on the weatherdeck must be covered by the fire protection system listed beside the cargo in table I and described in the footnotes to table I.

(b) The Commandant (G-MMT) approves the substitution of a dry chemical (D) type fire protection system for an A or B type on a case by case basis.

(c) A fire protection system required by this part must meet part 34 of this chapter or be specifically approved by the Commandant (G-MMT).

**§ 153.461 Electrical bonding of independent tanks.**

An independent metallic cargo tank that carries a flammable or combustible cargo must be electrically bonded to the tankship's hull.

**§ 153.462 Static discharges from inert gas systems.**

An inert gas system on a tank that carries a flammable or combustible cargo must not create static arcing as the inert gas is injected into the tank.

**§ 153.463 Vent system discharges.**

The discharge of a venting system must be at least 10 m (approx. 32.8 ft) from an ignition source if—

(a) The cargo tank is endorsed to carry a flammable or combustible cargo; and

(b) Table I requires the cargo to have a PV venting system.

**§ 153.464 Fusible elements.**

Each remotely actuated quick closing shutoff valve on a containment system that carries a flammable or combustible cargo must have a fusible element that melts at less than 104° C (approx. 220° F) and closes the valve.

**§ 153.465 Flammable vapor detector.**

(a) A tankship that carries a flammable cargo must have two vapor de-

tectors that meet § 35.30-15(b) of this chapter.

(b) At least one of the vapor detectors in paragraph (a) must be portable.

### 153.466 Electrical equipment.

A tankship carrying a flammable or combustible cargo under this part must meet subchapter J of this chapter.

### § 153.467 Ventilation systems for flammable cargoes.

Each ventilation system for a tankship endorsed to carry a flammable cargo must meet the following:

(a) Each electric motor that drives a ventilation fan must be outside ducts for any space that may contain flammable cargo vapor.

(b) Each ventilation impeller and its housing must meet one of the following:

(1) The impeller, housing, or both must be made of non-metallic material that does not generate static electricity.

(2) The impeller and housing must be made of non-ferrous material.

(3) The impeller and housing must be made of austenitic stainless steel.

(4) The tip clearance between the impeller and housing must be at least 1.3 cm (approx. 0.51 in.).

(c) No ventilation fan may have a combination of fixed and rotating components where one is made of an aluminum or magnesium alloy and the other made of a ferrous material.

## Special Requirements

### § 153.500 Inert gas systems.

When table I refers to this section, a cargo containment system must have a permanent inert gas system that:

(a) Maintains the vapor space of the containment system in an inert state by filling the vapor space with a gas that is neither reactive with the cargo nor flammable;

(b) Has a pressure control system that:

(1) Prevents the inert gas system from raising the cargo tank pressure to more than the relief valve setting; and

(2) Maintains at least a 3.5 kPa gauge (approx. 0.5 psig) pressure within the containment system at all times, including cargo discharge;

(c) Has storage for enough inerting gas to replace that normally lost while the tank's atmosphere is maintained in an inert condition (e.g. through tank breathing and relief valve leakage), but in no case an amount less than 5 percent of the tank's capacity when measured with the gas at −18°C (approx. 0°F) and a pressure equal to the cargo tank's relief valve setting; and

(d) Has connections for any supplemental gas supply necessary to maintain the inert gas pressure described in paragraph (b) during cargo discharge.

### § 153.501 Requirement for dry inert gas.

When table I refers to this section, an inert gas system for the containment system must supply inert gas containing no more than 100 ppm water.

### § 153.515 Special requirements for extremely flammable cargoes.

When table I refers to this section:

(a) An enclosed space containing a cargo tank must have an inerting system that meets the requirements in § 153.500 applying to the inert gas system of a containment system;

(b) Cargo discharge pumps must be of a type that does not subject the shaft gland to the cargo under pressure or that is submerged; and

(c) The cargo tank's relief valve setting must be no less than 21 kPa gauge (approx. 3 psig).

### § 153.520 Special requirements for carbon disulfide.

A containment system carrying carbon disulfide must meet the following:

(a) Each cargo pump must be of the intank type and encased within a cylindrical well that extends from the top of the tank to a point no more than 10 cm (approx. 4 in.) above the bottom of the tank.

(b) Within that part of the tankship where the use of electrical equipment is restricted by § 111.85-10 of this chapter, a tankship must have no:

(1) Electrical equipment; or

(2) Equipment that may exceed a temperature of 80°C (approx. 175°F).

(c) The cargo piping and venting systems must be completely independent of those for other cargo.

(d) Pressure relief valves must be made of type 304 or 316 stainless steel.

### § 153.525 Special requirements for unusually toxic cargoes.

When table I refers to this section a containment system must meet the following:

(a) The cargo piping system must be designed so that it can be isolated from any containment system endorsed for a cargo not covered by this section.

(b) A cargo tank's relief valve setting must be not less than 21 kPa gauge (approx. 3 psig).

(c) All cargo pumps and valves located below the weatherdeck must be operable from the weatherdeck.

(d) A heat transfer system for the cargo must not enter the engine room and must be:

(1) Independent of any other system;

(2) Totally external to the cargo containment system; or

(3) Approved by the Commandant (G-MHM) for use with toxic cargoes.

(e) The cargo must be separated from any bunkers by at least two bulkheads.

(f) A cargo tank's venting system must have a vapor return connection.

### § 153.526 Toxic vapor detectors.

When table I refers to this section, a tankship must have two toxic vapor detectors, at least one of which must be portable, each able to measure the time weighted average (TWA) vapor concentration of the cargo. These vapor detectors may be combined with those required by § 153.465.

### § 153.527 Toxic vapor protection.

When table I refers to this section, a tankship must have on board for each crewmember a pressure demand respiratory protective device approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health, or the tankship's flag administration, as an escape only device.

### § 153.530 Special requirements for alkylene oxides.

When table I refers to this section, a containment system must meet the following:

(a) Except as provided in paragraphs (b) and (c), a cargo containment system must be made of:

(1) Stainless steel other than types 416 and 442; and

(2) Steel.

(b) Except as provided in paragraph (c), gaskets must be composites of spirally wound stainless steel and Teflon or similar fluorinated polymer.

(c) The Commandant (G-MHM) approves a cargo containment system using materials other than those described in this section for alkylene oxides on a case by case basis if:

(1) The person wishing to have the containment system approved completes any tests prescribed by the Commandant (G-MHM); and

(2) The Commandant (G-MHM) approves the results of the tests and the material for use with alkylene oxides.

(d) The following materials are generally found unsatisfactory for gaskets, packing, insulation, and similar uses in alkylene oxide containment systems and would require extensive testing as described in paragraph (c) before being approved:

(1) Neoprene or natural rubber if it might be in contact with the alkylene oxide.

(2) Asbestos or asbestos mixed with other materials such as with many common insulations, packing materials, and gasket materials.

(3) Materials containing oxides of magnesium, such as mineral wools.

(e) The tank's relief valve setting must not be less than 21 kPa guage (approx. 3 psig).

(f) A containment system must have a cooling system. The cooling system:

(1) Must not compress the cargo;

(2) Must regulate the cargo temperature automatically and allow manual regulation; and

(3) Must maintain the cargo temperature below 40°C (approx. 104°F).

(g) The cargo piping system must:

(1) Comply with part 38 of this chapter;

(2) Be completely separate from all other systems;

(3) Be assembled from valves, fittings, and accessories having a pressure rating of not less than 1030 kPa guage (approx. 150 psig) (American National Standards Institute); and

(4) Have no threaded joints.

(h) The cargo containment system must have an arrangement for sampling the vapor space above the cargo as described in § 153.1010(c).

(i) Valve disks or disk faces, seats, and other wearing valve parts must be made of stainless steel containing no less than 11 percent chromium.

(j) The venting system must be entirely separate from other containment or tankship systems.

(k) When a cargo tank is in an enclosed space, the space must have:

(1) An inert gas system meeting the requirements that apply to the inert gas system of a containment system in § 153.500, or

(2) A forced ventilation system meeting the requirements that apply to a cargo handling space ventilation system in § 153.312.

(l) Cofferdams, cargo tanks, double bottom spaces, and other enclosed spaces adjacent to an integral cargo tank must have an inert gas system meeting the requirements that apply to the inert gas system of a containment system in § 153.500.

(m) An intank pump or inert gas displacement must be used to discharge cargo.

(n) The cargo piping system's hose connection must have a remotely actuated quick closing shutoff valve.

(o) Cargo hose must: (1) Have the specific approval of the Commandant (G-MMT) for use in alkylene oxide transfer; and

(2) Be marked "For Alkylene Oxide Transfer Only".

(p) All exposed parts of the cargo containment system above or on the deck, such as tank domes, cargo piping, and loading manifolds, must be covered by a water spray system that:

(1) Operates automatically in a fire involving the cargo containment system;

(2) Has at least two remote manual actuators, one in each emergency shutdown station required by § 153.296; and

(3) Covers the area of application with a uniform spray of

$$0.175\frac{l}{m^2\,sec}\left(0.0043\frac{gal}{ft^2\,sec}\right).$$

### § 153.545 Special requirements for liquid sulfur.

(a) A containment system carrying liquid sulfur must have:

(1) A cargo tank ventilation system that:

(i) Maintains the $H_2S$ vapor concentration below 1.85 percent by volume; and

(ii) Prevents sulfur buildup within itself; and

(2) An alarm system designed to operate when the ventilation system blower fails.

(b) The void spaces around a cargo tank that carries liquid sulfur must be oil tight.

(c) A cargo tank that carries liquid sulfur and the void spaces surrounding the tank must have connections for sampling vapor.

### § 153.554 Special requirements for acids.

When table I refers to this section:

(a) Each containment system loading and discharge connection must have a spray shield;

(b) Each cargo containment system must be separated from bunkers by double walls, such as a cofferdam and piping tunnels; and

(c) Each vessel must have on board a means to determine whether cargo has leaked into the spaces adjacent to a cargo containment system.

### § 153.555 Special requirements for inorganic acids.

When table I refers to this section:

(a) A tankship's shell plating must not be a part of the cargo tank; and

(b) An enclosed compartment containing, or a compartment adjacent to, a cargo tank must have no electrical equipment.

### § 153.556 Special requirements for sulfuric acid and oleum.

(a) Except as prescribed in paragraphs (b) and (c) of this section, containment systems carrying sulfuric acid, oleum, or contaminated sulfuric acid are approved by the Commandant (G-MHM) on a case by case basis.

(b) A containment system carrying sulfuric acid may be:

(1) Made of unlined steel if the cargo composition is between 70 and 80 or between 90 and 100 percent acid by weight;

(2) Lined with lead if the cargo composition does not exceed 96 percent acid by weight; or

(3) Lined with natural rubber or neoprene if the cargo composition does not exceed 51 percent acid by weight.

(c) A containment system for oleum may be of unlined steel if the concentration of free sulfur trioxide in the oleum exceeds 20 percent by weight.

### § 153.557 Special requirements for hydrochloric acid.

(a) A containment system that carries hydrochloric acid must be lined with:

(1) Natural rubber;

(2) Neoprene; or

(3) A material approved for hydrochloric acid tanks by the Commandant (G-MHM).

(b) Containment systems for contaminated hydrochloric acid are approved by the Commandant (G-MHM) on a case by case basis.

### § 153.558 Special requirements for phosphoric acid.

A phosphoric acid containment system must be:

(a) Lined with natural rubber or neoprene;

(b) Lined with a material approved for phosphoric acid tanks by the Commandant (G-MHM); or

(c) Made of a stainless steel that resists corrosion by phosphoric acid.

### § 153.559 Special requirements for nitric acid (less than 70 percent).

A containment system that carries nitric acid (less than 70 percent) must be of stainless steel that resists corrosion by nitric acid.

### § 153.600 Special requirements for nitropropane.

Nitropropane must not be carried in a deck tank.

## Testing and Inspection

### § 153.806 Stability test and information.

(a) Each tankship must meet part 93 of this chapter.

(b) Each tankship must have a manual containing:

(1) Information that enables the master to load and ballast the tankship while keeping structural stresses within design limits;

(2) Damage stability information including, but not limited to, all loading restrictions necessary to ensure that the tankship meets the requirements for its hull type; and

(3) Trim information.

### § 153.808 Examination required for a Letter of Compliance.

Before the Commandant (G-MHM) issues a Letter of Compliance to a vessel, the vessel must call at a U.S. port for an examination by the Coast Guard, following the procedures under § 153.809.

### § 153.809 Procedures for having the Coast Guard examine a vessel for a Letter of Compliance.

To have the Coast Guard examine his vessel for a Letter of Compliance, the owner of a vessel must proceed as follows:

(a) After making application pursuant to § 153.9, await notification by the Commandant (G-MHM) that review of the vessel's plans or IMCO Certificate is complete.

(b) After notification that review is complete, request the Commandant (G-MHM) to arrange an examination by the Coast Guard, stating:

(1) The expected date of the vessel's arrival in U.S. waters;

(2) The port of call where the vessel is to be inspected;

(3) The vessel's agent in the port of call; and

(4) Any cargoes the vessel is to carry under § 153.811.

(c) If the vessel is to carry a cargo under § 153.811, allow at least 14 calendar days from the time the Commandant (G-MHM) receives the request for an examination before bringing the vessel into U.S. waters.

(d) If the vessel is not to carry a cargo under § 153.811, allow at least 14 calendar days from the time the Commandant (G-MHM) receives the request for an examination until the date of the vessel's examination.

### § 153.810 Fourteen day notice required for a Letter of Compliance examination.

Unless the Commandant (G-MHM) agrees to examine a specific tankship on shorter notice, the Commandant (G-MHM) does not examine a tankship for a Letter of Compliance sooner than 14

calendar days from the time the Commandant (G-MHM) receives the owner's request under § 153.809(b).

**§ 153.811 Carrying cargo into U.S. waters on the voyage for a Letter of Compliance examination.**

If entering U.S. waters for examination under §§ 153.808 and 153.809, a vessel that has never received a Letter of Compliance or whose Letter of Compliance has expired may only carry a cargo described in § 153.5 if specifically authorized to do so by the Commandant (G-MHM).

**§ 153.812 Inspection for Certificate of Inspection.**

The rules governing the issuance of Certificates of Inspection are contained in part 31 of this chapter.

## Subpart C—Operations

### Documents and Cargo Information

**§ 153.900 Certificates, letters, endorsements required.**

(a) Each U.S. flag tankship * must have its Certificate of Inspection issued under Subchapter D (Tank Vessels) of this chapter endorsed under this part with the name of each cargo in table I that it carries or must have written authorization under § 153.5(b) from the Commandant (G-MHM).

(b) Each foreign flag tankship * whose flag administration issues the IMCO Certificate must have—

(1) an IMCO Certificate issued by the flag administration and a Letter of Compliance issued and endorsed under this part with the name of the cargo; or

(2) prior written authorization under § 153.5(b) or § 153.808 from the Commandant (G-MHM).

(c) Each foreign flag tankship * whose flag administration does not issue the IMCO Certificate must have—

(1) a Letter of Compliance issued and endorsed under this part with the name of the cargo; or

(2) written authorization under § 153.5(b) or § 153.808 from the Commandant (G-MHM).

**§ 153.901 Certificates or letters required to be on bridge.**

No person may operate a tankship unless the endorsed Certificate of Inspection, Letter of Compliance, or written authorization required by § 153.900 is posted on the bridge of the tankship.

**§ 153.902 Expiration of Letters of Compliance.**

A Letter of Compliance is valid for a period not exceeding two years after the date of examination under § 153.808. The Coast Guard enters the expiration date on the Letter of Compliance.

**§ 153.904 Limitations in the endorsement.**

No person may operate a tankship unless he complies with all limitations in the endorsement on the tankship's Certificate of Inspection or Letter of Compliance.

**§ 153.905 Regulations required to be on board.**

No person may operate a tankship unless a copy of this part and parts 34 and 35 of this chapter, containing all amendments up to the date of the endorsement of the tankship's Certificate of Inspection or Letter of Compliance are on board.

**§ 153.907 Cargo information cards.**

(a) No person may operate a tankship unless a cargo information card for each cargo being transported that is listed in table I is carried either on the bridge, in the ship's office, or in another location easily accessible to the person in charge of the watch.

(b) Each cargo information card must be at least 17 cm x 24 cm (approx. 6.7 in. x 9.4 in.), have printing on one side only, and contain the following information about the cargo:

(1) The name of the cargo, as listed in Table I.

(2) A description of the appearance of the cargo.

(3) A description of the odor of the cargo.

(4) The hazards involved in handling the cargo.

(5) Instructions for safe handling of the cargo including any special procedures such as inerting.

(6) The procedures to be followed in the event of cargo spills, leaks, uncontrolled release, human exposure to the cargo, or cargo handling equipment breakdown.

(7) A list of fire fighting procedures and extinguishing agents effective with cargo fires.

**§ 153.908 Shipping document.**

No person may operate a tankship without a shipping document, such as a manifest, on the bridge of the tankship completed by the shipper, the tankship's master, the shipowner, or the tankship's agent that lists for each cargo on board—

(a) The tank in which the cargo is stowed;

(b) The name of the shipper;

(c) The location of the loading terminal;

(d) The cargo name listed in table I or § 30.25-1 of this chapter, or the shipper's name for the cargo if it is not listed; and

(e) The quantity of the cargo.

**§ 153.909 Cargo location plan.**

(a) No person may operate a tankship unless a cargo location plan is kept with the set of cargo information cards required by § 153.907.

(b) The cargo location plan must show the location and number of each cargo tank and the name of the cargo in each tank.

(c) Names of dangerous cargoes on the plan must not differ from those listed in table I or § 30.25-1 of this chapter.

**§ 153.910 Cargo piping plan.**

No person may operate a tankship unless the tankship has a cargo piping plan that—

(a) Shows all cargo piping on the tankship;

(b) Shows all cargo valving, pumps, and other equipment that is used during cargo transfer;

(c) Shows the cargo tanks;

(d) Shows any modifications necessary to a containment system that is to be isolated under § 153.963 or §§ 153.525 and 153.1020; and

(e) Emphasizes the piping and equipment described in paragraphs (a), (b), and (d) of this section by using contrasting colors, line widths, or similar methods.

**§ 153.912 Certificate of inhibition or stabilization.**

(a) When a cargo in table I is referred to this section, no person may operate a tankship carrying the cargo without a written certification, carried on the bridge of the tankship, from the shipper that the cargo is—

(1) Inhibited; or

(2) Stabilized.

(b) The certification required by this section must contain the following information:

(1) Whether the cargo is inhibited or stabilized.

(2) The name and concentration of the inhibitor or stabilizer.

(3) The date the inhibitor or stabilizer was added.

(4) The length of time the inhibitor or stabilizer is effective.

(5) Any temperature limitations qualifying the inhibitor's or stabilizer's effective lifetime.

(6) The action to be taken should be duration of the voyage exceed the inhibitor's or stabilizer's useful life.

**§ 153.914 Documents at the transfer terminal.**

While a tankship is moored at a transfer terminal, the master shall ensure that the terminal has, in addition to the copies the tankship must have—

(a) A copy of the shipping document prescribed in § 153.908; and

(b) A set of the information cards prescribed in § 153.907.

### General Cargo Operational Requirements

**§ 153.920 Cargo quantity limitations.**

(a) No person may load a cargo tank or operate a tankship that carries a cargo tank containing in excess of 1250 $m^3$ (approx. 44,138 $ft^3$) of cargo requiring a type I containment system.

(b) No person may load a cargo tank or operate a tankship that carries a cargo tank containing in excess of 3000 $m^3$ (approx. 105,932 $ft^3$) of a cargo requiring a type II containment system.

* The definition of "tankship" excludes those vessels whose tanks are clean and gas free.

**§ 153.921 Explosives.**

No person may load, off-load, or carry a cargo listed in this part on board a vessel that carries explosives unless he has the prior written permission of the Commandant (G-MHM).

**§ 153.923 Inerting systems.**

The master shall ensure that the inert gas systems for any cargo that this part requires to be inerted are operating correctly.

GENERAL VESSEL SAFETY

**§ 153.930 Cargo antidotes.**

No person may operate a tankship that carries a cargo listed in Table I unless the tankship has on board the antidotes described for the cargo in the *Medical First Aid Guide for Use in Accidents Involving Dangerous Goods*, published by IMCO.

**§ 153.931 Obstruction of pumproom ladderways.**

The master shall ensure that all cargo pumproom ladderways are unobstructed at all times.

**§ 153.932 Goggles and protective clothing.**

(a) The master shall ensure that each person wear a face mask or tight-fitting goggles for eye protection against splashing or spraying liquids if that person is—

(1) Sampling cargo;

(2) Transferring cargo;

(3) Making or breaking a cargo hose connection;

(4) Gauging a cargo tank; or

(5) Opening a cargo tank by opening a Butterworth hatch, ullage hatch, cargo tank hatch, or similar opening.

(b) The master shall ensure that each person wear a face mask or tight-fitting goggles for eye protection against splashing or spraying liquids if the person is—

(1) In the area of the deck where the cargo tanks, cargo piping, and cargo pumprooms are located while a cargo transfer is taking place; or

(2) In a cargo pumproom, void space adjacent to a cargo tank, or a space containing part of a cargo containment system.

(c) The master shall ensure that each person in paragraphs (a) and (b) wear any additional protective clothing the master believes necessary to protect the person from the cargo's hazards.

**§ 153.933 Protective clothing required.**

When table I refers to this section, the master shall ensure that every person forward of the accommodation deckhouse who is involved in cargo sampling, gauging, or making or breaking cargo connections wears coveralls or a large apron, boots, gloves, and tight-fitting goggles.

**§ 153.934 Entry into spaces containing cargo vapor.**

(a) No person may enter a cargo tank, cargo handling space, or void space in that part of the tankship where the cargo tanks are located without the permission of the master.

(b) Before permitting anyone to enter a cargo tank, cargo handling space, or void space, the master shall ensure that—

(1) The space is free of toxic vapors and has sufficient oxygen to support life; or

(2) Those entering the space wear protective equipment with self-contained breathing apparatus as described in § 153.214(b) and an officer closely supervises the entire operation.

**§ 153.935 Opening of tanks and cargo sampling.**

(a) Except as provided in paragraph (b) of this section, the master shall ensure that all cargo tank hatches, ullage openings, and tank cleaning openings are tightly closed at all times.

(b) The master may not authorize the opening of a cargo tank, except—

(1) To clean a tank;

(2) To transfer a cargo that table I allows in a containment system having an open gauging system;

(3) To sample a cargo that table I allows in a containment system having an open gauging system; or

(4) To sample a cargo that table I allows in a containment system having a restricted gauging system if—

(i) The tank is not being filled during sampling;

(ii) The vent system has relieved any pressure in the tank;

(iii) The person sampling the cargo wears the protective clothing required during cargo transfer; and

(iv) The tank is closed tightly following sampling.

(c) The master shall ensure that cargoes requiring closed gauging are sampled only through the controlled sampling arrangement required by § 153.404 (b).

**§ 153.936 Illness, alcohol, drugs.**

The master shall ensure that no person participates in cargo related operations who appears to be intoxicated by alcohol or drugs or to be so ill as to be unfit for the particular operation.

MARKING OF CARGO TRANSFER HOSE

**§ 153.940 Standards for marking of cargo hose.**

No person may mark a hose assembly as meeting the standards of this section unless the hose assembly meets the following requirements:

(a) Each hose assembly must have—

(1) Fully threaded connections;

(2) Flanges that meet standard B16.5, *Steel Pipe Flanges and Flange Fittings*, or standard B16.31, *Nonferrous Pipe Flanges*, of the American National Standards Institute; or

(3) Quick-connect couplings that are acceptable to the Commandant (G-MMT).

(b) Each hose assembly must be marked with the—

(1) Date of manufacture;

(2) Working pressure described in paragraph (d);

(3) Date of the last test required by paragraph (e) of this section; and

(4) Manufacturer's recommended maximum and minimum temperatures.

(c) A cargo hose assembly must have a minimum bursting pressure as stated by the manufacturer of at least 5152 kPa gauge (approx. 750 psig).

(d) The working pressure marked on a hose must meet the following:

(1) Be at least 1030 kPa gauge (approx. 150 psig).

(2) Not exceed 20 per cent (one-fifth) of the manufacturer's stated bursting pressure.

(3) Not exceed the manufacturer's recommended working pressure.

(4) Not exceed the test pressure used in the latest test under paragraph (e) (3).

(e) A cargo hose assembly must be inspected and tested by placing it in a straight, horizontal position so that its entire external surface is accessible. It must be ascertained that the hose assembly—

(1) Has no loose covers, kinks, bulges, soft spots, and no gouges, cuts, or slashes that penetrate any hose reinforcement;

(2) Has no external and, to the extent internal inspection is possible with both ends of the hose open, no internal deterioration; and

(3) Does not burst, bulge, leak, or abnormally distort under static liquid pressure at least as great as the recommended working pressure.

CARGO TRANSFER PROCEDURES

**§ 153.953 Signals during cargo transfer.**

The master shall ensure that—

(a) The tankship displays a red flag in the day and a red light at night when transferring cargo while fast to a dock;

(b) The tankship displays a red flag when transferring cargo while at anchor; and

(c) The red flag or the red light is visible from all sides of the tankship.

**§ 153.955 Warning signs during cargo transfer.**

(a) When transferring cargo while fast to a dock or at anchor in port, the master shall ensure that the tankship displays a warning sign at the gangway facing the shore so that it may be seen from the shore and another warning sign facing outboard towards the water so that it may be seen from the water. (See figure 1.)

(b) Except as provided in paragraph (f) of this section, each warning sign must have the following legends:

(1) Warning.

(2) Dangerous Cargo.

(3) No Visitors.

(4) No Smoking.

(5) No Open Lights.

(c) Each letter must be block style, black on a white background.

(d) Each letter must—

(1) Be 7.5 cm (approx. 3 in.) high;

(2) Be 5 cm (approx. 2 in.) wide except for "M" and "W" which must be 7.5 cm (approx. 3 in.) wide and the letter "I" which may be 1.3 cm (approx. ½ in.) wide; and




**Figure 1 - Minimum Dimensions for Warning Sign**

(3) Have 1.3 cm (approx. ½ in.) stroke width.

(e) The spacing must be—

(1) 1.3 cm (approx. ½ in.) between letters of the same word;

(2) 5 cm (approx. 2 in.) between words;

(3) 5 cm (approx. 2 in.) between lines; and

(4) 5 cm (approx. 2 in.) at the borders of the sign.

(f) Except as described in § 153.1045, the legends "No Smoking" and "No Open Lights" are not required when the cargoes on board the tankship are neither flammable nor combustible.

**§ 153.957 Person in charge of cargo transfer.**

(a) The master of a U.S. flag tankship shall ensure that cargo transfer operations are supervised by a person designated as a person in charge of cargo transfer under 33 CFR 155.710.

(b) No person may serve, and no one may use the services of a person as a person in charge of cargo transfer on a foreign flag tankship unless the person—

(1) Holds a valid document issued by the flag administration authorizing service as a person in charge of cargo transfer aboard the vessel that is transferring cargo;

(2) Is designated by the master;

(3) Is readily able to communicate in English with the person in charge of cargo transfer at the transfer facility either directly or through an interpreter who is available to him during the transfer; and

(4) Has studied and understands his responsibilities as described in this subchapter.

**§ 153.959 Approval to begin transfer operations required.**

No person may make connections for cargo transfer or transfer cargo unless he has authorization from the person in charge of cargo transfer.

**§ 153.963 Incompatible cargo.**

(a) The person in charge of cargo transfer may not authorize the loading of incompatible [†] cargoes into cargo containment systems unless the cargoes are separated by double walls or double bulkheads, such as—

(1) Cofferdams;

(2) Empty tanks;

(3) Tanks containing mutually compatible cargo; and

(4) Piping tunnels.

(b) The person in charge of cargo transfer may not authorize loading of incompatible cargoes into cargo containment systems that have common piping or venting systems.

**§ 153.964 Discharge by gas pressurization.**

The person in charge of cargo transfer may not authorize cargo discharge by gas pressurization unless—

(a) The tank to be offloaded has an SR or PV venting system;

(b) The pressurization medium is either the cargo vapor or a nonflammable, nontoxic gas inert to the cargo; and

(c) The pressurizing line has—

(1) A pressure reducing valve whose setting does not exceed 90% of the tank's relief valve setting and a manual control valve between the pressure reducing valve and the tank; or

(2) For an inert gas medium—

(i) A safety relief valve with a cross sectional flow area at least equal to that of the pressurizing line and whose relieving pressure does not exceed 90 percent of the tank's relief valve setting;

(ii) A manual control valve between the safety relief valve and the tank; and

(iii) A check valve between the manual control valve and the tank.

**§ 153.966 Discharge by liquid displacement.**

The person in charge of cargo transfer may not authorize cargo discharge by liquid displacement unless the liquid supply line to the tank has—

(a) a safety relief or pressure reducing valve set to operate at no more than 80 percent of the tank's relief valve setting; and

(b) a manual control valve between the tank and the supply line's safety relief valve or pressure reducing value.

**§ 153.968 Cargo transfer conference.**

(a) Before he may begin making connections for cargo transfer, the person in charge of cargo transfer shall confer with the person supervising the cargo transfer at the facility.

(b) The person in charge of cargo transfer shall discuss the important aspects of the transfer operation, such as the following, with the supervisor at the facility:

(1) The products to be transferred.

(2) The transfer rates.

(3) The critical or hazardous stages of the transfer operation.

(4) The emergency procedures in case of a spill.

**§ 153.970 Cargo transfer piping.**

The person in charge of cargo transfer shall ensure that—

(a) Cargo is transferred to or from a cargo tank only through the tankship's cargo piping system;

(b) Vapor not returned to shore through the tankship's vapor return system is discharged at the height required for the cargo's vent riser in table I, and

(c) All cargo vapor is returned to shore through the valved connection on the venting system if—

(1) The cargo requires closed gauging, is referenced to § 153.372 or is referenced to § 153.525;

(2) The transfer terminal has vapor return equipment; and

(3) In his estimation the vapor return equipment is adequate to handle the vapor expected from the tank.

**§ 153.972 Connecting a cargo hose.**

The person in charge of cargo transfer may not authorize the connection of a hose to a cargo containment system unless—

(a) He has ensured himself that the cargo will not weaken or damage the hose;

(b) The hose is marked as meeting the standards of § 153.940;

(c) The date of the hose's last pressure test is within one year of the date on which the hose is used to transfer cargo;

(d) The recommended working pressure marked on a hose used for discharge meets or exceeds the working pressure marked on the cargo piping at the hose connection; and

(e) The cargo's temperature is within the manufacturer's recommended maximum and minimum hose temperatures.

**§ 153.975 Preparation for cargo transfer.**

The person in charge of cargo transfer may not approve or continue cargo transfer unless the following conditions are met:

(a) No fires or open flames are on deck or in compartments near the hose connections when table I requires the cargo's containment system to have a fire protection system.

(b) Any electrical bonding of the tankship to the transfer facility is made before the cargo transfer piping is joined.

(c) Any supplemental inert gas supply necessary to maintain the 3.5 kPa gauge (approx. 0.5 psig) pressure in the tank during offloading (see § 153.500) is connected to the inert gas pressure control system.

[†] Incompatible cargoes are described in NVC 4-75, available from the Commandant (G-MHM-3/83). Tel. no. (202) 426-1577.

(d) The transfer connections have enough slack to allow for vessel movement.

(e) The transfer connections are supported by tackles.

(f) The cargo high level alarms are functioning correctly when cargo is loaded.

(g) Joints and couplings are gasketed and mated tightly.

(h) Flanges are bolted tightly.

(i) No repair work is underway in areas where cargo or cargo vapors may collect.

(j) Cargo and sea valves are properly set, with those sea valves connected to cargo piping lashed or sealed shut.

(k) Venting system bypass valves are set for cargo transfer and are operating properly.

(l) All scuppers are plugged.

(m) Smoking is limited to safe places.

(n) Fire fighting and safety equipment is ready.

(o) He is in effective communication with the transfer terminal.

(p) The person in charge of the transfer terminal has acknowledged that he is ready to transfer.

(q) Pressures within the cargo transfer and containment systems do not exceed the pressure ranges for which the transfer hose and containment systems are designed.

(r) No vessels that would hazard cargo transfer are alongside the tankship.

**§ 153.976 Transfer of packaged cargo or ship's stores.**

The person in charge of cargo transfer may neither begin nor continue the transfer of a flammable or combustible cargo while packaged cargo or ship's stores are transferred unless transfer of the packaged cargo or ship's stores does not hazard transfer of the flammable or combustible cargo.

**§ 153.977 Supervision of cargo transfer.**

The person in charge of cargo transfer shall—

(a) Supervise the operation of cargo system valves; and

(b) Monitor the cargo loading rate to avoid overfilling cargo tanks.

**§ 153.979 Gauging with a sounding tube.**

(a) No person may remove the cover of a sounding tube unless he has authorization from the person in charge of cargo transfer.

(b) The person in charge of cargo transfer may not authorize removal of the cover from a sounding tube gauge unless all tank pressure has been relieved through the tank's venting system.

**§ 153.981 Leaving room in tank for cargo expansion.**

The person in charge of cargo transfer shall ensure that the amount of cargo in a tank does not exceed the tank's capacity at any ambient temperature between −18° C (approx. 0° F) and 46° C (approx. 115° F).

**§ 153.983 Termination procedures.**

Upon completion of the transfer operation, the person in charge of cargo transfer shall ensure that—

(a) The cargo transfer connections are closed off;

(b) The transfer lines and hoses are drained of cargo, either into the tank or back to the transfer terminal;

(c) Any electrical bonding between the vessel and the shore facility is broken only after the cargo hose is disconnected and all spills removed; and

(d) Each vent system is returned to its nonloading configuration.

## Special Cargo Procedures

**§ 153.1000 Special operating requirements for cargoes reactive with water.**

When table I refers to this section, the master must ensure that the cargo—

(a) Is carried only in a containment system completely isolated from any systems containing water, such as slop tanks, ballast tanks, cargo tanks containing slops or ballast, their vent lines or piping; and

(b) Is separated by double walls, such as cofferdams and piping tunnels, from any system containing water, as for example those described in paragraph (a) of this section.

**§ 153.1010 Alkylene oxides.**

(a) Before he loads a cargo containment system with a cargo referenced to this section in table I, the person in charge of cargo transfer shall do the following:

(1) Inspect the cargo tank to be sure it does not have heavy rust accumulations on its walls or bottom.

(2) Purge the containment system until the oxygen content of the cargo tank is less than 2% by volume.

(b) The person in charge of an alkylene oxide cargo transfer shall ensure that—

(1) No alkylene oxide vapor or liquid is released to the atmosphere during cargo transfer;

(2) No vapor return system connected to an alkylene oxide containment system is at the same time connected to another containment system;

(3) Alkylene oxide is discharged only by an intank cargo pump or inert gas displacement;

(4) Transfer hose is approved by the Commandant (G-MMT) under § 153.530 (o) for alkylene oxide transfer and is marked "For Alkylene Oxide Transfer Only"; and

(5) A water hose is laid out on deck with water pressure to the nozzle, and all alkylene oxide spillages are washed away immediately.

(c) After loading alkylene oxides, the person in charge of cargo transfer shall check the composition of the vapor space above the alkylene oxide and purge the space with inert gas until the oxygen content is below 2% by volume.

**§ 153.1011 Use of alkylene oxide containment systems and hoses with other products.**

(a) An alkylene oxide may not be carried in a containment system that, within the previous five loadings, has carried a cargo in paragraph (d) unless the containment system has been cleaned to the satisfaction of a Coast Guard Marine Inspector or a person specifically authorized by the Commandant (G-MHM) to approve oxide tank cleaning.

(b) No other cargo may be loaded into a containment system which has carried an alkylene oxide unless the containment system has been cleaned of alkylene oxide to the satisfaction of a Coast Guard Marine Inspector or a person specifically authorized by the Commandant (G-MHM) to approve oxide tank cleaning.

(c) No person may use a hose marked "For Alkylene Oxide Transfer Only" for the transfer of a cargo other than an alkylene oxide.

(d) The following cargoes are particularly reactive with alkylene oxides:

(1) Ammonia.
(2) Ammonia solutions.
(3) Amines.
(4) Alcoholamines.
(5) Inorganic acids.
(6) Organic acids.
(7) Phenolic compounds.
(8) Monomers.
(9) Compounds containing a halogen.
(10) Compounds containing sulfur except sulfates or sulfonates yielding a solution having a pH between 7.5 and 6.5 when mixed with water in all proportions.
(11) Caustic soda and caustic potash.

**§ 153.1020 Unusually toxic cargoes.**

(a) No person may load or carry a cargo referenced to this section in table I unless the cargo's piping system is isolated from piping systems carrying cargoes not referred to this section as shown in the piping plan required by § 153.910.

(b) The master shall ensure that no heat transfer medium that has been circulated through a cargo referenced to this section in table I is circulated through a cargo not referenced to this section unless he determines the medium to be uncontaminated with cargo.

(c) No person may discharge overboard condensed steam from the heating system of a cargo referenced to this section in table I unless he first determines the condensate to be uncontaminated with cargo.

**§ 153.1025 Motor fuel antiknock compounds.**

(a) No person may load or carry any other cargo in a containment system approved for motor fuel antiknock compounds containing lead alkyls except a cargo to be used solely in the manufacture of motor fuel antiknock compounds.

(b) The master shall ensure that no person enter a pumproom or void space

that contains piping from a containment system approved for motor fuel antiknock compounds containing lead alkyls unless—

(1) The pumproom or void space atmosphere has been analyzed for its lead content and found to be less than 0.15 mg/m³; or

(2) The person follows the procedures for entering a cargo tank described in paragraph (c).

(c) No person may enter a cargo tank endorsed for motor fuel antiknock compounds containing lead alkyls without prior specific authorization from the Commandant (G-MHM). This authorization may be obtained by telephone ((202) 426-1217) if the person has previously obtained approval for the cargo tank entry procedure from the Commandant (G-MHM).

(d) No person may enter a cargo tank endorsed for motor fuel anti-knock compounds if he does not follow the conditions in the authorization under paragraph (c).

**§ 153.1035 Stabilization of acetone cyanohydrin.**

No person may operate a tankship having on board acetone cyanohydrin unless the acetone cyanohydrin is stabilized with an inorganic acid.

**§ 153.1040 Carbon disulfide.**

(a) No person may load, carry, or discharge carbon disulfide unless the cargo tank has a water pad over the cargo of at least one meter (approx. 40 in.).

(b) The person in charge of a carbon disulfide transfer operation shall ensure that carbon disulfide is discharged only by displacement or intank cargo pump.

(c) No person may remove a cargo pump for a containment system that carries carbon disulfide unless—

(1) The containment system has a gas free certificate issued under the standards in § 35.01-1 of this chapter; or

(2) The vapor space in the pump well is filled with water.

**§ 153.1045 Inorganic acids.**

When table I refers to this section, the person in charge of cargo transfer shall ensure that the legends "NO SMOKING" and "NO OPEN LIGHTS" are displayed on the warning sign required in § 153.955(a) when cargo is transferred.

**§ 153.1046 Sulfuric acid.**

No person may liquefy frozen or congealed sulfuric acid other than by external tank heating coils.

**§ 153.1052 Carriage of other cargoes in acid tanks.**

Other cargo must not be carried in a cargo containment system endorsed to carry sulfuric acid, hydrochloric acid, or phosphoric acid without specific authorization from the Commandant (G-MHM).

**§ 153.1055 Nitropropane.**

(a) No person may load or carry 1- or 2-nitropropane in a tank having heating coils unless the heating coils have been isolated from their heat source by completely disconnecting them, for example, by inserting a blanking plate or by removing a spool piece in a steam supply line.

(b) No person may load or carry 1- or 2-nitropropane in a tank located in a hold, or adjacent to a cargo, whose temperature exceeds 50° C (approx. 122° F).

MAINTENANCE

**§ 153.1500 Venting system rupture disks.**

The master shall ensure that a relief valve exposed to a cargo after the failure of a rupture disk or breaking pin is cleaned and operates properly before the next cargo is loaded into the tank.

**§ 153.1502 Fixed ballast relocation.**

No person may remove or relocate fixed ballast unless—

(a) the change is approved by the Commandant (G-MMT); or

(b) the ballast is temporarily moved under the supervision of a Coast Guard Marine Inspector for examination or repair of the tankship.

**§ 153.1504 Inspection of personnel emergency and safety equipment.**

The master shall ensure that the personnel emergency and safety equipment required by § 153.214 is inspected each 30 days and found to be in good condition and operating properly.

APPENDIX I—LIST OF CARGOES NOT REGULATED UNDER PART 153 OR SUBCHAPTER D

Table II—Bulk liquid cargoes that may be carried in vessels having neither a Certificate of Inspection under subchapter D (Tank Vessels) nor a Letter of Compliance under this part are the following:

Ammonium nitrate, urea, water solution, 2% or less $NH_3$
Calcium chloride in water
2-chloro-4-ethylamino- 6 -isopropylamino-5-triazine, water solution
Hexamethylene diamine adipate
Lignin liquor (calcium ligno-sulfonate, water solution)
Magnesium hydroxide suspensions in water
Methyl chloroform (1, 1, 1-trichoroethane)
Molasses
Pentasodium salt of diethylene triamine pentaacetic acid, water solution
Perchloroethylene
Sodium lignosulfonates, sodium hydroxide (not exceeding 1% by weight), water solution
Sorbital in water
Tetrasodium salt of ethylene diamine tetra-acetic acid, water solution
Urea in water
Water
Mixtures solely of the cargoes in this list.

APPENDIX II (RESERVED)

APPENDIX III.—*Metric units used in pt. 153*

| Parameter | Metric (SI unit) | Abbreviation | Equivalent to English or common metric |
|---|---|---|---|
| Length | Meter | m | 39.37 in. |
| | Centimeter | cm | .3937 in. |
| Volume | Cubic meter | $m^3$ | 264 gallons (gal). |
| | do | $m^3$ | 35.3 $ft^3$. |
| Temperature | Degree Celsius | °C | 5/9(° F-32). |
| Force | Newton | N | 0.225 lbs. |
| Pressure | Pascal | Pa | $1.450 \times 10^{-4}$ $lbs/in^2$. |
| | Kilo-Pascal (1,000 Pascals) | kPa | 0.145 $lbs/in^2$. |
| | Kilo-Pascal | kPa | $1 \times 10^{-2}$ $kg/cm^2$. |
| | do | kPa | $1 \times 10^3$ $N/m^2$. |

(R. S. 4472, as amended (46 U.S.C. 170); sec. 201, 86 Stat. 427, as amended (46 U.S.C. 391a); sec. 6(b)(1), 80 Stat. 937 (49 U.S.C. 1655(b)(1); 49 CFR 1.46 (b), (t), (n)(4).)

NOTE.—The Coast Guard has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended, and OMB Circular A-107.

Dated: September 20, 1977.

O. W. SILER,
*Admiral, U.S. Coast Guard*
*Commandant.*

[FR Doc.77-27790 Filed 9-23-77;8:45 am]

federal register

MONDAY, SEPTEMBER 26, 1977
PART IV




# DEPARTMENT OF TRANSPORTATION

## Coast Guard

■

# MARINE SANITATION DEVICES

## Certifications Granted

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[CGD 77-160]

### MARINE SANITATION DEVICES

### Certifications Granted

The purpose of this document is to notify interested persons that the Commandant, U.S. Coast Guard, has certified the design of certain marine sanitation devices in accordance with § 159.15 of the U.S. Coast Guard Marine Sanitation Device Regulations (33 CFR, Part 159) and has authorized the manufacturer to label the devices so certified in accordance with the provisions of 33 CFR 159.16.

When the Coast Guard determines that a device successfully satisfies the Design, Construction and Testing requirements of Subpart C of 33 CFR Part 159, the manufacturer is authorized by the Coast Guard to label each device that he manufactures that is in all material respects substantially the same as the test device. This label includes the certification number assigned to the device. The roman numeral at the end of the certification number identifies the type of device (I, II or III) as defined in 33 CFR 159.3. The label serves as the purchaser's verification of the certification on such devices. Listed below are the certifications issued as of 18 July 1977.

(Sec. 2, 86 Stat. 871 (33 USC 1322); 49 CFR 1.46(l) and (m).)

Dated: September 14, 1977.

H. G. LYONS,
*Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.*

MARINE SANITATION DEVICES CERTIFIED BY THE U.S. COAST GUARD AS OF 18 July 1977

PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| A/S Atlas<br>Baltorpvej 154<br>DK-2750 Ballerup<br>Copenhagen<br>Denmark | Marine Sanitation System | AWWU Discharge | 159.15/1028/1/II | Large vessel physical/chemical plants. | 1500 liters/hour |
| | | AWWU Recirculating | 159.15/1028/2/III | | 1500 liters/hour |
| Baylor Company<br>P. O. Box 36326<br>Houston, Texas 77036 | Lykes SMSD 14,900 | Lykes SMSD 14,900 | 159.15/1037/1/I | Comminuter/chlorinator | 15,000 gpd |
| Chrysler Corporation<br>Space Division<br>P. O. Box 29200<br>New Orleans, LA 70129 | Aqua-Sans | Model A | 159.15/1005/1/III | Large vessel oil flush recirculating systems | 140 uses/day |
| | | Model A-S | 159.15/1005/2/III | | 140 uses/day |
| | | Model A/B-1 | 159.15/1005/3/III | | 140 uses/day |
| | | Model A/B-2 | 159.15/1005/4/III | | 140 uses/day |
| | | Model B | 159.15/1005/5/III | | 140 uses/day |
| Citex-Gastechnik Maschinenbau<br>2 Hamburg 71<br>Postfach 710424<br>West Germany | EDCO-CITEX | CEAK 35/50 | 159.15/1043/1/II | Large vessel system, physical-chemical with BOD reduction | 500 liters/hour |
| Clear Water, Inc.<br>Division of LaMere Industries<br>227 N. Main Street<br>Walworth, Wisconsin 53184 | Sanirator.. Marine Oxidizing Toilets | 57 P5E | 159.15/1015/1/III | Unitized incinerating devices. | 12 persons |
| | | 57 P2E | 159.15/1015/2/III | | 12 persons |
| | | 57 P9E | 159.15/1015/3/III | Recirculating system add on for marine toilets. | 12 persons |
| | | 57 P5E | 159.15/1015/4/III | | 6 gal. (22 flushes |
| | | Sanihead Model #6 | 159.15/1015/5/III | | 750 gal/day (25 persons) |
| | | Sani-System 600 | 159.15/1015/6/I | Large vessel physical/chemical with filtration | |

MARINE SANITATION DEVICES CERTIFIED BY THE U.S. COAST GUARD AS OF [illegible], 1977

PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Colt Industries<br>701 Lawton Avenue<br>Beloit, Wisconsin 53511 | Marine Sanitation System | Envirovac | 159.15/1016/1/III | Large vessel, custom engineered system. Vacuum waste collection & retention system utilizing low volume water flush. | System sized according to need. |
| Demco, Inc.<br>P. O. Box 94700<br>845 Southeast 29th St.<br>Oklahoma City, Oklahoma 7310 | Marine Sanitation System | WT-325<br>WT-625<br>WT-1000<br>WT-1250<br>WT-1565<br>WT-1875<br>WT-2200<br>WT-2500<br>WT-2815<br>WT-3125<br>WT-3750<br>WT-5000 | 159.15/1029/1/II<br>159.15/1029/2/II<br>159.15/1029/3/II<br>159.15/1029/4/II<br>159.15/1029/5/II<br>159.15/1029/6/II<br>159.15/1029/7/II<br>159.15/1029/8/II<br>159.15/1029/9/II<br>159.15/1029/10/II<br>159.15/1029/11/II<br>159.15/1029/12/II | Large vessel Biological plant. | 325 gal/day(5 persons)<br>625 gal/day(10 persons)<br>1000 gal/day(15 persons)<br>1250 gal/day(20 persons)<br>1565 gal/day(25 persons)<br>1875 gal/day(30 persons)<br>2200 gal/day(35 persons)<br>2500 gal/day(40 persons)<br>2815 gal/day(45 persons)<br>3125 gal/day(50 persons)<br>3750 gal/day(60 persons)<br>5000 gal/day(80 persons) |
| Dravo Corporation<br>Neville Island<br>Pittsburgh, PA 15225 | Dravo Stack Injection System | MSD-1976 | 159.15/1031/1/III | Stack injection system for use with diesel engines | 360 gal/day |

MARINE SANITATION DEVICES CERTIFIED BY THE U.S. COAST GUARD AS OF 18 July 1977

PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Electrode Corporation<br>P. O. Box 299<br>Clardon, Ohio 44024 | Lectra/San<br>Lectra/San<br>Lectra/San<br>Lectra/San<br>Lectra/San | 12 VDC<br>32 VDC<br>12 VDC<br>24 VDC<br>32 VDC | 159.15/1001/1/I<br>159.15/1001/2/I<br>159.15/1001/3/I<br>159.15/1001/4/I<br>159.15/1001/5/I | Small vessel physical/ chemical | 4 persons/day<br>4 persons/day<br>4 persons/day<br>4 persons/day<br>4 persons/day |
| Firestone Coated Fabrics Co.<br>Box 869<br>Magnolia, Arkansas 71753 | Flex-n-Fite Tank | 15<br>30<br>40<br>100 | 159/15/1020/1/III<br>159.15/1020/2/III<br>159.15/1020/3/III<br>159.15/1020/4/III | Small vessel flexible holding tank | 15 gal capacity<br>30 gal capacity<br>40 gal capacity<br>100 gal capacity |
| Fredrikastad Mek Verkated<br>P. O. Box 96<br>1601 Fredrikastad<br>Norway | Fredrikastad Sewage Treatment Plant | CP 40<br>CP 65<br>CP 80 | 159.15/1045/1/II<br>159.15/1045/2/II<br>159.15/1045/3/II | Large vessel aerobic systems | 240 l/hr.<br>390 l/hr.<br>480 l/hr. |
| Galley Maid Marine Products<br>P. O. Box 10417<br>Riviera Beach, FL 33404 | Delta Marine Head | 12 VDC<br>24 VDC<br>32 VDC | 159.15/1040/1/I<br>159.15/1040/2/I<br>159.15/1040/3/I | Small vessel physical/ chemical | 2 persons/day |
| General American Research Division of GATK<br>7449 Natchez Avenue<br>Niles, Illinois 60648 | Marine Sewage System | ETS-II<br>MSS-I | 159.15/1012/1/III<br>159.15/1012/2/I | Small vessel, low volume flush, evaporative system<br>Large vessel macerator-sterilizer | 25 person capacity<br>System sized according to need |

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PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Hamworthy Engineering Fleet Corner Poole Dorset BH17 - 7LA UNITED KINGDOM | Super Trident | ST-2 | 159.15/1023/1/II | Large vessel aerobic plants. | 360 gal/day(20 persons) |
| | | ST-4 | 159.15/1023/2/II | | 720 gal/day(40 persons) |
| | | ST-6 | 159.15/1023/3/II | | 1080 gal/day(60 persons) |
| | | ST-8 | 159.15/1023/4/II | | 1440 gal/day(80 persons) |
| | | ST-10 | 159.15/1023/5/II | | 1800 gal/day(100 persons |
| | | ST-15 | 159.15/1023/6/II | | 2700 gal/day(150 persons |
| | | ST-20 | 159.15/1023/7/II | | 3600 gal/day(200 persons |
| | Trident | T-10 | 159.15/1023/8/II | | 180 gal/day(10 persons) |
| | | T-20 | 159.15/1023/9/II | | 360 gal/day(20 persons) |
| | | T-30 | 159.15/1023/10/II | | 540 gal/day(30 persons) |
| | | T-40 | 159.15/1023/11/II | | 720 gal/day(40 persons) |
| | | T-50 | 159.15/1023/12/II | | 900 gal/day(50 persons) |
| | | T-60 | 159.15/1023/13/II | | 1080 gal/day(60 persons) |
| | | T-75 | 159.15/1023/14/II | | 1350 gal/day(75 persons) |
| | | T-100 | 159.15/1023/15/II | | 1800 gal/day(100 persons |
| | | RT-20 | 159.15/1023/16/II | | 360 gal/day(20 persons) |
| | | RT-40 | 159.15/1023/17/II | | 720 gal/day(40 persons) |
| | | RT-60 | 159.15/1023/18/II | | 1080 gal/day(60 persons) |
| Heishin Engineering and Equipment Co., Ltd. Post #653 1-2, 2-Chome Wakamatsu-cho Nagata-KU Kobe, Japan | Cleardam | PS-40 | 159.15/1026/1/II | Large vessel evaporative system with recirculating mode | 75 liters/hr.(40 persons) |
| | | PS/CR-40 | 159.15/1026/2/III | | 75liters/hr.(40 persons) |
| | | PS/CR-80 | 159.15/1026/3/III | | 125 liters/hr.(80 persons |
| | | PS-80 | 159.15/1026/4/II | | 125 liters/hr.(80 persons |
| | | PS-40N | 159.15/1026/5/II | | 125 liters/hr.(40 persons) |
| | | PS-80N | 159.15/1026/6/II | | 125 liters/hr.(50 persons) |

MARINE SANITATION DEVICES CERTIFIED BY THE U.S. COAST GUARD AS OF 15 July 1977

PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Hyde Products, Inc. 810 Sharon Drive Westlake, Ohio 44145 | Hyde Shipboard Sewage Treatment System | None Assigned | 159.15/1019/1/II | Large vessel, secondary physical/chemical plant. | 6000 gal/day |
| International Water Saving Systems, Inc. P. O. Box 366 587 Granite St. Braintree, MA 02184 | Nautromatic | 350 | 159.15/1009/1/I | Small vessel physical/ chemical | 4 uses/hr. |
| | IWSS System 1000 | 1000 | 159.15/1009/2/I | | 4 persons |
| | IWSS System 1000A | 1000A | 159.15/1009/3/I | | 4 persons |
| Jered Industries, Inc. 1300 S. Coolidge Rd. Birmingham, MI | Vacuum Flush Sewage Disposal System | 118-I | 159.15/1011/1/III | Vacuum flush | 400 gal/day |
| Koehler-Dayton P. O. Box 309 New Britain, Conn. 06050 | Konvert-A-Head | 13-701595 | 159.15/1013/1/III | Small vessel recirculating system. | 22 flushes/6 gal. |
| | Enviro-Mac | 13-702145 | 159.15/1013/2/I | Large vessel physical/ chemical systems | 72 gal/hr.(15 persons) |
| | Enviro-Mac II | | 159.15/1013/3/I | | 72 gal/hr.(15 persons) |

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| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Mansfield Sanitary, Inc.<br>150 First Street<br>Perrysville, Ohio 44864 | Marine Toilets | 911-M28 | 159.15/1014/4/III | Small vessel unitized holding system | 8.25 gallons |
| | | 912-M28 | 159.15/1014/5/III | | 8.25 gallons |
| | Vacu-Flush Marine Sanitation Systems | 300 Series | 159.15/1014/1/III | Small vessel - component arranged holding system vacuum flush - low volume | 12-42 gallons |
| | | 400 Series | 159.15/1014/2/III | | |
| | | 600 Series | 159.15/1014/3/III | | |
| | | 800 Series | 159.15/1014/6/III | | |
| Marland Environmental Systems, Inc.<br>P. O. Box 9<br>Walworth, Wisconsin 53184 | Marine Sanitation Devices | MSS-PT | 159.15/1008/1/I | Large vessel physical/chemical. | 2000, 3000, & 4000 gal/day sizes |
| | | MTT-3 | 159.15/1008/2/I | Large vessel unitized physical/chemical. | 1000 gal/day |
| | | MTT-4 | 159.15/1008/3/I | Large vessel physical/chemical system for use with existing holding tanks. | 1000 gal/day |

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PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Microphor, Inc.<br>P. O. Box 490<br>Willits, California 95490 | Marine Sewage Treatment System | M-8 | 159.15/1025/1/II | Small vessel biological system. | 2 persons |
| | | M-10 | 159.15/1025/2/II | | 3 persons |
| | | M-12 | 159.15/1025/3/II | | 3 persons |
| | | M-14 | 159.15/1025/4/II | | 4 persons |
| | | M-50 | 159.15/1025/5/II | Large vessel biological system for use with low-volume flush toilets. | 25 gal/day(5 persons) |
| | | M-100 | 159.15/1025/6/II | | 50 gal/day(10 persons) |
| | | M-150 | 159.15/1025/7/II | | 75 gal/day(15 persons) |
| | | M-200 | 159.15/1025/8/II | | 100 gal/day(20 persons) |
| | | M-300 | 159.15/1025/9/II | | 150 gal/day(30 persons) |
| | | M-500 | 159.15/1025/10/II | | 250 gal/day(50 persons) |
| | | M-600 | 159.15/1025/17/II | | 300 gal/day(60 persons) |
| | | M-800 | 159.15/1025/19/II | | 400 gal/day(80 persons) |
| | | M-1000 | 159.15/1025/21/II | | 500 gal/day(100 persons) |
| | | MC-50 | 159.15/1025/11/II | Large vessel biological system for use with conventional toilets. | 125 gal/day(5 persons) |
| | | MC-100 | 159.15/1025/12/II | | 250 gal/day(10 persons) |
| | | MC-150 | 159.15/1025/13/II | | 375 gal/day(15 persons) |
| | | MC-200 | 159.15/1025/14/II | | 500 gal/day(20 persons) |
| | | MC-300 | 159.15/1025/15/II | | 750 gal/day(30 persons) |
| | | MC-500 | 159.15/1025/16/II | | 1250 gal/day(50 persons) |
| | | MC-600 | 159.15/1025/18/II | | 1500 gal/day(60 persons) |
| | | MC-800 | 159.15/1025/20/II | | 2000 gal/day(80 persons) |
| | | MC-1000 | 159.15/1025/22/II | | 2500 gal/day(100 persons) |

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PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Misuzu Machinery Engineering Co.<br>25, 5-chome<br>Ikuto-KU<br>Kobe, Japan | Wilson Elsan Mark IV | WE-60 Flowthrough | 159.15/1033/2/II | Large vessel physical/chemical discharge. | 1800 gal/day (60 persons) |
| | | WE-60 Recirculating | 159.15/1033/1/III | Large vessel physical/chemical recirculating. | 1800 gal/day (60 persons) |
| Monogram Industries, Inc.<br>4030 Freeman Boulevard<br>Redondo Beach, CA 90278 | Handihead | 158 | 159.15/1002/2/III | Recirculating toilets. | 50 uses |
| | Monomatic | 342 | 159.15/1002/3/III | | 80 uses |
| | Monomatic | 641 | 159.15/1002/4/III | | 80 uses |
| Nissin Refrigeration and Engineering, Ltd.<br>12-30, Mikunihonmachi<br>Yodogawa-Ku, Osaka<br>Japan | Defecamat | NST-30 | 159.15/1051/1/II | Large vessel aerobic system. | 85 l/hr. |
| | | NST-40 | 159/15/1051/2/II | | 113 l/hr. |
| | | NST-50 | 159.15/1051/3/II | | 140 l/hr. |
| | | NST-60 | 159.15/1051/4/II | | 170 l/hr. |
| | | NST-70 | 159.15/1051/5/II | | 198 l/hr. |
| | | NST-80 | 159.15/1051/6/II | | 226 l/hr. |
| | | NST-90 | 159.15/1051/7/II | | 255 l/hr. |
| | | NST-100 | 159.15/1051/8/II | | 283 l/hr. |
| | | NST-125 | 159.15/1051/9/II | | 354 l/hr. |
| | | NST-150 | 159.15/1051/10/II | | 425 l/hr. |

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PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Owens Manufacturing & Speciality Co.<br>P. O. Box 2443<br>Lafayette, LA 70502 | Owen's Kleen Tank | 1-13 | 159.15/1038/1/II | Large vessel biological systems | 625 gal/day |
| | | 14-26 | 159.15/1038/2/II | | 1100 gal/day |
| | | 27-49 | 159.15/1038/3/II | | 2000 gal/day |
| | | 50-94 | 159.15/1038/4/II | | 4000 gal/day |
| Raritan Engineering Co.<br>1025 North High Street<br>Millville, New Jersey 08332 | Sewage Holding Tanks<br><br>(See Electrode Corp. for listing of Lectra/San) | CHTT | 159.15/1017/1/III | Small vessel sewage holding tank. | 5 gal. |
| | | RHT 15 | 159.15/1017/2/III | Flexible holding tank. | 15 gal. |
| | | RHT 30 | 159.15/1017/3/III | Flexible holding tank. | 30 gal. |
| Red Fox Industries<br>P O. Drawer 640<br>New Iberia, LA 70560 | Sewage Treatment Unit | RF100 | 159.15/1006/1/II | Large vessel biological plants. | 100 gal/day |
| | | RF200M | 159.15/1006/2/II | | 200 gal/day |
| | | RF350M | 159.15/1006/3/II | | 350 gal/day |
| | | RF500M | 159.15/1006/4/II | | 500 gal/day |
| | | RF750M | 159.15/1006/5/II | | 750 gal/day |
| | | RF1000M | 159.15/1006/6/II | | 1000 gal/day |
| | | RF1500M | 159.15/1006/7/II | | 1500 gal/day |
| | | RF2000M | 159.15/1006/8/II | | 2000 gal/day |
| | | RF2500M | 159.15/1006/9/II | | 2500 gal/day |
| | | RF3000M | 159.15/1006/10/II | | 3000 gal/day |
| | | RF3500M | 159.15/1006/11/II | | 3500 gal/day |
| | | RF4000M | 159.15/1006/12/II | | 4000 gal/day |
| | | RF4500M | 159.15/1006/13/II | | 4500 gal/day |
| | | RF5000M | 159.15/1006/14/II | | 5000 gal/day |
| | | RF5500M | 159.15/1006/15/II | | 5500 gal/day |
| | | RF6000M | 159.15/1006/16/II | | 6000 gal/day |
| | | RF6500M | 159.15/1006/17/II | | 6500 gal/day |
| | | RF7000M | 159.15/1006/18/II | | 7000 gal/day |
| | | RF7500M | 159.15/1006/19/II | | 7500 gal/day |
| | | RF8000M | 159.15/1006/20/II | | 8000 gal/day |
| | | RF8500M | 159.15/1006/21/II | | 8500 gal/day |
| | | RF9000M | 159.15/1006/22/II | | |

MARINE SANITATION DEVICES CERTIFIED BY THE U.S. COAST GUARD AS OF 18 July 1977

PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Salen-Vattenvard Aktiebolag P. O. Box S-127 03 Sundyberg, Sweden | Neptumatic waste water and sewage treatment unit | 90/90-30 | 159.15/1030/1/II | Large vessel biological plant | 600 l/hr. |
| | | 90/90-50 | 159.15/1030/2/II | | 1000 l/hr. |
| | | 90/90-70 | 159.15/1030/3/II | | 1400 l/hr. |
| | | MOC-12 | 159.15/1030/4/II | | 600 l/hr. |
| | | MOC-20 | 159.15/1030/5/II | | 1000 l/hr. |
| | | MOC-28 | 159.15/1030/6/II | | 1400 l/hr. |
| Sanitation Equipment, Ltd. 1081 Alness St. Downsview, M3J 2J1 Ontario, Canada | Potpourri recirculating toilets | 707 | 159.15/1021/1/III | Small vessel recirculating toilets | 60 uses |
| | | 737 | 159.15/1021/2/III | | 90 uses |
| Sasakura Engineering 7-5 Mitejima 6-chome Nishiyodogawa-Ku Osaka, Japan | Super Trident | ST-2 | 159.15/1035/1/II | Large vessel aerobic plants. | 360 gal/day(20 persons) |
| | | ST-4 | 159.15/1035/2/II | | 720 gal/day(40 persons) |
| | | ST-6 | 159.15/1035/3/II | | 1080 gal/day(60 persons) |
| | | ST-8 | 159.15/1035/4/II | | 1440 gal/day(80 persons) |
| | | ST-10 | 159.15/1035/5/II | | 1800 gal/day(100 persons |
| | | ST-15 | 159.15/1035/6/II | | 2700 gal/day(150 persons |
| | | ST-20 | 159.15/1035/7/II | | 3600 gal/day(200 persons |
| | Trident | T-10 | 159.15/1035/8/II | | 180 gal/day(10 persons) |
| | | T-20 | 159.15/1035/9/II | | 360 gal/day(20 persons) |
| | | T-30 | 159.15/1035/10/II | | 540 gal/day(30 persons) |
| | | T-40 | 159.15/1035/11/II | | 720 gal/day(40 persons) |
| | | T-50 | 159.15/1035/12/II | | 900 gal/day(50 persons) |
| | | T-60 | 159.15/1035/13/II | | 1080 gal/day(60 persons) |
| | | T-75 | 159.15/1035/14/II | | 1350 gal/day(75 persons) |
| | | T-100 | 159.15/1035/15/II | | 1800 gal/day(100 persons |
| Sigma Treatment Systems 603 Dean St. Brooklyn, NY 33619 | STS-1 | STS-1 | 159.15/1046/1/I | Large vessel physical/ chemical system | 9600 gal/day |

MARINE SANITATION DEVICES CERTIFIED BY THE U.S. COAST GUARD AS OF 23 July 1977

PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| St. Louis Ship Division of Pott Ind. 611 East Marceau Street St. Louis, Missouri 63111 | Fast | 15D | 159.15/1003/1/II | Large vessel fixed media aerobic plants. | 650 gal/day |
| | | 12D | 159.15/1003/2/II | | 360 gal/day |
| | | 18D | 159.15/1003/3/II | | 540 gal/day |
| | | 25D | 159.15/1003/4/II | | 750 gal/day |
| | | 40D | 159.15/1003/5/II | | 1200 gal/day |
| | | 200D | 159.15/1003/6/II | Installed on Army Corp of Eng. Barge 7403 | 6000 gal/day |
| | | 9M | 159.15/1003/7/II | | 630 gal/day |
| | | 18M | 159.15/1003/8/II | | 630 gal/day |
| | | 40DCS1 | 159.15/1003/9/II | | 1200 gal/day |
| | | 40DS2 | 159.15/1003/10/II | | 1200 gal/day |
| | | 40DS3 | 159.15/1003/11/II | | 1200 gal/day |
| | | 50D | 159.15/1003/12/II | | 1500 gal/day |
| | | 50D4 | 159.15/1003/13/II | | 1200 gal/day |
| | | 80MS | 159.15/1003/14/II-III | Also has recirculating mode. | 2400 gal/day |
| Taiko Kikai Industries 209-1 Shimo Tabuse Tabuse cho Kumage-Gun Yamguchi Prefecture Japan | Marine Sewage Treatment System | AP-2 | 159.15/1032/1/II | Large vessel aerobic plant. | 20 persons |
| | | AP-3 | 159.15/1032/2/II | | 30 persons |
| | | AP-4 | 159.15/1032/3/II | | 40 persons |
| | | AP-5 | 159.15/1032/4/II | | 50 persons |
| | | AP-6 | 159.15/1032/5/II | | 75 persons |
| | | CT-1000 | 159.15/1032/6/III | All CT Models are large vessel recirculating plants. | 1000 gal. |
| | | CT-2000 | 159.15/1032/7/III | | 2000 gal. |
| | | CT-3000 | 159.15/1032/8/III | | 3000 gal. |
| | | CT-4000 | 159.15/1032/9/III | | 4000 gal. |
| | | CT-5000 | 159.15/1032/10/III | | 5000 gal. |
| | | CT-6000 | 159.15/1032/11/III | | 6000 gal. |
| | | CT-7000 | 159.15/1032/12/III | | 7000 gal. |
| | | CT-8000 | 159.15/1032/13/III | | 8000 gal. |
| | | CT-9000 | 159.15/1032/14/III | | 9000 gal. |
| | | CT-10000 | 159.15/1032/15/III | | 10000 gal. |

MARINE SANITATION DEVICES CERTIFIED BY THE U.S. COAST GUARD AS OF 18 July 1977

PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Thetford-Corporation<br>2300 Washtenaw Avenue<br>Ann Arbor, Michigan 48106 | Marine Sanitation Device | Sea Farer<br>Forta Potti<br>Penta Potti<br>Electra Magic | 159.15/1018/1/III<br>159.15/1018/2/III<br>159.15/1018/3/III<br>159.15/1018/4/III | Small vessel unitized toilet and holding tanks.<br>Small vessel recirculating toilet. | 50 uses<br>50 uses<br>50 uses<br>50 uses |
| Toko Seiki Co., Ltd.<br>6-9-13 Meguro-Honmachi<br>Meguro-Ku, Tokyo<br>Japan | Marine Sanitation System | AWWU Discharge<br>AWWU No-Discharge | 159.15/1042/1/II<br>159.15/1042/2/II | Large vessel physical/chemical plants. | 1500 liters/hour<br>1500 liters/hour |
| Wilcox-Crittenden Division of Gulf & Western Mfg. Co.<br>P. O. Box 1111<br>Middletown, Connecticut 06457 | Sewage Holding Tank. | 6012<br>6013<br>6014 | 159.15/1004/1/III<br>159.15/1004/2/III<br>159.15/1004/3/III | Small vessel holding tanks. | 10 gallons<br>17 gallons<br>25 gallons |
| Wilson-Elsan International Ltd.<br>Penbroke House<br>44 Wellesby Road<br>Crowden, Surrey 6R928V<br>United Kingdom | Wilson-Elsan Mark IV | 0086 Flowthrough<br>0086 Recirculating | 159.15/1039/1/II<br>159.15/1039/2/III | Large vessel physical. chemical plant with recirculating mode. | 1800 gal/day(60 persons)<br>1800 gal/day(60 persons) |
| Wilson, Walton International<br>66 Hudson Street<br>P. O. Box M-890<br>Hoboken, New Jersey 07030 | Wilsan-Elsan Mark IV | WE-60 Flowthrough<br>WE-60 Recirculating | 159.15/1024/1/II<br>159.15/1024/2/III | Large vessel physical/chemical plant with recirculating mode. | 1800 gal/day(60 persons)<br>1800 gal/day(60 persons) |

MARINE SANITATION DEVICES CERTIFIED BY THE U.S. COAST GUARD AS OF 15 July 1977

PURSUANT TO THE PROVISIONS OF 33 CFR 159.15

| MANUFACTURER | DEVICE | MODEL NUMBER | CERTIFICATION NUMBER | SYSTEM DESCRIPTION | CAPACITY |
|---|---|---|---|---|---|
| Wilson Water Purification Corporation<br>2371 Broadway<br>Buffalo, New York 14212 | Anti-Septic Sewage Disposal System | MA-CL-15-600<br>MA-CL-25-1000<br>MA-CL-50-2000 | 159.15/1034/1/II<br>159.15/1034/2/II<br>159.15/1034/3/II | Large vessel filtration plant. | 600 gallons/day<br>1000 gallons/day<br>2000 gallons/day |

[FR Doc.77-27737 Filed 9-26-77;8:45 am]



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# federal register

BOOK 2 OF 2 BOOKS

MONDAY, SEPTEMBER 26, 1977

PART V




## PRIVACY ACT ISSUANCES, ANNUAL PUBLICATION


| Department/ Agency | FR Page Numbers: Systems of Records | Rules |
|---|---|---|
| Nuclear Regulatory Commission | 49082 | 49387 |
| Treasury Department | 49099 | 49393 |

# NUCLEAR REGULATORY COMMISSION

## PRIVACY ACT OF 1974

## Systems of Records; Annual Publication

The purpose of this document is to give notice that the systems of records of the Nuclear Regulatory Commission identified in notices published in the Federal Register at 41 FR 42328, 41 FR 55394, 42 FR 16492, and 42 FR 18462, continue in effect. This notice is published in compliance with the requirements of 5 U.S.C. 552a(e)(4) as added by section 3 of the Privacy Act of 1974.

Dated at Bethesda, Maryland this 10th day of August, 1977.

For the Nuclear Regulatory Commission.

Lee V. Gossick,
*Executive Director for Operations.*

### NRC Systems of Records

1. Appointment and Promotion Certificate Records—NRC.
2. Biographical Information Records—NRC.
3. Byproduct Material License Records—NRC.
4. Conflict of Interest Files—NRC.
5. Contracts Records Files—NRC.
6. Development and Advancement for Regulatory Employees (DARE) Records—NRC.
7. Division of Document Control Workload Assignment and Production Records—NRC.
8. Employee Appeals, Grievances and Complaints Records—NRC.
9. Equal Employment Opportunity Records Files—NRC.
10. Freedom of Information Act (FOIA) and Privacy Act Requests Records—NRC.
11. General Personnel Records (Official Personnel Folder and Related Records)—NRC.
12. Government Motor Vehicle Operators License File—NRC.
13. Incentive Awards File—NRC.
14. Medical Records—NRC.
15. National Standards Committee Membership Files—NRC.
16. Facility Operator Licenses Records File (10 CFR Part 55)—NRC.
17. Occupational Injuries and Illness Records—NRC.
18. Office of Inspector and Auditor Index File and Associated Records—NRC.
19. Official Personnel Training Records Files—NRC.
20. Official Travel Records—NRC.
21. Payroll Accounting Records—NRC.
22. Personnel Performance Appraisals—NRC.
23. Personnel Research and Test Validation Records—NRC.
26. Principal Correspondence File—NRC.
27. Radiation Exposure Information and Reports System (REIRS) Files—NRC.
28. Recruiting, Examining and Placement Records—NRC.
30. Regulatory Management System (RMS) Records Files (manpower module only)—NRC.
31. Secretariat Records Facility Files—NRC.
32. Source and Special Nuclear Material Administrative Management Records—NRC.
34. Advisory Committee on Reactor Safeguards (ACRS) Correspondence Index and Associated Records—NRC.
35. Division of Technical Review Employee Work Schedule File—NRC.
36. Employee Locator Records Files—NRC.
37. Information Security Files and Associated Records—NRC.
38. Mailing Lists—NRC.
39. Personnel Security Files and Associated Records—NRC.
40. Protection Support Files and Associated Records—NRC.

These systems of records are those systems maintained by the Nuclear Regulatory Commission which contain personal information about individuals, and from which such information can be retrieved by reference to an individual identified.

The notice for each system of records states the name and location of the record system, the authority for and manner of its operation, the categories of individuals which it covers, the types of records which it contains, the sources of informaton in those records, and the proposed "routine use" of each system of records. Each notice also includes the business address of the NRC official who will inform interested persons of the procedures whereby they may gain access to and correct records pertaining to themselves.

One of the purposes of the Privacy Act, as stated in Section 2(b)(4), is to provide certain safeguards for an individual against an invasion of personal privacy by requiring Federal agencies to "... disseminate any record of identifiable personal information in a manner that assures that such action is for a necessary and lawful purpose, that information is current and accurate for its intended use, and that adequate safeguards are provided to prevent misuse of such information." The NRC intends to follow such principles in transferring information to another agency or individual as a "routine use", including assuring that the information is relevant for the purposes for which it is transferred.

### Prefatory Statement of General Routine Uses

The following routine uses apply to each system of records notice set forth below which specifically references this Prefatory Statement.

1. In the event that a system of records maintained by the NRC to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

2. A record from this system of records may be disclosed, as a routine use, to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a NRC decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. A record from this system of records may be disclosed, as a routine use, to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issurance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed as a routine use, in the course of discovery and in presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

5. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

### NRC—1

**System name:** Appointment and Promotion Certificate Records—NRC

Pursuant to 5 U.S.C. 552a(k)(5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3); (d); (e)(1); (e)(4)(G); (H), and (I), and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Division of Organization and Personnel, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

**Categories of individuals covered by the system:** Candidates for employment and NRC employees who are being considered for promotion and reassignment.

**Categories of records in the system:** This system of records contains personnel qualification statements, vacancy announcements, applications for vacancies, selection certificates, the results of reference checks on employees, performance appraisals and related records.

**Authority for maintenance of the system:**

a. 5 U.S.C. 1302.

b. Sec. 161(d), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(d).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records may be used:

a. To prepare reports for the Civil Service Commission;

b. By the Civil Service Commission to resolve complaints and grievances regarding employment and promotion selection;

c. For audit and review by the Civil Service Commission; and
d. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in file folders.

**Retrievability:** Information accessed by name and numbers associated with names.

**Safeguards:** Records are maintained in locked file drawers and access is limited to those persons whose official duties require such access and to individuals who have complaints or grievances regarding selections. Personnel screening is employed to prevent unauthorized disclosure.

**Retention and disposal:** Records will normally be retained for two years from the date of the document and then destroyed.

**System manager(s) and address:**

Chief, Personnel Operations Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individual on whom the record is maintained, individual's current and previous supervisors, references, general personnel records (Official Personnel Folders and related records), and other Federal agencies.

NRC—2

**System name:** Biographical Information Records—NRC

**System location:** Primary system—Office of Public Affairs, NRC, 7920 Norfolk Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 1(b) and (e).

**Categories of individuals covered by the system:** Commissioners, members of the Atomic Safety and Licensing and Appeal Board Panels, and senior NRC staff members.

**Categories of records in the system:** These records contain information relating to education and training, and employment history, and other general biographical data relating to the Commissioners, members of the Atomic Safety and Licensing Board and Appeal Board Panels, and senior NRC staff members.

**Authority for maintenance of the system:**

a. Sections 201, 203(a), 204(a), 205(a), 209, Energy Reorganization Act of 1974, 42 U.S.C. 5841, 5843(a), 5844(a), 5845(a), 5849; and
b. Section 191, Atomic Energy Act of 1954, as amended, 42 U.S.C. 2241.
c. For the routine use specified in paragraph number 5 of the Prefatory Statement.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. To provide information to the press;
b. To provide information to other persons and agencies requesting this information; and
c. For the routine use specified in paragraph number 5 of the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders.

**Retrievability:** Records are accessed by name.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access.

**Retention and disposal:** Stored indefinitely or until association with NRC is discontinued.

**System manager(s) and address:**

Director, Office of Public Affairs
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records is provided by each individual or from personnel records, rewritten by the Office of Public Affairs, and approved for use by the individual involved.

NRC—3

**System name:** Byproduct Material License Records—NRC

**System location:** Primary system—Division of Fuel Cycle and Material Safety, Office of Nuclear Material Safety and Safeguards, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 2.

**Categories of individuals covered by the system:** Applicants and licensees (active and inactive) for byproduct materials licenses.

**Categories of records in the system:** Information contained in this system reflects data supplied by applicants and licensees and developed by the NRC staff in the license review and authorization process with respect to the possession and use of byproduct material. System component records developed and maintained by the NRC staff also include summary and index type data promoting quick access to and breakout of such information as:

a. Alphabetical listings of active and inactive license and applicants for licenses arranged by state and by a master listing;
b. Cross indexes of names to assigned license numbers;
c. Dates of license issuance and expiration; and
d. Geographic location of licensees by state and town.

**Authority for maintenance of the system:** Sec. 161(o), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(o).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. To provide records to state health departments for their information and use;
b. To provide information to Federal, state and local health officials, and other persons in the event of incident or exposure, for purposes of their information, investigation and protection of public health and safety; and
c. For any of the routine uses specified in the Prefatory Statement.

In addition, certain of the information provided in this category is routinely placed in the NRC's Public Document Room.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in correspondence and NRC forms and in such physical media as card systems, logs, computer tapes and printouts, punch tape and microfilm.

**Retrievability:** System data is indexed by licensee/applicant name within state; alphabetically by licensee name within license expiration time periods; by assigned license number in juxtaposition with licensee name.

**Safeguards:** Records contained in standard filing equipment under visual control of files supervisor within a security patrolled building; access to records limited to technical and administrative personnel of the division possessing security clearances.

**Retention and disposal:** Records are continuously changed or amended as new information is developed or individual licenses are cancelled or terminated; license files are transferred to Federal Records Center in Suitland, Maryland when they become inactive or are terminated. Obsolete data, except for record copy maintained at Federal Records Centers, is destroyed by waste paper incineration.

**System manager(s) and address:**

Director, Division of Fuel Cycle and Material Safety
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Data supplied by applicants and licensees and developed by NRC technical staff.

NRC—4

**System name:** Conflict of Interest Files—NRC

**System location:** Primary system—Office of the General Counsel, NRC, 4350 East West Highway, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 1 (b), (c), (e), (f) and (i).

**Categories of individuals covered by the system:** Persons who are employees, special employees and consultants of NRC.

**Categories of records in the system:** These records contain information relating to:

a. General biographical data (i.e., name, birthdate, home address, position title, home and business telephone, citizenship, educational history, employment history, professional society membership, honors, fellowships received, publications, licenses, and special qualifications;

b. Financial status (i.e., nature of financial interests and in whose name held, creditors, character of indebtedness, interest in real property, monthly U.S. Civil Service Annuity, and status as Uniformed Services Retired Officer;

c. Determination (i.e., no conflict or apparent conflict of interest, questions requiring resolution, steps taken toward resolution; and

d. Information pertaining to appointment (i.e., proposed period of NRC service, estimated number of days of NRC employment during period of service, proposed pay, clearance status, description of services to be performed and explanation of need for the services, justification for proposed pay, description of expenses to be reimbursed and dollar limitation, and description of government-owned property to be in possession of appointee).

**Authority for maintenance of the system:**

a. 18 U.S.C. 201.

b. Executive Order 11222, May 8, 1965.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. To allow the Commission, its counselor, or deputy counselors to determine whether employee's financial interests or non-governmental employment might involve them in actual or potential conflicts of interest under applicable Federal laws, Commission regulations, and/or Executive Orders;

b. To provide the U.S. Department of Justice and the U.S. Civil Service Commission with information concerning an employee in instances where this office has reason to believe a Federal law may have been violated or where this office desires the advice of the Department or the Commission concerning potential violations of Federal law;

c. To serve as evidence in any court proceeding or in any Commission proceeding, adjudication or other determination; and

d. For the routine use specified in paragraph number 5 of the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders.

**Retrievability:** Records are accessed by name.

**Safeguards:** Records are secured in a repository.

**Retention and disposal:** Retained in office file for two years after employee leaves position in which statement is required, or for two years after separation, whichever is earlier, then destroyed as waste disposal.

**System manager(s) and address:**

General Counsel
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records either comes from the individual to whom it applies, or is derived from information he or she supplied, or comes from the office to which the individual is to be assigned.

NRC—5

**System name:** Contracts Records Files—NRC

Pursuant to 5 U.S.C. 552a(k)(1) and (5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Primary system—Division of Contracts, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at locations listed in Addendum I, Part 1 (b), (c), (d), (e), and (f) and Part 2.

**Categories of individuals covered by the system:** Persons who are employed as NRC consultants or contractors.

**Categories of records in the system:** These records contain personal information (such as technical qualifications, education, rates of pay, employment history) of contractors and their employees, and other contracting records.

**Authority for maintenance of the system:** a. Sections 31 and 161, Atomic Energy Act of 1954, as amended, 42 U.S.C. 2051 and 2201.

b. Section 205, Energy Reorganization Act of 1974, 42 U.S.C. 5845.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. To provide information to Department of Health, Education and Welfare, Defense Contract Audit agency and other Federal agencies for audits and reviews; and

b. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders.

**Retrievability:** Records are accessed by contract number, purchase order number, and name of consultant, contractor, or vendor.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access.

**Retention and disposal:** Retained while active; transferred to Federal Records Center after three years of inactivity.

**System manager(s) and address:**

Director, Division of Contracts
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information is classified pursuant to Executive Order 11652 and will not be disclosed. Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records comes from the contractor or potential contractor.

NRC—6

**System name:** Development and Advancement for Regulatory Employees (DARE) Records—NRC

Pursuant to 5 U.S.C. 552a(k)(5) and (6), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Division of Organization and Personnel, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

**Categories of individuals covered by the system:** NRC employees who desire to enhance their training and experience qualifications for movement into administrative, paraprofessional and professional ranks.

**Categories of records in the system:** This system of records contains personnel qualification statements, job descriptions, self-evaluation forms, examination results, supervisory evaluation forms, performance appraisals, DARE counselors' reports, training guides, course plans and related correspondence.

**Authority for maintenance of the system:**

a. 42 U.S.C. 2000e.

b. Section 401, Energy Reorganization Act of 1974, 42 U.S.C. 5871.

c. Executive Order 11478, August 8, 1969.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records may be used:

a. To prepare reports for transmittal to the Civil Service Commission pursuant to applicable requirements; and

b. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in file folders.

**Retrievability:** Information accessed by name.

**Safeguards:** Records are maintained in locked desk drawer and access is limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

**Retention and disposal:** Active records retained indefinitely. Inactive records of DARE participants transferred to National Record Center, St. Louis, Missouri. Records of nonselected DARE applicants destroyed.

**System manager(s) and address:**

a. DARE Program Coordinator
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

b. Director, Office of Equal Employment Opportunity
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

c. Chief, Labor Management and Employee Relations Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source. Testing material may not be disclosed to the extent such disclosure would compromise the testing process.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individual on whom the record is maintained, individual's current and previous supervisors within and outside NRC, and the DARE counselors and program coordinator.

NRC—7

System name: Division of Document Control Workload Assignment and Production Records—NRC

System location: Division of Document Control units are located in the following buildings:

a. Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland

b. Nicholson Lane Building, 5650 Nicholson Lane, Rockville, Maryland

c. East West Towers Building, 4350 East West Highway, Bethesda, Maryland

d. Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland

**Categories of individuals covered by the system:** NRC employees assigned to word processing and printing/reproduction and graphic units.

**Categories of records in the system:** These records contain, under employee name, listings of work assignments and individual production records.

**Authority for maintenance of the system:**

a. Section 161(d), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(d).

b. 31 U.S.C. 21, 22, 24, 49, 54, and 66a.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used by the Division of Document Control for any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained on form and log sheet format.

**Retrievability:** Indexed by employee name within period reports.

**Safeguards:** Files relating to comparative employee production and analysis thereof are maintained in locked cabinets. Budgetary and staffing projection data maintained in locked and unlocked equipment. All files under immediate control of supervisory staff although employees are allowed access to their own production records.

**Retention and disposal:** Records are retained in office files for two years and are then destroyed by waste incineration.

**System manager(s) and address:**

Director
Division of Document Control
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individual employees; supervisory assignment and analysis records.

NRC—8

System name: Employee Appeals, Grievances and Complaints Records—NRC

System location: Division of Organization and Personnel, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

**Categories of individuals covered by the system:** Applicants for NRC employment, current and former NRC employees, and annuitants who have filed complaints or initiated grievance or appeal proceedings as a result of a determination made by the NRC, the Civil Service Commission, or a Board or other entity established to adjudicate such grievances and appeals.

**Categories of records in the system:** This file includes all documents related to grievances, arbitrations, negative determinations regarding within-grade salary increases and exit interviews. It contains information relating to determinations affecting individuals made by the NRC or the Civil Service Commission. The records consist of the initial appeal or complaint, letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimony of witnesses, investigative reports, instructions to an NRC office or division concerning action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

**Authority for maintenance of the system:** Sec. 161(d), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(d).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The records may be used:

a. To furnish information to the Civil Service Commission pursuant to applicable requirements relative to grievances and appeals;

b. To provide appropriate data to union representatives and third parties in connection with grievances, arbitration actions and appeals. Third parties may include the Federal Service Impasses Panel, Department of Labor and Federal Labor Relations Council; and

c. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These records are maintained in file folders, binders, and index cards.

**Retrievability:** These records are indexed by the names of the individuals on whom they are maintained.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

**Retention and disposal:** The records are maintained up to two years and are then transferred to the National Personnel Records Center, St. Louis, Missouri. They are destroyed by the Federal Records Center when the records are 7 years old.

**System manager(s) and address:**

Chief, Labor Management and Employee Relations Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individuals to whom the record pertains; NRC and/or Civil Service Commission officials; affidavits or statements from employees, union representatives, or other persons; testimony of witnesses; and official documents relating to the appeal, grievance, or complaint, Official Personnel Folder, and other Federal agencies.

NRC—9

**System name:** Equal Employment Opportunity Records Files—NRC

Pursuant to 5 U.S.C. 552a(k)(5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Office of Equal Employment Opportunity, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

**Categories of individuals covered by the system:** Applicants for NRC employment and current and former NRC employees who have filed a complaint of discrimination with the Office of Equal Employment Opportunity or the Equal Employment Opportunity Officer.

**Categories of records in the system:** This system of records contains copies of written reports by counselors; the investigative file; documentation of withdrawn, cancelled, rejected and/or adjusted discrimination complaints; complainant's name, title and grade; kind of discrimination alleged; description of action, decision, or condition giving rise to the complaint; description of remedial action; description of disciplinary action, if any; and copy of the letter of proposed disposition of the complaint and right to a hearing; and record of appeals examiner's finding, analysis, and recommended decision.

**Authority for maintenance of the system:**

a. 42 U.S.C. 2000e.
b. Section 401, Energy Reorganization Act of 1974, 42 U.S.C. 5891.
c. Executive Orders 11246, Sept. 24, 1965; 11375, Oct. 13, 1967; and 11478, Aug. 8, 1969.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

a. Information relative to EEO matters furnished to the Civil Service Commission in accordance with applicable requirements.
b. The records may be used for any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These records are maintained in file folders, binders, and index cards.

**Retrievability:** Accessed by name.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access. Records are maintained in locked file cabinets.

**Retention and disposal:** Retained indefinitely.

**System manager(s) and address:**

Director
Office of Equal Employment Opportunity
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individual to whom the record pertains, counselors, NRC and/or Civil Service Commission officials, affidavits or statements from employees, testimony of witnesses, and official documents relating to the complaints.

NRC—10

**System name:** Freedom of Information Act (FOIA) and Privacy Act Requests Records—NRC

**System location:** Primary system—Division of Rules and Records, Office of Administration, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part I (a), (b), (c), (d), (e), (f), (g), (h), and (i).

**Categories of individuals covered by the system:** Persons who have made FOIA or Privacy Act requests for NRC records.

**Categories of records in the system:** This system contains a copy of the letter from the requester, the NRC response, and related documents.

**Authority for maintenance of the system:**

a. 5 U.S.C. 552.
b. 5 U.S.C. 552a.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. If an appeal or Court suit is filed with respect to any records denied;
b. For preparation of annual reports required by 5 U.S.C. 552 and 5 U.S.C. 552a;
c. For any of the routine uses specified in the Prefatory Statement.

In addition, some of the FOIA records are placed in the Public Document Room and made available to the public.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders.

**Retrievability:** Records are filed under individual names.

**Safeguards:** Records are located in lockable metal file cabinets in areas where access is limited to those whose official duties require access. Copies of some of the FOIA records are publicly available in the NRC Public Document Room.

**Retention and disposal:** The records are retained until no longer needed, then destroyed.

**System manager(s) and address:**

Director, Division of Rules and Records
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Requests are made by individuals or other requesters. The response to the request is based upon information contained in NRC records.

NRC—11

**System name:** General Personnel Records (Official Personnel Folder and Related Records)—NRC

Pursuant to 5 U.S.C. 552a(k)(5) and (6), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Primary system—Division of Organization and Personnel, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2. The duplicate systems may contain information of specific applicability to a particular office in addition to that information contained in the primary system.

**Categories of individuals covered by the system:** Current NRC employees, consultants, and those formerly employed by the NRC (death, resignation, retirement, and separation).

**Categories of records in the system:** These records contain information about an individual's birth date, social security account number, veteran preference status, tenure, physical handicaps, past and present salaries, grades, position titles, training, test performance, minority group designator, life insurance, health benefits, beneficiaries, personnel performance appraisals, the results of reference checks on appointees, probationary period appraisals, and awards. These records also contain letters of commendation and reprimand, documentation of charges and decisions on charges, notices of reductions-in-force, locator files; information related to personnel actions, including but not limited to appointment, reassignment, demotion, detail, promotion, transfer, and separation; and data documenting the reasons for personnel actions or decisions made about an individual related to the status of the individual. Some duplicate records may contain office-related employee performance evaluations, office-specific applications, personnel qualification statements (SF-171), résumés and applicant evaluations and conflict of interest correspondence, in addition to that contained in the primary system.

**Authority for maintenance of the system:**

a. Section 161(d), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(d).
b. Executive Order 10561, September 15, 1954.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. By the Civil Service Commission for making a decision when an NRC employee or former NRC employee questions the validity of a specific document in an individual's record;
b. To provide information to a prospective employer of a Government employee. Upon transfer of the employee to another Federal agency, the information is transferred to such agency;
c. To update the following Civil Service Commission systems: Federal Automated Career Systems (FACS), Executive Inventory File and security investigations index hires, adverse actions, and terminations;
d. To provide statistical reports to Congress, agencies, and the public on characteristics of the Federal work force;
e. To provide information to the Civil Service Commission for review and audit purposes;
f. To provide members of the public with the names, position titles, grades, salaries, appointments (temporary or permanent) and duty stations of employees; and
g. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders, magnetic tape, disk, punched cards and microfilm.

**Retrievability:** Records are indexed by any combination of name, birth date, social security account number, or identification number.

**Safeguards:** Records are located in lockable metal file cabinets, electro-mechanical file organizer, or in metal file cabinets in areas with access limited to those whose official duties require access.

**Retention and disposal:** The Official Personnel Folder is sent to the National Personnel Records Center within 30 days of the date of the employee's separation from the Federal service. Some records such as letters of reprimand, indebtedness, and vouchers are maintained for two years or destroyed when an individual resigns, transfers, or is separated from the Federal service. SF-7, "Service Record Card," retained indefinitley.

**System manager(s) and address:**

Chief, Personnel Operations Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source. Testing material may not be disclosed to the extent that disclosure would compromise the testing process.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records comes from the individual to whom it applies, is derived from information supplied by that individual, or is provided by agency officials, other Federal agencies, or persons, including references.

### NRC—12

**System name:** Government Motor Vehicle Operators License File—NRC

**System location:** Primary system—Division of Facilities and Operations Support, Office of Administration, NRC, 7920 Norfolk Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 2.

**Categories of individuals covered by the system:** NRC Headquarters and Regional Office employees licensed to drive government vehicles.

**Categories of records in the system:** These records contain identifying data on individuals, including but not limited to name, social security account number, hair color, and sex.

**Authority for maintenance of the system:**

a. 40 U.S.C. 491.
b. E.O. 10579, December 1, 1954.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The records may be used for any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained on 5" x 8" cards.

**Retrievability:** Indexed alphabetically by employee name.

**Safeguards:** Maintained under visual control of supervisors in security protected buildings with usage restricted to supervisory personnel.

**Retention and disposal:** Records are retained in office files for 3 years or until cancellation of individual licenses, and then destroyed.

**System manager(s) and address:**

Chief, Building and Operations Branch
Division of Facilities and Operations Support
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individuals on whom the record is maintained and medical examiners.

### NRC—13

**System name:** Incentive Awards File—NRC

**System location:** Division of Organization and Personnel, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

**Categories of individuals covered by the system:** NRC employees who merit special recognition for achievements either within or outside the employee's job responsibilities and for length of service to the Government.

**Categories of records in the system:** This system of records contains employee's name, title, grade, and salary; justification to support recommendation and authorization for cash award; actions by approving officials; record of individuals receiving awards; suggestions and evaluations of suggestions; citation to be used; and related correspondence.

**Authority for maintenance of the system:**

a. 5 U.S.C. 4501-4506.
b. 5 U.S.C. 5336.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The records may be used:

a. By the Civil Service Commission to process and approve nominations for awards;
b. By the Offices of the Attorney General and the President of the United States in reviewing recommended awards;
c. To make reports to the Civil Service Commission;
d. By other government agencies to recommend whether suggestions should be adopted in instances where the suggestion made by an NRC employee affects the functions or responsibilities of the agencies; and
e. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in file folders and stored in metal file cabinets.

**Retrievability:** Information is accessed by name.

**Safeguards:** Records are maintained in unlocked metal file cabinets. The area is accessible only to authorized personnel who are properly screened, cleared and trained and whose duties require them to be in the area.

**Retention and disposal:** Records are maintained for a two-year period and then transferred to the National Personnel Records Center, St. Louis, Missouri.

**System manager(s) and address:**

Chief, Labor Management and Employee Relations Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Supervisors of employees, individuals submitting suggestions, evaluators of suggestions, Division of Organization and Personnel staff, Civil Service Commission, Official Personnel Folders, and other Federal agencies.

NRC—14

**System name:** Medical Records—NRC

**System location:** Primary system—Division of Organization and Personnel, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 2.

**Categories of individuals covered by the system:** Current and former NRC employees.

**Categories of records in the system:** This system of records contains information and documents relating to: a medical decision or determination made by the NRC or by another Federal agency; an individual's medical qualifications to hold a position in the Federal Government; an individual's capability (physical and mental) to satisfactorily perform the duties of a position; an employee's participation in an occupational health services program; and an employee's participation in the Federal Civil Employee Alcoholism and Drug Abuse Program.

**Authority for maintenance of the system:**

a. 5 U.S.C. 7901.
b. 42 U.S.C. 4561.
c. 21 U.S.C. 1180.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be provided to the Public Health Service in connection with Health Maintenance Examinations and to other Federal agencies responsible for Federal benefit programs administered by:

a. Office of Workmen's Compensation Programs (Dept. of Labor); and
b. Civil Service Commission.

These records may also be used for any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in folders.

**Retrievability:** Records are indexed by name.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

**Retention and disposal:**

a. Medical certificates and other medical records of examination used to determine an employee's fitness for a job: Forwarded to the individual's new agency, and transferred to the National Personnel Records Center upon an employee's separation from the Federal service, where they are destroyed after 75 years.
b. Miscellaneous medical records, correspondence, dispensary records, and similar papers: Destroyed upon an employee's separation from the agency.

**System manager(s) and address:**

Chief, Personnel Operations Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:**

a. The individual to whom the record pertains.
b. Private and Federal physicians.
c. Medical institutions.
d. Veterans Administration Pension Benefits Program.
e. Office of Workmen's Compensation Programs.

NRC—15

**System name:** National Standards Committee Membership Files—NRC

**System location:** Office of Standards Development, NRC, 5650 Nicholson Lane, Rockville, Maryland.

**Categories of individuals covered by the system:** NRC employees who are serving on committees, subcommittees, working groups, etc., that are developing nuclear standards.

**Categories of records in the system:** This system is a comprehensive record of NRC personnel on the nuclear standards committees and contains members' names and the names of the committees to which they belong.

**Authority for maintenance of the system:** Section 161(b), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(b).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records may be used:

a. To provide information to persons or agencies requesting this information; and
b. For the routine use specified in paragraph number 5 of the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on forms, lists and index cards in file folders.

**Retrievability:** Records are indexed by the individual's name, by the technical or professional society developing the standard, and by the title of the standard.

**Safeguards:** Open access.

**Retention and disposal:** Updated when information is out of date.

**System manager(s) and address:**

Director
Office of Standards Development
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records comes from the individual to whom it applies or from his supervisor.

NRC—16

**System name:** Facility Operator Licensees Records File (10 CFR Part 55)—NRC.

**System location:** a. Reactor Operator Licensees Records—

Primary system: Operating Licensing Branch, Division of Project Management, Office of Nuclear Reactor Regulation, NRC, 7920 Norfolk Avenue, Bethesda, Maryland.

Duplicate systems: Duplicate systems exist, in whole or in part, at the location listed in Addendum I, Part I(j).

b. Fuel reprocessing Operator Licensees Records—

Fuel Reprocessing and Recycle Branch, Division of Fuel Cycle and Material Safety, Office of Nuclear Material Safety and Safeguards, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

**Categories of individuals covered by the system:** Individuals licensed pursuant to 10 CFR Part 55, new applicants whose applications are being processed, and individuals whose licenses have expired.

**Categories of records in the system:** These records contain information relating to the application for a license, certification of competency, certification of medical history and results of medical examination and related correspondence, operator examination and examination results, and license or denial letter.

**Authority for maintenance of the system:** Sections 107, 161(i), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2137, and 2201(i).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. To determine if the individual meets the requirements of 10 CFR Part 55 to take an examination or to be issued an operator's license;

b. For any of the routine uses specified in the Prefatory Statement, except paragraph number 3;

c. To provide researchers with information for statistical evaluations related to selections, training and examination of facility operators; and

d. To provide for examination and testing material and obtain results from contractors.

In addition, information related to the application, certification of competency, and license or denial letter will routinely be made available in the NRC's Public Document Room.

In addition, information related to the application, certification of competency, and license or denial letter will routinely be made available in the NRC's Public Document Room.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on paper in file folders.

**Retrievability:** Records are accessed by name and docket number.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access.

**Retention and disposal:** Reactor Operator Licensees Records:

a. Medical information: retained for four years after the individual's license expires, then destroyed.

b. Examination and examination results: retained for two years after the issuance of a license or denial letter. A summary report is retained until four years after the individual's license expires.

c. Other information: destroyed when it becomes two years old.

d. Docket information: destroyed four years after an individual's latest license expires.

Fuel Reprocessing Operator Licensees Records—

Stored indefinitely until no longer needed, then destroyed.

**System manager(s) and address:** Reactor Operator Licensees Records:

Chief, Operator Licensing Branch
Division of Project Management
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Fuel Reprocessing Operator Licensees Records—
Chief, Fuel Reprocessing and Recycle Branch
Division of Fuel Cycle and Material Safety
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555.

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records either comes from the individual applying for a license, the facility manager, a licensed physician, members of the Operator Licensing Branch or the Fuel Reprocessing and Recycle Branch, or contractor personnel.

NRC—17

**System name:** Occupational Injuries and Illness Reports—NRC

**System location:** Building and Operations Branch, Division of Facilities and Operations Support, Office of Administration, NRC, 7920 Norfolk Avenue, Bethesda, Maryland.

**Categories of individuals covered by the system:** All NRC employees.

**Categories of records in the system:** These records contain descriptions of injury or illness, treatment, and disposition.

**Authority for maintenance of the system:**

a. 29 U.S.C. 657(c).
b. E.O. 11612, July 26, 1971.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. By the NRC Safety Officer and/or Branch supervisor, to prepare periodic statistical reports on employees' health and injury status and health and safety hazards in NRC physical structures, all for transmission to and review by the Department of Labor;

b. For transmittal to the Secretary of Labor or his authorized representative in accordance with duly promulgated regulations;

c. For transmittal to Civil Service Commission as required to support individual claims; and

d. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in paper copy on form stock.

**Retrievability:** Indexed by assigned employee case number or name under report category.

**Safeguards:** Housed in locked file cabinet under visual observation of section employees. Use of information is restricted to NRC Health and Safety personnel and authorized representatives of the Secretary of the Department of Labor.

**Retention and disposal:** Records are retained in office files for 6 years after date of report and are then destroyed by waste incineration.

**System manager(s) and address:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:** Same as "System manager."

**Record access procedures:** Same as "System manager."

**Contesting record procedures:** Same as "System manager."

**Record source categories:** NRC Public Health Unit, NRC Headquarters and Regional Office feeder reports and forms with original information largely supplied by employees concerned.

NRC—18

**System name:** Office of Inspector and Auditor Index File and Associated Records—NRC

Pursuant to 5 U.S.C. 552a(k)(1), (k)(2) and (k)(5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Office of Inspector and Auditor, NRC, 4922 Fairmont Avenue, Bethesda, Maryland.

**Categories of individuals covered by the system:** Individuals referred to in potential or actual cases and matters of concern to the Office of Inspector and Auditor and correspondents on subjects directed or referred to the Office of Inspector and Auditor.

**Categories of records in the system:** The system consists of an alphabetical index file bearing individual names. The index provides access to associated records which are arranged by subject matter, title, or identifying number(s) and/or letter(s). The system incorporates the records of all Office of Inspector and Auditor correspondence, cases, matters, memoranda, and materials, including but not limited to audit reports, investigative reports, inspection reports, correspondence to and from the Office of Inspector and Auditor, memoranda, legal papers, evidence, exhibits, audit data, investigative data, and work papers.

**Authority for maintenance of the system:**

a. Section 25(c), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2035.

b. Section 201(f), Energy Reorganization Act of 1974, 42 U.S.C. 5841(f).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

a. In the event that this system of records maintained by the Office of Inspector and Auditor to carry out its functions suggests or indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system may be referred to the appropriate Federal, state, local or foreign agency charged with responsibility for investigating or prosecuting such case or matter or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

b. In the course of auditing, inspecting, or investigating a case or matter falling within the purview of the Office of Inspector and Auditor or in the course of auditing, inspecting, or investigating a case or matter potentially or actually in violation of any law, whether civil, criminal, or regulatory in nature, whether arising by general statute, or by regulation, rule, order issued pursuant thereto, or during the course of a trial, hearing or any judicial, regulatory or administrative proceeding or the preparation for a trial, hearing or any judicial, regulatory or administrative proceeding for such violation, a record in the system of records may be disclosed as a routine use, to a Federal, state, local or foreign agency, or to an individual or organization, if there is any reason to believe that such agency, individual or organization possesses information relating to the case or matter falling within the purview of the Office of Inspector and Auditor, or possesses information relating to potential or actual violation of law whether arising by general statute or by regulation, rule or order issued pursuant thereto, or possesses information relating to the trial, hearing or any judicial, regulatory or administrative proceedings and the disclosure is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant.

c. A record in the system of records relating to a case or matter may be disclosed as a routine use, to the appropriate Federal, state, local or foreign court or grand jury in accordance with established constitutional, substantive, or procedural law, or practice.

d. A record in the system of records relating to a case or matter may be disclosed as a routine use to a Federal, state, local or foreign administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceedings or hearing.

e. A record in the system of records relating to a case or matter may be disclosed as a routine use to an actual or potential party or his attorney for the purpose of negotiation or discussion on matters such as but not limited to compromise or settlement of the case or matter.

f. A record in the system of records relating to a case or matter falling within the purview of the Office of Inspector and Auditor that has been referred for audit, inspection or investigation may be disclosed as a routine use to the referring agency, group, organization or individual to notify such agency, group, organization, or individual of the status of the case or matter or of any decision or determination that has been made.

g. A record in the system of records relating to an individual held in custody pending arraignment, trial, or sentence, or after conviction, may be disclosed as a routine use to a Federal, state, local or foreign prison, probation, parole or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such an individual.

h. A record in the system of records relating to a case or matter may be disclosed as a routine use to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States.

i. A record in the system of records may be disclosed as a routine use to a Federal, state, local or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency.

j. A record may be disclosed from the system of records as a routine use to a Federal, state, local or foreign agency in connection with the investigation, hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information relates to the requesting agency's decision on the case or matter.

k. A record from the system of records may be disclosed as a routine use to a Federal, state, local or foreign agency if necessary to obtain information relevant to a Commission decision concerning the investigation, hiring, or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

l. A record in the system of records in the nature of an audit, inspection or investigation report relating to the integrity and efficiency of the Commission operation and management may be disseminated outside the Commission as part of the Commission's responsibility to inform the Congress and the public about Commission operations.

m. A record in the system of records may be disclosed for the routine use specified in paragraph number 5 of the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Information contained in this system is stored manually on index cards and in file jackets.

**Retrievability:** Information is retrieved from index cards by the name of the individual and from the jackets by number(s) and/or letter(s) assigned and appearing on the index card.

**Safeguards:** Information is safeguarded and protected in accordance with applicable Office of Inspector and Auditor rules.

**Retention and disposal:** Information and associated records other than index cards contained in this system in part will be retained in NRC records and disposed of in accordance with NRC policy. Other records will be retained in the Office of Inspector and Auditor and disposal plans are to be established.

**System manager(s) and address:**

Director
Office of Inspector and Auditor
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Information classified pursuant to Executive Order 11652 will not be disclosed. Information received in confidence will not be disclosed to the extent that disclosure would reveal a confidential source.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** The information in this system of records is obtained from sources including, but not limited to, U.S. Nuclear Regulatory Commission officers and employees, Federal, state, local, and foreign agencies, and persons.

**NRC—19**

**System name:** Official Personnel Training Records Files—NRC

**System location:** Primary system—Division of Organization and Personnel, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 1 (b), (e), (f), and (h) and Part 2.

**Categories of individuals covered by the system:** Individuals who have applied for or were selected for either NRC or other government/non-government training courses or programs.

**Categories of records in the system:** These records contain information relating to the NRC employee's educational background and training courses including training requests, authorizations for training, course grades or evaluations and other related personnel training information and correspondence.

**Authority for maintenance of the system:**

a. 5 U.S.C. 4103.
b. E.O. 11348, April 20, 1967.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

a. Information may be extracted from and made available to the Civil Service Commission, other government agencies, state and local governments and educational institutions for use in training programs related to NRC employees.
b. A record in the system of records may be disclosed for the routine use specified in paragraph number 5 of the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in file folders and in three-ring binders which are in metal file cabinets.

**Retrievability:** Information is accessed by name.

**Safeguards:** Records are maintained in locked metal file cabinets. The area is accessible only to authorized personnel who are properly screened, cleared and trained and whose duties require them to be in the area.

**Retention and disposal:** Records are maintained for a five-year period or until no longer needed, and then destroyed.

**System manager(s) and address:**

Chief, Training Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records is obtained as follows: 1) from the individual to whom it applies; 2) from the employee's supervisor; and 3) from training groups, agencies or educational institutions.

NRC—20

**System name:** Official Travel Records—NRC

**System location:** Primary system—Office of the Controller, NRC, 4922 Fairmont Avenue, Lugenbeel Building, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 1 (b), (c), (e), and (f).

**Categories of individuals covered by the system:** NRC employees, prospective NRC employees, consultants, and invitational travelers for NRC programs.

**Categories of records in the system:** These records contain Request and Authorization for Official Travel forms, Travel Advance Worksheet, Travel Vouchers and Vouchers for Professional Services, Travel and Miscellaneous Expenses from consultants.

**Authority for maintenance of the system:**

a. 31 U.S.C. 21, 22, 24, 49, 54, 66a and 952.
b. 5 U.S.C. 5701.
c. Federal Travel Regulations, Federal Property Management Regulations, Part 101-7.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. For transmittal to the U.S. Treasury for payment;
b. For transmittal to the Department of State for passports; and
c. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders and on disks.

**Retrievability:** Records are accessed by name, social security account number, authorization number, estimated travel start day, authorization process day, and voucher process day.

**Safeguards:** File folders are stored in file cabinets in same room with users. For ADP records, a key word, initials, and NRC Office of the Controller's account number must be known in order to retrieve information.

**Retention and disposal:** File folders are retained three years and then destroyed. ADP information is retained on disks for one year, transferred to and retained on magnetic tape for five years, and then the tape is degaussed.

**System manager(s) and address:**

Controller
Office of the Controller
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information is provided by the individual, the organizational component approving the travel, outside transportation agents and rate books for cost information.

NRC—21

**System name:** Payroll Accounting Records—NRC

**System location:** Primary system—Office of the Controller, NRC, Lugenbeel Building, 4922 Fairmont Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 1 (b), (c), (e), (f), and Part 2.

**Categories of individuals covered by the system:** NRC employees.

**Categories of records in the system:** Pay, leave, and allowance histories.

**Authority for maintenance of the system:** 31 U.S.C. 21, 22, 24, 49, 54, 66a, and 952.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. For transmittal of data to U.S. Treasury to effect issuance of paychecks to employees and distribution of pay according to employee directions for savings bonds, allotments, financial institutions, and other authorized purposes;
b. For reporting tax withholding to Internal Revenue Service and appropriate state and local taxing authorities;
c. For FICA deductions to the Social Security Administration;
d. For dues deductions to labor unions;
e. For withholdings for health insurance to the insurance carriers and the U.S. Civil Service Commission;
f. For charity contribution deductions to agents of charitable institutions;
g. For annual W-2 statements to taxing authorities and the individual;
h. (When P.L. 93-579 becomes effective, it is anticipated that appropriate statements will be issued to employees, spouse-recipients, and the courts involved);
i. For transmittal to the Office of Management and Budget for review of budget requests;
j. For any of the routine uses specified in the Prefatory Statement;
k. For transmittal of data to the Energy Research and Development Administration for preparing computer material for NRC's transmittal of data to the U.S. Treasury;
l. For withholding of retirement and life insurance to the U.S. Civil Service Commission; and
m. For transmittal of information to state agencies for unemployment purposes.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders and microfiche.

**Retrievability:** Indexed by name.

**Safeguards:** File folders and microfiche are maintained in a locked file cabinet from 5:00 p.m. to 8:15 a.m. During office hours only authorized personnel have access to files.

**Retention and disposal:** Records are maintained for four years after transfer or separation of employee and then destroyed.

**System manager(s) and address:**

Controller, Office of the Controller
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information is provided by the individual and the Division of Organization and Personnel.

NRC—22

**System name:** Personnel Performance Appraisals—NRC

Pursuant to 5 U.S.C. 552a(k)(5) and (6), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Primary system—Division of Organization and Personnel, Office of Administration, NRC, 7910 Woodmont Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

**Categories of individuals covered by the system:** NRC employees, including candidates who apply for job vacancies under the NRC vacancy announcement system.

**Categories of records in the system:** This system of records contains evaluations of applicants and employees, evaluation criteria and methods, employee placement follow-up interview reports, appraisals from other individuals who are knowledgeable of the applicant's abilities, supervisory appraisals of performance and career development potential, and other related records.

**Authority for maintenance of the system:** Section 161(d), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(d).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. By the Civil Service Commission to resolve grievances or complaints related to promotion or appointment selections; and
b. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in paper file folders.

**Retrievability:** Records are accessed by name.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

**Retention and disposal:** Files are periodically screened to eliminate inactive records. Inactive records are destroyed.

**System manager(s) and address:**

Chief, Personnel Operations Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source. Testing material may not be disclosed to the extent that such disclosure would compromise the testing process.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individual to whom record pertains, employee's supervisors, Division of Organization and Personnel staff members, general personnel records (Official Personnel Folder and related records), and other Federal agencies.

NRC—23

**System name:** Personnel Research and Test Validation Records—NRC

Pursuant to 5 U.S.C. 552a(k)(6), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Division of Organization and Personnel, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

**Categories of individuals covered by the system:** NRC employees and applicants for NRC employment.

**Categories of records in the system:** These records include education and employment history, test scores, responses to test items and questionnaires, interview data and ratings of supervisors regarding the individuals to whom the records pertain. Data are collected on a project basis and are used for the construction, analysis and validation of written tests; for research on personnel measurement and selection methods and techniques and research on personnel management practices such as performance evaluation or productivity.

**Authority for maintenance of the system:**

a. Section 161(d), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(d).
b. 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in this system of records may be:

a. Exchanged between the NRC, Civil Service Commission, and other Federal agencies for personnel research purposes and used to aid in identifying employees included in research studies that extend over a period of time; and
b. Used for the routine uses listed in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders, on punched cards, computer tape, and computer storage.

**Retrievability:** Records are maintained by project. Personal information can be retrieved by name or personal identifier only for certain research projects such as those that involve longitudinal studies.

**Safeguards:** Records are kept in locked files and access is limited to staff.

**Retention and disposal:** Indefinite.

**System manager(s) and address:**

Chief, Management and Policy Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some records contain information received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source. Testing material may not be disclosed to the extent such disclosure would compromise the testing process.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individual Federal employees or applicants, supervisors, assessment center assessors, Civil Service Commission, or NRC personnel files and records, and other Federal agencies.

NRC—26

**System name:** Principal Correspondence File—NRC

**System location:** Administrative Correspondence Branch, Office of the Executive Director for Operations, NRC, 7920 Norfolk Ave., Bethesda, Maryland.

**Categories of individuals covered by the system:** Correspondents with the Executive Director for Operations, Congressional correspondents and correspondents referred by the Secretariat.

**Categories of records in the system:** This system contains incoming correspondence from individuals noted above and replies thereto.

**Authority for maintenance of the system:** 44 U.S.C. 3101

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. To refer, where appropriate, inquiries to Federal agencies or persons for their reply or action; and

b. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders stored in metal file cabinets.

**Retrievability:** Information accessed by control number or accessed by name.

**Safeguards:** Access is limited to those persons whose official duties require such access.

**Retention and disposal:** Records held indefinitely.

**System manager(s) and address:**

Chief, Administrative & Correspondence Branch
Office of the Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Records contain information and requests from correspondents and replies thereto prepared by the NRC staff.

NRC—27

**System name:** Radiation Exposure Information and Reports System (REIRS) Files—NRC

**System location:** Primary system—Union Carbide Corporation, Computing Technology Center, Business Systems Departments, P.O. Box P, Oak Ridge, Tennessee 37830.

Duplicate system—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 1(e) and Part 2.

**Categories of individuals covered by the system:** Individuals monitored for radiation exposure while employed by or visiting or temporarily assigned to certain NRC licensed facilities; individuals who are exposed to radiation or radioactive materials in incidents required to be reported pursuant to 10 CFR 20.403 and 20.405 by all NRC licensees; monitored individuals terminating their service with the Navy, as required by NAVMED P-5055, Radiation Health Protection Manual; and monitored employees of all the registrants of the State of Illinois.

**Categories of records in the system:** These records contain information relating to individual's name; social security account number; date of birth; period of employment; place and period date of exposure; name, address, and license number of individual's employer; licensee name and number reporting the incident; radiation doses or estimates of exposure received during this period; type of radiation; part(s) or organ(s) exposed; and nuclide(s) involved. Between January, 1972 and May, 1974 the following information was also recorded: sex, training experience, regular occupation of the exposed individuals; device or method used to determine dose(s); brief statement describing the incident and the causes; corrective actions taken; status of exposed individual (i.e., medical treatment); type, age and manufacturer of malfunctioning equipment; and cumulative dose prior to incident.

**Authority for maintenance of the system:** Sections 53, 63, 65, 81, 103, 104 and 161(o), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2073, 2093, 2095, 2111, 2133, 2134, and 2201(o).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. To provide data to other Federal and state agencies involved in monitoring and/or evaluating radiation exposure received by individuals employed as radiation workers on a permanent or temporary basis and on monitored visitors; and

b. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are computerized and maintained on magnetic tape, maintained in log books, and filed as either a computer printout or original paper document.

**Retrievability:** Records are accessed by individual name, social security account number, and by licensee name or number.

**Safeguards:** Information maintained at the Computing Technology Center is accessible only to the programmers assigned to the REIRS system and released only to the Division of Technical Review. Reports kept by the Division of Technical Review are in file cabinets and bookcases in a secured building. A log is maintained of both telephone and written requests for information.

**Retention and disposal:**

a. Original paper document—destroyed after two years.

b. Magnetic tape—permanently stored at Computing Technology Center.

c. Log books—kept indefinitely; no names.

d. Computer printouts—destroyed when updated.

**System manager(s) and address:**

Branch Chief
Performance Evaluation Branch
Office of Management Information and Program Control
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records either comes from the monitored worker, visitors, worker's employer, or the person in charge of the facility to which the worker has been assigned.

NRC—28

**System name:** Recruiting, Examining and Placement Records—NRC

Pursuant to 5 U.S.C. 552a(k)(5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Primary system—Division of Organization and Personnel, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 1 (b), (c), (d), (e), (f), and (h) and Part 2.

**Categories of individuals covered by the system:** Persons who have applied for Federal employment with the U.S. Nuclear Regulatory Commission or are employed in the Federal Service.

**Categories of records in the system:** These records contain information relating to the education, training, employment history, earnings, past performance, criminal convictions, if any, written achievement test, potential, honors, awards, or fellowships, military service, veteran preference status, birthplace, birth date, social security account number, and home address of persons who have applied for Federal employment with the NRC or are employed in the Federal service.

**Authority for maintenance of the system:** Section 161(d), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(d).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. To furnish information to agencies relative to transfer or consideration of employment; and

b. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained primarily on forms, lists and index cards in file folders. Also, certain data is maintained on magnetic tapes, disk and punch cards.

**Retrievability:** Records are indexed by name and an identification number assigned to each individual.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

**Retention and disposal:**

a. Register of Eligible Applications—retained for one year or until no longer needed, then destroyed.
b. Index Cards—destroyed when no longer needed.
c. Other related recruitment and placement documents—destroyed when no longer needed.

**System manager(s) and address:**

Chief, Recruitment Branch
Division of Organization and Personnel
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records either comes from the individual to whom it applies or is derived from information supplied by that individual, with the exception of reports from medical personnel on physical qualifications, results of examinations, vouchers filled out by references and educational institutions whose names were supplied by applicant, and information from other Federal agencies.

NRC—30

**System name:** Regulatory Management System (RMS) Records Files (manpower module only)—NRC.

**System location:** Energy Research and Development Administration, Computer Center CA—007, Germantown, Maryland.

**Categories of individuals covered by the system:** All NRC employees.

**Categories of records in the system:** These records contain information relating to number of regular and nonregular hours worked and the nature of the work.

**Authority for maintenance of the system:**

a. Section 161(p) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2201(p)).
b. Executive Order 9397, November 22, 1943.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

A record in the system of records may be disclosed for the routine use specified in paragraph number 5 of the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in computer files, on tape and disks.

**Retrievability:** Records are accessed by social security account number, project or program numbers, and activity numbers.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access.

**Retention and disposal:** Computer tapes and disks are retained indefinitely but are subject to periodic review to determine relevancy.

**System manager(s) and address:**

Director,
Office of Management Information and Program Control
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as Notification Procedure.

**Contesting record procedures:** Same as Notification Procedure.

**Record source categories:** Information in this system of records comes from the individual to whom it pertains.

NRC—31

**System name:** Secretariat Records Facility Files—NRC

Pursuant to 5 U.S.C. 552a(k)(1), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f). The exemption rule is contained in Section 9.95 of the NRC regulation (10 CFR 9.95).

**System location:** Office of the Secretary, NRC, 1717 H Street, N.W., Washington, D.C. 20555.

**Categories of individuals covered by the system:** Agencies, organizations and individuals who have corresponded with the NRC through the Office of the Secretary.

**Categories of records in the system:** These records contain correspondence from agencies, organizations, and individuals, the related replies for the official Commission records and correspondence control documents.

**Authority for maintenance of the system:**

a. Section 201, Energy Reorganization Act of 1974, 42 U.S.C. 5841;
b. 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The records may be used for any of the routine uses specified in the Prefatory Statement.

A record in the system of records may be disclosed for the routine use specified in paragraph number 5 of the Prefactory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders.

**Retrievability:** Records are accessed by subject matter headings. Access to the subject matter headings may be provided through the correspondence control documents.

**Safeguards:** Access to these records is limited to the staffs of the Commissioners and the Secretary, and to those specifically granted access by the Office of the Secretary. Classified materials are kept in approved safes, and unclassified records are secured in locked file cabinets. Access is granted only through a records clerk. The folders are signed out to individuals when released, and controlled.

**Retention and disposal:** Stored indefinitely.

**System manager(s) and address:**

Supervisor, Records Facility
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information is classified pursuant to Executive Order 11652 and will not be disclosed.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Information in this system of records comes from communications to the Commission and responses thereto.

NRC—32

**System name:** Source and Special Nuclear Material Administrative Management Records—NRC

**System location:** Primary system—Division of Fuel Cycle and Material Safety, Office of Nuclear Material Safety and Safeguards, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 2.

**Categories of individuals covered by the system:** Applicants for and licensees under Source and Special Nuclear Materials licensing programs.

**Categories of records in the system:** Information contained in this system reflects data supplied by applicants and licensees and

developed by the NRC staff in the license review and authorization process with respect to the possession and use of source and special nuclear material. System component records developed and maintained by the NRC staff also include summary and cross-indexing type data promoting quick access to and breakout of such license information as:

a. Alphabetical listings of active and inactive licenses and applicants for licenses arranged by state and by a master listing;
b. Cross indexes of names to assigned license numbers;
c. Dates of license issuance and expiration; and
d. Geographic location of licensees by state and town.

**Authority for maintenance of the system:**

a. Sections 53, 63, 65, 161(b), (i) and (o), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2073, 2093, 2095, 2201(b), (i) and (o).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used:

a. To provide records to state health departments for their information and use;
b. To provide information to other Federal, state and local health officials in the event of incident or exposure, for purposes of their information, investigation and protection of public health and safety;
c. To provide ERDA with information concerning special nuclear material licenses for purposes of control related transfers and safeguards accountability; and
d. For any of the routine uses specified in the Prefatory Statement.

In addition, certain of the information provided in this category is routinely placed in the NRC's Public Document Room.

A record in the system of records may be disclosed for the routine use specified in paragraph number 5, of the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in correspondence and NRC forms and in such physical media as card systems, logs, punch tape, and microfilm.

**Retrievability:** Indexed by applicant and licensee name in juxtaposition with assigned license number.

**Safeguards:** Records maintained in standard filing equipment under control of supervisory personnel within a security patrolled building. Access to and use of records is limited to technical and administrative personnel of the division processing security clearances.

**Retention and disposal:** Records are continuously changed or amended as new information is developed or individual licenses are cancelled or terminated; license files are transferred to Federal Records Center in Suitland, Maryland, when they become inactive or are terminated. Obsolete data except for record copy maintained at Federal Records Centers, is destroyed by waste paper incineration.

**System manager(s) and address:**

Director
Division of Fuel Cycle and Material Safety
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedures."

**Record source categories:** Forms and information submitted by applicants and licensees; information developed by NRC personnel from such forms and information.

NRC—34

**System name:** Advisory Committee on Reactor Safeguards (ACRS) Correspondence Index and Associated Records—NRC

**System location:** Advisory Committee on Reactor Safeguards, NRC, 1717 H Street, N.W., Washington, D.C.

**Categories of individuals covered by the system:** Persons providing information to or requesting information from the ACRS.

**Categories of records in the system:** These records contain information relating to incoming requests and correspondence from individuals and replies thereto and a listing by authors names of technical information.

**Authority for maintenance of the system:** 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Indexing is maintained on computer tapes and disks and individual materials are located in ACRS files.

**Retrievability:** Indexed by one or more of the following categories: author and addressee's name, subject title using the Key Word Out of Context (KWOC) index and issuing organization or agency.

**Safeguards:** Access is limited to those persons whose official duties require such access.

**Retention and disposal:** Records held indefinitely or until no longer needed.

**System manager(s) and address:**

Technical Information Officer
Advisory Committee on Reactor Safeguards
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Records contain information prepared by private individuals or organizations, government agencies and their contractors, companies, and other groups such as the American National Standards Institute (ANSI).

NRC—35

**System name:** Division of Technical Review Employee Work Schedule File—NRC

**System location:** National Institutes of Health Computer Facility, c/o Office of Management Information and Program Control, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

**Categories of individuals covered by the system:** Division of Technical Review (DTR) professional employees assigned review tasks.

**Categories of records in the system:** These records contain DTR employees' work schedules and summary description of work completed.

**Authority for maintenance of the system:** Section 161p, Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(p).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** None.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on computer magnetic tapes and in file folders.

**Retrievability:** Records are accessed by DTR employee's name.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access.

**Retention and disposal:** Retained indefinitely for development of budget program planning and statistical purposes.

**System manager(s) and address:**

Director, Division of Technical Review
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** DTR employees to whom records pertain and their supervisors.

NRC—36

**System name:** Employee Locator Records Files—NRC

**System location:** Primary system—Division of Facilities and Operations Support, Office of Administration, NRC, 7920 Norfolk Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

**Categories of individuals covered by the system:** Persons who are NRC employees, consultants, contractors and other government personnel.

**Categories of records in the system:** These records contain information relating to name, address (home and business), telephone numbers (home and business), organization, persons to be notified in case of emergency and other related records.

**Authority for maintenance of the system:** 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** None.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained on index cards and in file folders.

**Retrievability:** Indexed by name.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access.

**Retention and disposal:** Stored indefinitely or until association with NRC is discontinued.

**System manager(s) and address:**

Director, Division of Facilities and Operations Support
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individual on whom the record is maintained, general personnel records, and other related records.

NRC—37

**System name:** Information Security Files and Associated Records—NRC

Pursuant to 5 U.S.C. 552a(k)(1) and (5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f). The exemption rule is contained in Section 9.95 of NRC regulations in 10 CFR Part 9.

**System location:** Primary system—Division of Security, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate system—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

**Categories of individuals covered by the system:** Persons including present or former NRC employees, NRC contractors, NRC consultants, licensees, other government agency personnel, and other cleared persons.

**Categories of records in the system:** These records include information regarding:

a. personnel who are authorized access to specified levels, categories and types of information, the approving authority, and related documents.
b. individuals who originate classified documents as well as identifying information about the document.

**Authority for maintenance of the system:**

a. Sections 145 and 161i., Atomic Energy Act of 1954, as amended, 42 U.S.C. 2165 and 2201(i).
b. E.O. 11652, March 8, 1972.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in this system may be used:

a. To provide information relating to the control of classified information and material to the Interagency Classification Review Committee, Department of Defense, Energy Research and Development Administration and other government agencies; and

b. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained primarily in file folders, magnetic tape, and disk packs.

**Retrievability:** Indexed and accessible by name, or by some other representation or a combination thereof.

**Safeguards:** Maintained in locked buildings, containers, or security areas under guard and/or alarm protection, as appropriate.

**Retention and disposal:** Records are handled in accordance with NRC Manual directives, including NRC Manual Appendix 0230, 'Record Disposition.'

**System manager(s) and address:**

Director, Division of Security
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information is classified pursuant to Executive Order 11652 and will not be disclosed. Other information has been received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Persons including NRC employees, NRC contractors, NRC consultants, NRC licensees, and NRC visitors as well as information furnished by other government agencies or their contractors.

NRC—38

**System name:** Mailing Lists—NRC

**System location:** Primary location—Division of Document Control, Office of Administration, NRC, 7920 Norfolk Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 1 (f) and (h).

**Categories of individuals covered by the system:** Individuals with an interest in receiving information from the NRC.

**Categories of records in the system:** Mailing lists include primarily the individual's name and address. Some lists also include telephone number, title, occupation, institutional affiliation and in the case of the associates, type of membership.

**Authority for maintenance of the system:** 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** None.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records are maintained in card files, index cards, address plates, magnetic cards, punch cards, cassettes and magnetic tape.

**Retrievability:** Filed alphabetically at each location by name of individual.

**Safeguards:** Access to use of these records are limited to those persons whose official duties require such access.

**Retention and disposal:** Stored until requestor no longer desires the information.

**System manager(s) and address:**

Director, Division of Document Control
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure."

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Individuals expressing an interest in NRC activities and employees.

NRC—39

**System name:** Personnel Security Files and Associated Records—NRC

Pursuant to 5 U.S.C. 552a(k)(1) and (5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f). The exemption rule is contained in Section 9.95 of the NRC regulations in 10 CFR Part 9.

**System location:** Primary system—Division of Security, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Part 1(j) and (k) and Part 2.

**Categories of individuals covered by the system:** Persons including NRC employees and employment applicants, NRC consultants, NRC contractors, licensees, other government agency personnel (e.g., General Services Administration personnel), other persons who have been considered for a personnel clearance, aliens who visit at NRC's facilities and actual or suspected violators of laws administered by NRC.

**Categories of records in the system:** These records include information relating to personnel, including name, address, date and place of birth, social security account number, citizenship, residence history, employment history, foreign travel, education, personal references, organizational membership and security clearance history. These records also contain copies of investigative reports from other agencies (primarily from the Civil Service Commission or the Federal Bureau of Investigation), summaries of investigative reports, results of Federal agency indices checks, reports of personnel security interviews, clearance actions information (e.g., grants and terminations), violations of laws, reports of security infractions, "Request for Visit or Access Approvals" (Form NRC-277), and other related personnel security processing documents.

**Authority for maintenance of the system:**

a. Sections 145 and 161(i), Atomic Energy Act of 1954, as amended, 42 U.S.C. 2165 and 2201(i).
b. E.O. 11652, March 8, 1972.
c. E.O. 10450, April 27, 1953.
d. E.O. 10865, February 20, 1960.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records may be used by the Division of Security, Personnel Security Board Members or Personnel Security Review Board Members, Civil Service Commission, Federal Bureau of Investigation, and other Federal agencies:

a. To determine clearance eligibility;
b. To certify clearances;
c. To maintain the NRC personnel security program; and
d. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained primarily in file folders, magnetic tape, and disk packs.

**Retrievability:** Indexed and accessible by name, social security account number, or case file number or a combination thereof.

**Safeguards:** File folders and computer printouts are maintained in locked buildings, containers, or security areas under guard and/or alarm protection as appropriate. Computer area access limited to cleared personnel with a need to know.

**Retention and disposal:** Records are handled in accordance with NRC Manual directives, including NRC Manual Appendix 0230, 'Records Disposition.'

**System manager(s) and address:**

Director, Division of Security
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information is classified pursuant to Executive Order 11652 and will not be disclosed. Other information has been received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Persons including NRC employees, NRC contractors, NRC consultants, NRC licensees, and NRC visitors as well as information furnished by other government agencies or their contractors.

NRC—40

**System name:** Protection Support Files and Associated Records—NRC

Pursuant to 5 U.S.C. 552a(k)(1) and (5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f). The exemption rule is contained in Section 9.95 of the NRC regulations in 10 CFR Part 9.

**System location:** Primary system—Division of Security, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate systems—duplicate systems exist in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

**Categories of individuals covered by the system:** Persons including present or former NRC employees, NRC consultants, NRC contractors, licensees, other government agency personnel and actual or suspected violators of laws relating to the NRC's activities.

**Categories of records in the system:** These records include information regarding: NRC facilities and NRC contractor facilities security programs and associated records; individuals visiting NRC facilities; NRC employees and NRC related identification files maintained for access purposes; actual or suspected violations of laws administered by NRC; including copies of investigative reports from other government agencies; records of individual's firearms qualification scores including the accountability of firearms; and other documents relating to the safeguarding of National Security Information.

**Authority for maintenance of the system:**

a. Sections 145 and 161 i., k., and p., Atomic Energy Act of 1954, as amended, 42 U.S.C. 2165 and 2201(i), (k) and (p).
b. E.O. 11652, March 8, 1972.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in this system may be used:

a. To provide licensees and contractors with the information necessary to maintain an adequate security program; and
b. For any of the routine uses specified in the Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders and on related forms.

**Retrievability:** Indexed and accessible by name, facility, badge number, identification card number, chronologically, or a combination thereof.

**Safeguards:** Maintained in locked buildings, containers, or security areas under guard and/or alarm protection, as appropriate.

**Retention and disposal:** Records are handled in accordance with NRC Manual directives, including Appendix 0230, 'Record Disposition.'

**System manager(s) and address:**

Director, Division of Security
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Notification procedure:**

Director, Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

**Record access procedures:** Same as "Notification procedure." Some information is classified pursuant to Executive Order 11652 and will not be disclosed. Other information has been received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

**Contesting record procedures:** Same as "Notification procedure."

**Record source categories:** Persons including NRC employees, NRC Contractors, NRC consultants, NRC licensees, and NRC visitors as well as information furnished by other government agencies or their contractors.

## ADDENDUM I

## LIST OF U.S. NUCLEAR REGULATORY COMMISSION LOCATIONS

### PART 1

NRC headquarters offices

a. Willste Building, 7915 Eastern Avenue, Silver Spring, Maryland.

b. East West Towers Building, 4350 East West Highway, Bethesda, Maryland

c. Landow Building, 4915 St. Elmo Avenue, Bethesda, Maryland

d. Lugenbeel Building, 4922 Fairmont Avenue, Bethesda, Maryland

e. Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland

f. Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland

g. Woodmont Building, 8120 Woodmont Avenue, Bethesda, Maryland

h. Nicholson Lane Building, 5650 Nicholson Lane, Rockville, Maryland

i. Matomic Building, 1717—H Street, N.W., Washington, D.C.

j. Energy Research and Development Administration Building, Germantown, Maryland.

k. Century XXI, Energy Research and Development Administration, Germantown, Maryland.

### PART 2

**NRC regional offices**

a. NRC Region I, 631 Park Avenue, King of Prussia, Pennsylvania 19406

b. NRC Region II, 230 Peachtree Street, N.W., Suite 818, Atlanta, Georgia 30303

c. NRC Region III, 799 Roosevelt Road, Glen Ellyn, Illinois 60137

d. NRC Region IV, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76012

e. NRC Region V, 1990 N. California Boulevard, Suite 202, Walnut Creek, California 94596

[FR Doc.77-28109 Filed 9-23-77;8:45 am]

# DEPARTMENT OF THE TREASURY
# OFFICE OF THE SECRETARY
## PRIVACY ACT OF 1974
## Systems of Records; Annual Publication

Pursuant to 5 U.S.C. 552a(e)(4), the Department of the Treasury republishes notice of the systems of records maintained by the Department. All of the systems have been previously published and adopted. There are no changes requiring public comment. Numerous minor changes have been made, consisting principally of address changes, revision of organizational titles, and corrections of grammatical or typographical errors.

The Department has deleted 348 previously published systems of records as noted below under deletions.

Dated: September 2, 1977.

William J. Beckham, Jr.,
*Assistant Secretary (Administration).*

### DELETIONS

The following 348 systems are deleted for the reasons shown.

Definitions:

"Consolidated"—Systems covering the same categories of individuals and records distinguished only by geographical location have been grouped together and identified as one system. The records consolidated are personnel type records about Departmental employees, consultants and certain contractors. The consolidation has no effect on the Department's ability to comply with the provisions of the Act.

"Destroyed (month and year)"—The records were destroyed during the month and year indicated.

"Duplicate of (system number)"—The system is a duplicate of or is included in, other systems cited.

"Entrepreneurial system"—Information maintained is about individuals operating in a business capacity as opposed to a personal capacity.

"Not Privacy Act system"—Information is not retrieved by name or other personal identifier.

OFFICE OF THE SECRETARY (OS)

DELETIONS THROUGH CONSOLIDATION:

The following systems were deleted by consolidation into the Administrative Personnel System, TREASURY/OS 001.

OS 048—Scheduled Annual Leave Records
OS 052—Travel Records
OS 053—Treasury Emergency Preparedness Information Program
OS 123—ORS Contractors File
OS 194—Library Circulation Control Records
OS 195—Parking Permit Application
OS 196—Physical Security Information System
OS 240—Contracts and Research Proposals

The following systems were deleted by consolidation into the Fiscal Personnel System, TREASURY/OS 002.

OS 034—OASIA Time Cards Listed on Form 2384 and State Form 1130A
OS 043—Payroll, Time and Attendance Records
OS 051—Time and Attendance Cards
OS 054—Treasury Payroll/Personnel Information System
OS 064—Timecards
OS 127—ORS Leave Records

The following systems were deleted by consolidation into the General Personnel System, TREASURY/OS 003.

OS 020—Energy Policy Office Administrative File
OS 036—Office of Debt, Home Addresses and Telephone Number File
OS 037—OIDB Employee and Employee Candidate Files
OS 040—Confidential Statements of Employment and Financial Interests, Personnel Division, Office of the Secretary
OS 041—Management Analysis Division (MAD) Personnel Working Files
OS 042—OMD Management Consultants File
OS 044—Personnel and Payroll Data: Transaction Lists; Employee Services Record Report; Leave Without Pay Report; Employee Information List; Comprehensive Payroll Listing; and Alphabetical Locator List.
OS 055—Upward Mobility Program; Counseling Application
OS 060—Correspondence Files and Records on Employee Complaints and/or Dissatisfaction.
OS 061—Employee Grade Complaint File
OS 062—Executive Inventory Files
OS 065—Appointment at Above the Minimum Rate of the Grade Files
OS 066—Combined Applicant/Applicant Correspondence File
OS 067—Detailed Employee Files
OS 068—Whitten Amendment Exception Files
OS 070—Office of Computer Science, Work Assignment and Control Form
OS 081—Centralized Automated System for Reporting Employment Statistics in the Department of the Treasury (REST)
OS 082—EEO Complaint Processing System
OS 083—Spanish Speaking Informal Application File (S.F. 171)
OS 110—Foreign Assets Control Administrative Records
OS 128—ORS Personnel Records
OS 129—ORS Public Affairs Personnel File
OS 140—Annual Performance Rating and Annual Performance Analysis
OS 141—Attorney Books
OS 142—Attorneys Past and Present
OS 143—Chief Counsel for Revenue Sharing Personnel
OS 146—Employee Inventions
OS 147—Employee Promotion Information
OS 148—Employment Applications
OS 152—General Counsel Personnel Files
OS 153—Personnel: General Counsels, Deputy General Counsels, and Assistant General Counsels
OS 157—Employee Record Cards
OS 182—Special Personnel Working Files, Office of the Assistant Secretary for Tax Policy
OS 190—Automated Directory System
OS 191—Buildings Management Employee Folder
OS 193—Employee Locater Record
OS 243—Personnel. Personnel; Recruitment. Personnel; Evaluations
OS 244—Personnel Files
OS 300—Personnel Files
OS 400—Merit System Complaints
OS 502—Reference Letters—Special Assignments Branch, Office of the Secretary of the Treasury
OS 503—Roster of Office of the Secretary Employees
OS 504—Summer Employees Listing
OS 505—Upward Mobility Program; Counseling Application

The following systems were deleted by consolidation into the Personnel Security System, TREASURY/OS 004.

OS 045—Personnel Security Files
OS 049—Security Clearance Index Card File, Security Branch, Office of the Secretary of the Treasury
OS 063—Personnel Security Files and Indices

DELETED NOT A PRIVACY ACT SYSTEM.

OS 180—Accounting for Investment Credit File, Office of the Assistant Secretary for Tax Policy
OS 181—FOI Compliance File, Office of the Assistant Secretary for Tax Policy
OS 192—Real Property Management Staffing and Recruitment File
OS 198—Daily Bindery Log, Reproduction Branch
OS 199—Daily Work Log, Reproduction Branch
OS 200—Monthly Production Report, Reproduction Branch
OS 201—Overtime Records, Reproduction Branch
OS 202—Printing Procurement Charge Ticket, Printing Procurement
OS 203—Sign-in Sheet, Reproduction Branch
OS 204—Weekly Activity Report, Printing Procurement Branch
OS 239—Contractors File
OS 241—Directory File of Reporters on Treasury Foreign Exchange and Foreign Currency Forms
OS 501—Disabled Veterans Statistical Report

U.S. CUSTOMS SERVICE (CS)
DELETED DESTROYED.
CS 131—Justice Court File Case (November 1976)
DELETED DUPLICATE.
CS 025—Automated Merchandise Processing System (AMPS) Liquidation File. Included in CS 278—Early Implementation System (EIS).
CS 072—Customhouse Brokers Records (Headquarters). Duplicate of CS 070—Customhouse Brokers Headquarters Records.
CS 073—Customs Fugitive Program. Included in CS 244—Treasury Enforcement Communications System.
CS 275—Operator Identification File. Included in CS 278—Early Implementation System (EIS)
DELETED NOT A PRIVACY ACT SYSTEM.
CS 024—Automated Customs Air Fleet Reporting System
CS 035—Boat Automated Management System (BAMS)
CS 038—Carnet Information System
CS 076—Customs Patrol Officer (CPO) Daily Activity Reporting System
CS 134—Laboratory Report Card
CS 218—Archives Search System
CS 237—Tort Claimants System
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DELETED NOT A PRIVACY ACT SYSTEM.

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## ADDITIONS

The following new systems were added after publication of the 1976 Notice of Systems of Records.

U.S. CUSTOMS SERVICE (CS)

CS 278—Early Implementation System (EIS). Adopted July 7, 1977, 42 FR 34960.

FEDERAL LAW ENFORCEMENT TRAINING CENTER (FLETC)

FLETC 004—FLETC Employee Record. Adopted October 6, 1976, 41 FR 44061.

## CHANGES

The following systems were altered or modified after publication of the 1976 notice of systems of records.

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OS 054—Treasury Payroll/Personnel Information System. Adopted December 7, 1976, 41 FR 53566.

FEDERAL LAW ENFORCEMENT TRAINING CENTER (FLETC)

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IRS 22.051—Return of Initial Excise Taxes on Private Foundations
IRS 22.052—Social Security Admin. Daily Search File, Acts
IRS 22.053—Statistics of Income Individual Selection Sheet, Acts
IRS 22.054—Subsidiary Accounting Files, Acts
IRS 22.058—Tentative Carryback Allowance File, Acts
IRS 22.059—Unidentified Remittance File, Acts
IRS 22.060—Unit Ledger Cards, Acts
IRS 22.061—Wage and Information Document (WAID) File, Acts
IRS 24.004—Audit Trail File, Acts
IRS 24.013—Combined Account Number File, Acts
IRS 24.014—Discriminant Function File (DIF), Acts
IRS 24.017—Employer Inquiry Look-Up for TDA Inquiry, Acts
IRS 24.028—IDRS Security Profile System, Acts
IRS 24.029—Individual Account Number File, Acts
IRS 24.030—Individual Master File, (IMF), Acts
IRS 24.046—Residual Master File (RMF) Acts
IRS 24.057—Taxpayer Delinquent Investigation Notice File, Acts
IRS 26.001—Acquired Property Record, Acts:C
IRS 26.002—Adjustment and Payment Tracer Files, Acts:C
IRS 26.003—Collateral Files, Acts:C
IRS 26.023—Defunct Special Service Staff File
IRS 26.005—File of Persons Making Threats of Force/Assaults
IRS 26.006—Form 2209 Courtesy Investigations, Acts:C
IRS 26.007—Form 2990—Miscellaneous Investigations, Acts:C
IRS 26.008—IRS and Treasury Employee Delinquency, Acts:C
IRS 26.009—Lien Files (Open and Closed), Acts:C
IRS 26.010—Prospective Bidders at Sales of Seized Property
IRS 26.011—Litigation Case Files, Acts:C
IRS 26.012—Offer in Compromise (OIC) File, Acts:C
IRS 26.013—One Hundred Percent Penalty Cases, Acts:C
IRS 26.014—Record 21, Seizure and Sale of Real Property, Acts:C
IRS 26.015—Records Maintained at Request of Cong. Committees
IRS 26.016—Returns Compliance Program (RCP), Acts:C
IRS 26.017—Seized Property Records, Acts:C
IRS 26.018—Tax Collection Waiver Form 900 Files, Acts:C
IRS 26.019—TDA (Taxpayer Delinquent Accounts), Acts:C
IRS 26.020—TDI (Taxpayer Delinquency Investigations), Acts:C
IRS 26.021—Transferee Files, Acts:C
IRS 26.022—Delinquency Prevention Programs, Acts:C
IRS 30.001—Personal Data on Official Contacts, A:TA
IRS 30.002—Employee Administrative Files, A:TA
IRS 30.003—Requests for Printed Tax Materials Incl. Lists, A
IRS 30.004—Security Violations, Administration
IRS 30.005—Accident Investigation Files System, A
IRS 32.001—Travel Expense Record, Administration
IRS 32.002—Payroll/Personnel System, Administration
IRS 32.003—Schedules of Collections and Canceled Checks, A
IRS 32.004—Scholarship Program Cost Record, Administration
IRS 34.001—Economic Stabilization Program Closed Cases

IRS 34.002—Economic Stabilization Program Correspondence
IRS 34.003—Employee Accountability for Personal Property
IRS 34.004—Executive Resources Information System
IRS 34.005—Parking Space Application and Assignment
IRS 34.006—Property Pass for Government Property
IRS 34.007—Record of Gov. Books of Transportation Requests
IRS 34.008—St. Louis District 2 & Other Econ Stab Prog Cases
IRS 34.009—Accident Reporting Files System
IRS 34.010—Damage and Injury Claims Files System
IRS 34.011—Driver Licensing Files System
IRS 34.012—Emergency Preparedness Cadre Assign/Alert Rosters
IRS 34.013—Identification Media Files System for Employees
IRS 34.014—Motor Vehicle Regis. and Entry Pass File
IRS 34.015—Personnel ID Files System for Service Centers
IRS 34.016—Security Clearance Files System
IRS 36.001—Appeals, Grievances & Complaints Records, A
IRS 36.002—Employee Activity Records, Administration
IRS 36.003—General Personnel Records, Administration
IRS 36.008—Recruiting, Examining and Placement Records, A
IRS 36.005—Medical Records, Administration
IRS 36.009—Retirement Life Ins. and Health Benefits, A
IRS 38.001—General Training Records Administration
IRS 42.001—Audit Administrative File
IRS 42.006—Expropriation of Property by Cuban Gov.
IRS 42.008—Audit Infor. Management System (AIMS)
IRS 42.009—Strike Force
IRS 42.012—Tax Shelter Program Files
IRS 42.013—Project Files for the Uniform Application of Laws
IRS 42.014—IRS Employees Returns Control, Files
IRS 42.015—Open and Closed Narcotics Traffickers File
IRS 42.016—Classification & Audit Selection Files
IRS 42.017—International Enforcement Program Files
IRS 42.019—Runaway Parents List
IRS 42.020—Highway Use Tax Audit Program
IRS 42.021—Compliance Programs and Projects Files
IRS 42.023—Request & Submittal Tech. Advice. Asst., Determination
IRS 42.024—Coordinated Examinations of Large Cases Program
IRS 42.025—Appraisal and Valuation Files
IRS 42.027—Data on Foreign Corporations
IRS 42.028—Identity of Taxpayers Using ADP Accounting Records.
IRS 44.001—Appellate Case Files
IRS 44.002—Appellate Conferee Inventory & Unit Time Report
IRS 44.003—Appellate Div. Case Data Source Document Form 3564
IRS 46.001—Alphabetical Name File and Index, Intelligence Div.
IRS 46.002—Case Management and Time Reporting System, Int. Div.
IRS 46.003—Confidential Informants, Intelligence Division
IRS 46.004—Controlled Accts.—Open & Closed, TC 910/TC 914
IRS 46.005—Electronic Surveillance File, Intelligence Division
IRS 46.007—Information Indexing System, Intelligence Division
IRS 46.008—Treas./IRS Intelligence Div. Infor. & Corresp. Files
IRS 46.009—Information Items, Intelligence Division
IRS 46.010—Joint Compliance Program, Intelligence Division
IRS 46.011—Land Trust Files, Intelligence Division
IRS 46.013—Project Files, Intelligence Division
IRS 46.014—Project Personnel, Intelligence Div.
IRS 46.015—Relocated Witness, Intelligence Division
IRS 46.016—Secret Service Details, Intelligence Division
IRS 46.017—Special Agent Skills Inventory, Intelligence Div.
IRS 46.018—Strike Force Disclosure Authorization List, Int. Div.
IRS 46.019—Tax Practitioner Files, Intelligence Division
IRS 46.020—Tax Termination File, Intelligence Division
IRS 46.021—Training Records, Intelligence Division
IRS 46.022—Treasury Enforcement Communications Sys: (TECS)
IRS 48.001—Disclosure to Department of Justice, Disclosure
IRS 49.001—Collateral and Information Requests Sys.
IRS 49.002—Collateral Files and Competent Authority Requests
IRS 49.003—Financial Statement File
IRS 49.005—Index Card Retrieval System
IRS 49.006—Manual Accounting Index of Uncollectible Accounts
IRS 49.007—Overseas Compliance Projects System
IRS 49.008—Taxpayer Service Correspondence System
IRS—50.001—Employee Plans/Exempt Organizations Assignment Record
IRS 50.002—Employee Plan Determination Letter Records
IRS 50.003—Reports of Significant Matters in EP/EO (M-5945)
IRS 60.001—Assault and Threat Investigation Files, Inspection
IRS 60.002—Bribery Investigation Files, Inspection
IRS 60.003—Conduct Investigation Files Inspection
IRS 60.004—Disclosure Investigation Files, Inspection
IRS 60.005—Enrollee Applicant Investigation Files, Inspection
IRS 60.006—Enrollee Charge Investigation Files, Inspection
IRS 60.007—Miscellaneous Infor. File Inspection
IRS 60.008—Security, Background and Character Investigation
IRS 60.009—Special Inquiry, (Complaint) Investigation Files
IRS 60.010—Tort Investigation Files, Inspection
IRS 70.001—Individual Income Tax Returns, Statistics of Income
IRS 80.001—Artist File, Assistant Commissioner (Technical)
IRS 80.002—Expert Witness and Fee Appraiser Files
IRS 80.003—Correspondence Control and Records (Technical)
IRS 80.004—Reference Index Digest Cards (Technical)
IRS 80.005—Reports of Significant Matters (Form M-5945), (Tech)
IRS 90.001—Chief Counsel Criminal Tax Case Files
IRS 90.002—Chief Counsel Disclosure Div. Case Files
IRS 90.003—Chief Counsel General Admin. Systems
IRS 90.004—Chief Counsel General Legal Services Case Files
IRS 90.005—Chief Counsel General Litigation Case Files
IRS 90.006—Chief Counsel Interpretative Division Case Files
IRS 90.007—Chief Counsel Leg. & Regs. Div. Corresp. & Private Bill
IRS 90.008—Chief Counsel Refund Litigation Div. Case Files
IRS 90.009—Chief Counsel Tax Court Case Files
IRS 90.010—Digest Room Files Containing Briefs & Digests of Docs.
IRS 90.011—Employee Recruiting Files, Admin. Ser. Div.
IRS 90.012—Internal Control Records for Chief Counsel Legal Files
IRS 90.013—Legal Case Files of the Chief Counsel
IRS 90.014—Management Files other than CSC OPF
IRS 90.015—Reference Records of the Library, Chief Counsel
IRS 90.016—Reports and Infor. Retrieval Activity, Chief Counsel
IRS 00.002—Corresp. Files and Corresp. Control Files
IRS 42.018—Married Taxpayers Filing Separately File

**Secret Service**

USSS 001—Administrative Operations Information System
USSS 002—Treasury/USSS Criminal Investigation
USSS 003—Treas USSS Financial Mgt Information System
USSS 004—Freedom of Information Request System
USSS 005—Treasury USSS Legal Counsel Record System
USSS 006—Non-Criminal Investigation Information System
USSS 007—Protection Information System
USSS 008—Public Affairs Record System
USSS 009—Training Information System

**Comptroller of the Currency**

CC 004—Consumer Complaint Letter File
CC 010—FBI Report Card Index
CC 012—Freedom of Information Log
CC 013—Information File on Individuals and Commercial Entities Known or Suspected of Being Involved in Fraudulent Activities
CC 014—Investigation Files/Employee Reference File
CC 044—Consumer Complaint Index
CC 090—Bank Organizers and Proposed Officer File
CC 104—Consumer Complaint Index
CC 115—Consumer Complaint Index
CC 139—Financial and Biographical Reports of Organizers of New National Banks
CC 142—Public Files
CC 149—Consumer Complaint Index
CC 166—Consumer Complaint Index
CC 208—Consumer Complaint Index
CC 300—Administrative Personnel System
CC 310—Fiscal Personnel System
CC 320—General Personnel System

**U.S. Savings Bond Division**

USSBD 001—Savings Bonds Employee Records System
USSBD 002—SB Sales Promotion/Volunteer Record System
USSBD 003—Savings Bond Sales Record System

**Systems Covered By This Notice**

This notice covers all systems of records finally adopted up to and including August 1, 1977

### Treasury/OS 001

**System name:** Administrative Personnel System.

**System location:** Main Treasury Building, Washington, DC 20220. Components of this record system are located at several buildings within the District of Columbia.

**Categories of individuals covered by the system:** Employees, contractors, consultants. This system includes all individuals who at any time were retained for a position with the Office of the Secretary as an employee, consultant or contractor.

**Categories of records in the system:** Employment related administrative records. This system contains in house control type information about employees and certain contracters and consultants. The type of records found within this system are: list of individuals who are issued driver licenses, building passes, credit or identification cards, parking permits, accountable property and travel documents; lists of individuals who perform specialized duties (building wardens, relocation teams, safety officers, and civil defense officers); lists of consultants or contractors that have or are providing services, reports about individuals who are involved in accidents while associated with the Office of the Secretary.

**Authority for maintenance of the system:** 5 U.S.C. 301, 5 U.S.C. 5701-5809 and the Civil Service Personnel Manual.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** A record in this system may be disclosed a federal agency, in response to its request in connection with the letting of a contract, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders, magnetic tape, punch cards, microfilm lists and forms.

**Retrievability:** Records and retrieved primarily by name (filed alphabetically by category of records); secondary identifiers are used to assure accuracy (date of birth, social security number or employee identification number).

**Safeguards:** Records are stored in lockable cabinets or secure rooms; access is limited to officials who have a need for the information; employees are trained to make only authorized disclosures.

**Retention and disposal:** Personnel type records are retained for 30 days after termination. All other records are retained and destroyed in accordance with published disposition and retention schedules.

**System manager(s) and address:** Assistant Secretary (Administration), Room 3424, Main Treasury Building, Washington, DC 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** The information in these records was provided by or verified by the subject of the record, employers, coworkers.

### Treasury/OS 002

**System name:** Fiscal Personnel System.

**System location:** Main Treasury Building, Washington, DC 20220; Internal Revenue Service Data Center, Room 1100, Detroit, Michigan 48232.

**Categories of individuals covered by the system:** Employees of the Department of the Treasury and claimants for disbursements by the U.S.

**Categories of records in the system:** This system is typically identified as payroll or disbursement type records and contains data about employees. The type of records found within this system are: award, allowance, salary and fee justification and disbursement information; Federal, State and local tax withholding information and information concerning the advancement of funds.

**Authority for maintenance of the system:** The Civil Service Personnel Manual, 50 U.S.C. App 1705-1707, 31 U.S.C. and departmental circulars 145 and 830.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** A record in this system may be disclosed to the Civil Service Commission and other requesting agencies.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders, magnetic tape and reports. Disbursement records are stored at the Federal Records Center.

**Retrievability:** Records are retrieved primarily by name (filed alphabetically), secondary identifier are used to assure accuracy (date of birth, social security number, or employee identification number).

**Retention and disposal:** Personnel type records are retained for 30 days after termination. Disbursement records are retained indefinitely.

**System manager(s) and address:** Assistant Secretary (Administration), Room 3424, Main Treasury Building, Washington, DC 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought, and (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Departmental Disclosure Officer, Room 1041, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** The information contained in these records were provided by or verified by the subject of the record, employers and co-workers.

### Treasury/OS 003

**System name:** General Personnel System.

**System location:** Main Treasury Building, Washington, D.C. 20220. Components of this record system are located at several buildings within the District of Columbia.

**Categories of individuals covered by the system:** Employees, contractors, consultants. This record system includes all individuals who at any time applied for or were retained for a position with the Office of the Secretary as an employee, contractor or consultant.

**Categories of records in the system:** (1) Employment related biographical and performance material. This category of records is typically identified as personnel type records and contains data about employees (including applicants). (2) Certain consultants and contractors The type of records found within this category include: work evaluations; educational, employment, medical and military histories; locator and emergency contact information; dependent and beneficiary information; physical and qualification descriptions; financial interest statements; personal and family assets, liabilities and other interests in business enterprises (Background investigations are listed in the Personnel Security Records System).

**Authority for maintenance of the system:** 5 USC 301, 18 USC 201-209; E.O. 11222; 5 CFR Chapter 1, Part 735; Treasury Personnel Manual Chapter 713; E.O. 11315; Federal Personnel Manual, Chapter 713, subchapter 3A; Part 713.203(k) CSC 1Rules and Regulations; Federal Personnel Manual Letter 713-25; CSC EPM Letter 713-18; 5 USC 302; Treasury Department Order 218, as amended; Treasury Personnel Manual Chapter 430, 8, D(1); 31 CFR Part 7; Federal Personnel Manual Chapter 295; Telecommunications Circular No. 21 of June 13, 1975; Secretary memo of October 21, 1975; Federal Personnel Manual Chapter 335; Federal Personnel Manual Chapter 410, subchapter 3, section 31 para. (b), section 5.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** A record in this system may be disclosed as a routine use to (1) the Civil Service Commission (CSC) for the purpose of complying with regulations issued by the CSC; (2) the Veterans Administration for the purposes of determining veterans preference and pension benefits; (3) the Equal Employment Opportunity Commission for the purpose of providing minority information and case reports; (4) respond to requests from

labor organizations for names of employees and identifying information; (5) the Department of Labor for the purpose of reporting health and safety matters; (6) the General Services Administration for the purpose of complying with regulations issued by GSA (see Appendix AA for additional routine uses).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders, magnetic tape, punch cards, micro-film lists and forms.

**Retrievability:** Records are retrieved primarily by name (filed alphabetically by category of records). Secondary identifiers are used to assure accuracy (date of birth, social security number or employee identification number).

**Safeguards:** Records are stored in lockable cabinets three position combination safes or secure rooms; access is limited to officials who have a need for the information; employees are trained to make only authorized disclosures.

**Retention and disposal:** Personnel type records are retained for various periods of time. Most files are retained for no longer than three years after termination of employment and then destroyed, by either burning or tape erasure, or transferred to the Federal Records Center, Alexandria, Virginia; or to St. Louis. In one instance the record is returned after a year to the applicant. (Spanish Speaking Informal Application File)

**System manager(s) and address:** Assistant Secretary (Administration), Room 3424, Main Treasury Building, Washington, D.C.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of record sought; (3) Provide at least two secondary identifications (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Departmental Disclosure Officer, Room 1041, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** The information contained in these records were provided or verified by the subject of the record, employers, co-workers, friends, neighbors and associated listed as references, financial and educational institutions.

**Treasury/OS 004**

**System name:** Personnel Security System.

**System location:** Main Treasury Building, Washington, DC 20220.

**Categories of individuals covered by the system:** Government employees (current or former) or applicants occupying or applying for sensitive positions in the Department of the Treasury.

**Categories of records in the system:** Full field or limited background investigations and FBI name checks; investigative information related to personnel investigations conducted by the Department of the Treasury and other Federal agencies and departments for the purpose of granting security clearances and making suitable determinations; TD Form 4027 (Notice of Security Clearance) reflecting identification data on incumbent and record type of E.O. 10450 investigation and degree and date of clearance.

**Authority for maintenance of the system:** Executive Order 10450, sections.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Such information is made available to the appropriate employing officials who have a need to know, in order to make a final determination on hiring, continued employment or access to classified material. Files are also made available to official investigative or security personnel from other U.S. Government agencies, upon request, when the employee or former employee is being considered for employment by another agency for a sensitive position.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders and index cards.

**Retrievability:** Records are retrieved by name.

**Safeguards:** Records are stored in locked metal containers, and in locked rooms. Records are limited to officials who have a need to know in the performance of their duties and who have been cleared by a full-field background investigation and have been granted appropriate security clearances.

**Retention and disposal:** Active files are retained during encumbent employee tenure and subject to update investigation. Files of employees who affect intra-agency transfers (to Treasury Bureaus) are automatically transferred to those Bureaus. In an employee transfers to another government agency or leaves the government, the files are retained, separate from the active files, for five years, except for background investigations completed by the CSC which are returned to that agency or returned to the Federal Records Center one year after the employee leaves Treasury. Cards are maintained indefinitely after being retired.

**System manager(s) and address:** Assistant Secretary (Administration), Room 3424, Main Treasury Building, Washington, DC 20220.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (K) 31 CFR 1.36.

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; and (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Departmental Disclosure Officer, Room 1041, 1500 Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** The information contained in these records were provided by or verified by the subject of the record, employers and co-workers.

**Treasury/OS 00.010**

**System name:** Office of Capital Markets and Debt Management, Actuarial Valuation System—Treasury/OS.

**System location:** Office of the Secretary of the Treasury, Office of Capital Markets and Debt Management, Office of the Government Actuary, 15th and Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Participants and beneficiaries of the following pension plans: District of Columbia: Teachers, Policemen, Firemen, Judges. U.S. Tax Court Judges, U.S. Foreign Service officers and staff personnel, U.S.I.A. Officers and staff personnel.

**Categories of records in the system:** Information in the system is as follows: Active Records: name; social security number; salary; category-grade; year of entry into system; service computation date; year of birth; year of resignation or year of death, & refund if any; indication of LWOP status (if any); Retired Records: same as actives; annuity; year of separation; cause of separation (optional, disability, deferred, etc.); years and months of service by type of service; single or married; spouse's year of birth; principal's year of death; number and ages of children on annuity roll; year of termination of survivors.

**Authority for maintenance of the system:** Statutes require the Secretary of the Treasury to certify the valuation of pension funds as follows: D.C. Teachers, 60 Stat. 881; D.C. Judges, 78 Stat. 1061; U.S. Tax Court Judges 26 U.S.C. 7448; U.S. Foreign Service Officers, USIA Officers and staff 22 USC 1101. In addition, the House District Committee formally requested certification of the pension funds for D.C. police and firemen.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The Government Actuary performs mathematical computations to assess expected income and outlays of pension funds listed in the "Category of Individual" section. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Data are on punched cards and computer print-outs. Individuals are listed alphabetically. Records are stored in the Actuary's office in the locked and guarded Treasury Building. The records are retained on a year-to-year basis. When agencies whose pension funds are valued forward new records for valuation, older records are discarded.

**System manager(s) and address:** The Government Actuary, Office of the Secretary of the Treasury, 15th and Pennsylvania Ave., N.W., Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Data for actuarial valuation are provided by organizations responsible for pension funds listed under "Category of Individual," namely the District of Columbia Government, the U.S. Tax court, the U.S. Foreign Service and the U.S. Information Agency.

**Treasury/OS 00.011**

**System name:** Office of Capital Markets and Debt Management, General Correspondence—Treasury/OS.

**System location:** Records are stored in the CM & DM Secretariat, Main Treasury, 15th and Pennsylvania Avenue, N.W., Washington, D.C. 20220. A card file with each writer's name, address and subject of inquiry is maintained as a quick reference in the Office of Debt Analysis.

**Categories of individuals covered by the system:** General public, other executive agencies and the Congress.

**Categories of records in the system:** Control logs on letters from the general public, other executive agencies and the Congress regarding the national debt, the economy and monetary and fiscal policy.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Previous correspondence with the same writer is reviewed to enable us to provide complete, nonrepetitive replies to current inquiries. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** A log of incoming letters is kept alphabetically by the individual's name. The alphabetical control logs are stored in the locked main Treasury Building for 3 months after letters are answered and then are discarded.

**System manager(s) and address:** Assistant Secretary for Capital Markets and Debt Management, Main Treasury, 15th and Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Letters are from the general public, other executive agencies and the Congress. They come directly to the Treasury or are referred to the Treasury by the White House, Congressional offices, or other executive agencies.

**Treasury/OS 00.032**

**System name:** OASIA Correspondence Files—Treasury/OS.

**System location:** (1) Department of Treasury, 15th & Penn. Avenue, N.W., Washington, D.C. 20220. (2) Washington National Records Center, 4205 Suitland Road, Washington, D.C. 20409.

**Categories of individuals covered by the system:** (a) U.S. Foreign Service Officials (b) Officials of Municipalities and State Governments (c) Members of Congress and (d) the General Public.

**Categories of records in the system:** Incoming request for information concerning international financial, economic, and monetary matters, and reply to same by individuals in the Office of the Assistant Secretary for International Affairs, Department of the Treasury.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Routine Use. Routine correspondence file is maintained to provide record of response to initial inquiry in the event of future correspondence. (b) Category of Users. Officials of the Department to respond to queries. (c) Purpose. Respond to inquiries. (d) For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Carbon (file) copy attached to incoming letter maintained in File Folders. Identification of individuals maintained on alphabetical 3 x 5 card.

**Retrievability:** Retrieval controlled by card systems. Card, filed by name, shows folder identification in which correspondence is held.

**Safeguards:** Maintained in electronically secured area and vaults. Disclosure limited to official personnel of the Department.

**Retention and disposal:** Correspondence containing no substantive information of permanent value is culled for destruction 3 years after the close of the calendar year in which the records were created. Destruction accomplished by burning. Substantive correspondence retained indefinitely.

**System manager(s) and address:** Chief, Document Management Branch, Office of Administrative Programs, Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** See categories of individuals and related responses from Treasury officials.

**Treasury/OS 00.033**

**System name:** OASIA Invitation Lists—Treasury/OS.

**System location:** OASIA Secretariat, Department of Treasury, 15th and Pennsylvania Ave., N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Members of Congress and Congressional staff, present and former officials of the Executive Branch, The Supreme Court, U.S. executives and staff of the international institutions (IBRD, IMF, IDB) and observers from other international organizations, representatives of the business and financial community, and the Press, who are invited to the Secretary's reception during the annual meetings of the International Monetary Fund and International Bank for Reconstruction and Development.

**Categories of records in the system:** Name, title, name of government agency, international organization or business affiliation.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Routine Use. Files on previous receptions maintained and used as background for preparation of new lists for the Secretary's reception. (b) Category of Users. Staff of Secretariat. (c) Purpose. To prepare invitations and verify invitees at reception.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Lists maintained in 3 ring binders. Identification of individual maintained on alphabetical 3 x 5 card. Cards filed in card file boxes.

**Retrievability:** Retrieval controlled by card systems. Card, filed alphabetically by name, shows list identification.

**Safeguards:** None necessary.

**Retention and disposal:** 2 years after the end of each reception.

**System manager(s) and address:** Director, OASIA Secretariat, Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records

maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** U.S. Government telephone directories. Card files and lists of previous receptions. U.S. Government Organizational Manual. Congressional directories. Lists of special guests, members of Delegations and staff supplied by the IMF-IBRD. Lists of members of the Press supplied by Public Affairs Office of the Treasury.

**Treasury/OS 00.035**

**System name:** Office of Debt Correspondence Files—Treasury/OS.

**System location:** (1) Department of Treasury, 15th & Penn. Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** (a) Officials of Municipalities and State Governments. (b) Members of Congress and (c) the General Public.

**Categories of records in the system:** Incoming request for information concerning international financial, economic, and monetary matters, and reply to same by individuals in the Office of the Assistant Secretary for International Affairs, Department of the Treasury.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Routine Use. Routine correspondence file is maintained to provide record of inquiries for which replies are pending. (b) Category of Users. Officials of the office to respond to queries. (c) Purpose. Respond to inquiries. (d) For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** 3 x 5 piece of paper.

**Retrievability:** Indexed by name.

**Safeguards:** None required.

**Retention and disposal:** Retained indefinitely.

**System manager(s) and address:** Secretary to the Director, Office of Debt, OASIA, U.S. Treasury.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Letters from the public.

**Treasury/OS 00.090**

**System name:** EOTA FOI Request/Appeals Files—Treasury/OS.

**System location:** Office of the Assistant Secretary (Enforcement, Operations & Tariff Affairs), Main Treasury Building, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals submitting original requests for information or appeals of initial denials to this office under the Freedom of Information Act.

**Categories of records in the system:** Copies of the requests or appeals under FOIA submitted by individual; other correspondence on the FOI matter; copies of disclosed material.

**Authority for maintenance of the system:** 5 USC 301, 5 USC 552.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Consult and advise other offices and bureaus of Treasury and of other Federal Departments and agencies; advise Members and committees of Congress. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Hard copy paper files.

**Retrievability:** Manual, by name and/or number assigned.

**Safeguards:** Locked file cabinet or safe-cabinet storage; access to personnel with need to know.

**Retention and disposal:** Retained indefinitely.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Secretary (Enforcement, Operations & Tariff Affairs) Officials maintaining the system—Director of Law Enforcement, Director of Operations, Director of Tariff Affairs.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Individual making FOI request or appeal; offices, bureaus, agencies, departments and personnel of Federal Government who have relevant information or must be consulted for appropriate processing.

**Treasury/OS 00.101**

**System name:** International Criminal Police Organization (INTERPOL) Criminal Investigative Records—Treasury/OS

**System location:** Department of Justice, Room 6720, 9th and Pennsylvania Avenue, N.W., Washington, D.C. 20530.

**Categories of individuals covered by the system:** Individuals who have been convicted or are subjects of a criminal investigation with international aspects; specific missing persons; specific deceased persons in connection with death notices; certain weapons, motor vehicles, artifacts, etc., stolen and/or involved in crime which may or may not be associated with an individual. Certain victims of criminal violations in the U.S. or abroad.

**Categories of records in the system:** Information concerning an individual may be maintained in this system of records which includes but is not limited to records pertaining to fugitives, wanted persons, suspected persons, lookouts (temporary and permanent), specific missing persons, deceased persons in connection with death notices. Information about individuals includes but is not limited to name, alias, date of birth, address, physical description, various identification numbers, reason for the record or lookout, details and circumstances surrounding the actual or suspected violator.

**Authority for maintenance of the system:** 22 USC 263a.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Use—Criminal investigations being conducted by law enforcement agencies in the U.S. or abroad. Users—Local, State and Federal Agents and employees of the U.S. National Central Bureau of INTERPOL who have a need for the records in the performance of their duties; law enforcement agencies and criminal justice agencies in the United States and abroad; INTERPOL General Secretariat and INTERPOL National Central Bureaus in member countries; disclosure required in administration of Freedom of Information Act (5 U.S.C. 552); referral to employees and officials of financial and commercial business firms and to private individuals of identifying information pertaining to actual or suspected criminal offenders where such referral is considered reasonably necessary for the purpose of furthering efforts to investigate the activities of and apprehend criminal offenders; translators of foreign languages as necessary; and for additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Stored in file folders at the U.S. National Central Bureau and certain limited data in Treasury Enforcement Communications System (TECS). Upon inactivity for five years the file is destroyed except for judicial cases involving personnel in this NCB, which is retained for 20 years from the date of the judicial action. Files on deceased persons are destroyed within one year of the person's death. Certain records, such as

death notifications and missing persons records, are normally destroyed within the year after the matter is received and/or resolved. Records not of continuing interest may be destroyed at any time. Retrievability by name or file number and by weapons number and motor vehicle number. Access is limited to personnel of the U.S. NCB—INTERPOL except for certain fugitive/wanted records in TECS which are accessible to all TECS terminals. Disposal of records is by shredding or burning. Safeguards include need to know procedural and physical safeguards, such as accountability, restricted areas and alarm protection systems.

**System manager(s) and address:** Chief, U.S. National Central Bureau, INTERPOL, Department of Justice, Room 6720, 9th & Pennsylvania Ave., N.W., Washington, D.C. 20530.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsections (J)(2) and (K), 31 C.F.R. 1.36.

**Treasury/OS 00.102**

**System name:** Treasury Enforcement Communications System (TECS)—Treasury/OS.

**System location:** International Criminal Police Organization (INTERPOL) Criminal Investigative Records, Department of Justice, Room 6720, 9th & Pennsylvania Avenue, N.W., Washington, D.C. 20530

**Categories of individuals covered by the system:** Individuals who have been convicted or are subjects of a criminal investigation with international aspects; specific missing persons; specific deceased persons in connection with death notices; certain weapons, motor vehicles, artifacts, etc., stolen and/or involved in crime which may or may not be associated with an individual. Certain victims of criminal violation in the U.S. or abroad.

**Categories of records in the system:** Information concerning an individual may be maintained in this system of records which includes but is not limited to records pertaining to fugitives, wanted persons, suspected persons, lookouts (temporary and permanent), specific missing persons, deceased persons in connection with death notices. Information about individuals includes but is not limited to name, alias, date of birth, address, physical description, various identification numbers, reason for the record or lookout, details and circumstances surrounding the actual or suspected violator.

**Authority for maintenance of the system:** 5 U.S.C. 301, Reorganization Plan No. 1 of 1950; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Use—Criminal investigations being conducted by law enforcement agencies in the U.S. or abroad. Users—Local, State and Federal Agents and employees of the U.S. National Central Bureau of INTERPOL who have a need for the records in the performance of their duties; law enforcement agencies and criminal justice agencies in the United States and abroad; INTERPOL General Secretariat and INTERPOL National Central Bureaus in member countries; disclosure required in administration of Freedom of Information Act (5 U.S.C. 552); referral to employees and officials of financial and commercial business firms and to private individuals of identifying information pertaining to actual or suspected criminal offenders where such referral is considered reasonably necessary for the purpose of furthering efforts to investigate the activities of and apprehend criminal offenders; translators of foreign languages as necessary; and for additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Magnetic tape and disc storage and hard copy. Files on deceased persons are destroyed within one year of the person's death. Certain records, such as death notifications and missing persons records, are normally destroyed within the year after the matter is received and/or resolved. Records not of continuing interest may be destroyed at any time. Retrievability by name, file number, personal identification number, system identification number, weapons or motor vehicle number. Access safeguards include need to know, procedural and physical safeguards, such as accountability, restricted areas and alarm protection systems backed up by armed security force. Upon inactivity for five years the file is destroyed except for judicial cases involving personnel in this NCB, which are retained for 20 years from the date of judicial action. Disposal of records is by shredding or burning.

**System manager(s) and address:** Chief, U.S. National Central Bureau, INTERPOL, Department of Justice, Room 6720, 9th & Pennsylvania Ave., N.W., Washington, D.C. 20530

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Exempt System.

**Systems exempted from certain provisions of the act:** Exempt under Subsections (J)(2) and (K), 31 C.F.R. 1.36.

**Treasury/OS 00.111**

**System name:** FAC 1950 Census of Blocked Chinese Assets—Treasury/OS.

**System location:** 1331 G Street, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Most of these records contain reports and correspondence regarding blocked accounts of persons or firms who are nationals of the Peoples Republic of China. However, there is a small class of cases where reports were received regarding the assets of an individual subject to U.S. jurisdiction when such individual is the trustee of a Chinese national, Administrator or Executor of the estate of a Chinese national, heir of the estate of a Chinese national, etc. Most of the persons filing these reports were American corporations. However, a small number of reporters were American individuals.

The principal category is individuals residing in China who had an interest in property in the U.S. on December 18, 1950. This category would include (a) U.S. citizens who left China after December 17, 1950; and (b) non-U.S. citizens who left China after December 17, 1950, and became U.S. citizens or permanent alien residents of the U.S.

In addition, this system includes individuals in the U.S. who had acted for or on behalf of the government of the Peoples Republic of China, or individuals who had an interest in property in which there was also an interest of a Chinese national on or since December 17, 1950, for example, trusts and estates, joint accounts and partnerships.

**Categories of records in the system:** (6) Reports containing a brief description, including location and value, of assets in the U.S. on December 18, 1950, in which, China or a Chinese "national" (as defined in the Regulations) had any interest. (2) Correspondence regarding such reports. (3) A computer print-out summarizing the information contained in the reports.

**Authority for maintenance of the system:** Section 5(b) of the Trading with the Enemy Act (50 U.S.C. App., Section 5(b)). Section 500.603 of the Foreign Assets Control Regulations (31 CFR 500.603).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The information in this system of records: (1) is used by staff to verify the accuracy of reports submitted under the 1970 Census of Blocked Chinese Assets; (2) is made available to the Chief of Enforcement, in connection with determining the present whereabouts of holders or custodians who cannot be located; (3) is made available to the Chief of Licensing for assistance in determining the propriety of the release of blocked property; (4) is made available to the Legal Section in connection with questions regarding the disposition of blocked property requiring a legal opinion; (5) is made available to the Acting

Director in connection with questions regarding the property reported under the 1950 census; (6) is made available to the original holder or custodian of blocked Chinese property or his successor in interest to aid in preparation of the 1970 census report; (7) is made available to the legal representatives of persons listed in (1) to aid in preparation of the 1970 census report; (8) for additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Reports and correspondence files.

**Retrievability:** Reports are indexed by name of holder or custodian of blocked property, by name of individual for whom blocked accounts are maintained, and by report number. Files are indexed by name of holder or custodian of blocked property or by name of individual.

**Safeguards:** The FAC 1950 Census of Blocked Chinese Assets records consist of documents in folders and a computer print out. Some of these files are stored in file cabinets secured by approved detachable combination locks. The room where these records are stored is manned by FAC personnel who are instructed not to admit unauthorized persons, nor to release any material from these records to persons other than FAC personnel. During off duty hours this room is locked and safeguarded by appropriate security measures. The remainder of these files are stored in a supply room which is always locked except when in use by FAC personnel.

**Retention and disposal:** None have been destroyed.

**System manager(s) and address:** Office of Foreign Assets Control, U.S. Treasury Department, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Custodians or other holders of blocked Chinese assets.

**Treasury/OS 00.112**

**System name:** FAC 1970 Census of Blocked Chinese Assets—Treasury/OS.

**System location:** 1331 G. Street N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Most of these records contain reports and correspondence regarding blocked accounts of persons or firms who are nationals of the Peoples Republic of China. However, there is a small class of cases where reports were received regarding the assets of an individual subject to U.S. jurisdiction when such individual is the trustee of a Chinese national, Administrator or Executor of the estate of a Chinese national, heir of the estate of a Chinese national, etc. Most of the persons filing these reports were American corporations. However, a small number of reporters were American individuals.

The principal category are Foreign nationals, namely Chinese who had interests in property in the U.S. on December 18, 1950, and on July 1, 1970. Also included are individuals in the U.S. who had been in China on or since December 17, 1950, or who had acted for or on behalf of the government of the Peoples Republic of China, or who had on either date an interest in property in which there was also an interest of a Chinese national on or since December 17, 1950, for example, trusts and estates, joint accounts and partnerships.

**Categories of records in the system:** (1) Reports containing a brief description including location and value, of assets in the U.S. on December 18, 1950, or on July 1, 1970, in which, on either date, China or a Chinese "national" (as defined in the Regulations) had any interest. (2) Correspondence regarding such reports. (3) A computer print-out summarizing the information contained in the reports.

**Authority for maintenance of the system:** Section 5(b) of the Trading with the Enemy Act (50 U.S.C. App., Section 5(b)). Section 500.610 of the Foreign Assets Control Regulations (31 CFR 500.610).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in this system of records: (1) is made available to the Director, Chief of Licensing, Chief of Enforcement, and the Legal Section for assistance with problems requiring their advice and expertise. (2) is made available to the Chief of Licensing in connection with applications to unblock property of Chinese nationals. (3) is used for statistical purposes. (4) for additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** files and index cards.

**Retrievability:** Files and index cards indexed by name of holder or custodian of property with I.D. number and by name of individual for whom blocked accounts are held with I.D. number.

**Safeguards:** The Foreign Assets Control 1970 Census of Blocked Chinese Assets records consist of documents in folders and a bound computer print out which are stored in file cabinets secured by approved detachable combination locks. The room where these records are stored is manned by FAC personnel who are instructed not to admit unauthorized persons, nor to release any material from these records to persons other than FAC personnel. During off duty hours this room is locked and safeguarded by appropriate security measures.

**Retention and disposal:** None have been destroyed.

**System manager(s) and address:** Director, Office of Foreign Assets Control, U.S. Treasury Department, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Custodians or other holders of blocked Chinese assets.

**Treasury/OS 00.113**

**System name:** FAC 1964 Census of Blocked Cuban Assets—Treasury/OS

**System location:** Federal Record Center, Suitland, Maryland

**Categories of individuals covered by the system:** Most of these records contain reports and correspondence regarding blocked accounts of persons or firms who are nationals of Cuba. However, there is a small class of cases where reports were received regarding the assets of an individual subject to U.S. jurisdiction when such individual is the trustee of a Cuban national, Administrator or Executor of the estate of a Cuban national, heir of the estate of a Cuban national, etc. Most of the persons filing these reports were American corporations. However, a small number of reporters were American individuals.

The principal category is residents of Cuba, who had an interest in property in the U.S. on July 8, 1963. This category would also include (a) U.S. citizens who left Cuba after July 8, 1963, and (b) non-U.S. citizens who left Cuba after 1963 and became U.S. citizens or permanent alien residents of the U.S. In addition, this system includes individuals in the U.S. who had acted for or on behalf of the government of Cuba, or individuals who had an interest in property in which there was also an interest of a Cuban national on or since July 8, 1963, for example, trusts and estates, joint accounts and partnerships.

**Categories of records in the system:** (1) Reports containing a brief description, including location and value of assets in the U.S. on July 8, 1963, in which Cuba or a Cuban "national" (as defined in the Regulations) had any interest. (2) Correspondence regarding such reports. (3) A computer print out summarizing the information contained in the reports.

**Authority for maintenance of the system:** Section 5(b) of the Trading with the Enemy Act (50 USC. App., Section 5(b). Section 620(a) of the Foreign Assistance Act of 1961 (22 USC Section 2370(a)). Cuban Assets Control Regulations 31 CFR Part 515.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The information in this system of records may be used in connection with a future census of blocked Cuban assets. This census would be undertaken as part of a vesting and claims program to compensate Americans who had property nationalized or expropriated by the Cuban government. The uses may be as follows: (1) by staff to determine persons to whom specific correspondence should be addressed advising them of the census requirements; (2) by staff to verify the accuracy of reports submitted under a new census; (3) by the Chief of Enforcement, in connection with determining the present where-abouts of holders or custodians who cannot be located; (4) by the Chief of Licensing for assistance in determining the propriety of the release of blocked property; (5) by the Legal Section in connection with questions regarding the disposition of blocked property requiring a legal opinion; (6) by the Director in connection with questions regarding the property reported under the 1964 census; (7) may be made available to the original holder or custodian of blocked Cuban property or his successor in interest to aid in preparation of a new census report; (8) may be available to the legal representatives of persons listed in (7) to aid in preparation of a new census report.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Reports and correspondence.

**Retrievability:** All of these records are located at the Federal Record Center, Suitland, Maryland. They are retrievable by name of individual.

**Safeguards:** GSA.

**Retention and disposal:** None have been destroyed.

**System manager(s) and address:** Office of Foreign Assets Control, U.S. Treasury Department, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Custodians or other holders of blocked Cuban property.

### Treasury/OS 00.114

**System name:** Foreign Assets Control Enforcement Records—Treasury/OS

**System location:** 1331 G Street, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals who have engaged in unlicensed financial, commercial or other transactions which are prohibited under regulations administered by the Office of Foreign Assets Control. Individuals who have made any unlicensed importation of prohibited merchandise from a foreign country which is a "designated country" under regulations administered by the Office of Foreign Assets Control. Individuals who have made an unlicensed remittance of funds or exportation of goods to a "designated country" or national thereof, or to a "specially designated national." Individuals who have otherwise violated any Treasury ruling, license or regulation issued under or pursuant to the Trading with the Enemy Act or the United Nations Participation Act. Individuals suspected of having engaged in activities or transactions which violated statutes or regulations administered by the controls. Individuals who have applied for Foreign Assets Control Licensing when there is reason to suspect the truth of statements contained in an individual's application. Individuals who have or are suspected of misuse or misappropriation of blocked property.

**Categories of records in the system:** Reports of investigations of suspected or actual violations by an individual of relevant statute and regulations administered by the Office of Foreign Assets Control; intelligence reports requested from other official sources regarding suspected or actual criminal or civil violations by an individual of the relevant statutes, or of the regulations administered by the Office of Foreign Assets Control; evidence obtained during investigation of suspected or actual violations by an individual of the relevant statutes and regulations administered by the Office of Foreign Assets Control.

**Authority for maintenance of the system:** Statutory: Section 5(b) of the Trading with the Enemy Act (50 USC, App. Section 5(b)); Section 5 of the United Nations Participation Act (22 USC Section 287(c)); Foreign Assistance Act of 1961, (22 USC Section 2370 (a)). Executive Orders: E.O. 9193; E.O. 11322; E.O. 11419; Proc. 3447. Regulations: Foreign Assets Control Regulations (31 CFR, Sections 500.601 and 500.602), Cuban Assets Control Regulations (31 CFR, Sections 515.601 and 515.602), Rhodesian Sanctions Control Regulations (31 CFR Sections 530.601 and 530.602).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Used as a source of reference in other FAC enforcement investigations. (2) As a source of information in consideration of applications for Foreign Assets Control specific licenses. (3) Referral of information to the Department of Justice in civil or criminal cases involving the individual. (4) Disclosure to U.S. Customs Service, Internal Revenue Service or Department of Commerce (Office of Export Administration), of information concerning possible violations of laws and/or regulations of such agencies. (5) Notice to the United States Customs Service (a) of importers who have made illegal commercial importations of prohibited publications, and, (b) of persons who are authorized to make commercial importations of prohibited publications (under regulations administered by the Office of Foreign Assets Control). (6) for additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** The Foreign Assets Control Enforcement Records consist of documents, etc., in folders which are stored in locked file cabinets in secure file rooms. Enforcement records are retrieved by means of card-index file system containing the names of persons (individuals, corporations, etc.). The file rooms are manned by Foreign Assets Control personnel who are instructed not to admit unauthorized persons into the file areas, nor to release any material from the enforcement records to persons other than Foreign Assets Control personnel. During off duty hours the file rooms are secured by appropriate electronic protective devices. These Enforcement Records are maintained indefinitely, for so long as the assets and transactions involved are subject to regulation.

**System manager(s) and address:** Director, Office of Foreign Assets Control, U.S. Treasury Department, Washington, D.C.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (K)(2), 31 C.F.R. 1.36.

### Treasury/OS 00.115

**System name:** Foreign Assets Control General Correspondence Files-Treasury/OS.

**System location:** 1331 G Street, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Records are maintained of all correspondence from individuals seeking information from the Office of Foreign Assets Control regarding embargoed or blocked foreign countries (and assets and nationals thereof), which are affected by implementing Treasury Department Regulations. Current regulations, and corresponding blocked or embargoed countries, are: Foreign Assets Control Regulations (China, Vietnam, and North Korea); Cuban Assets Control Regulations (Cuba); and the Rhodesian Sanctions Regulations (Rhodesia). Records are also maintained of letters to individuals initiated by the Foreign Assets Control.

**Categories of records in the system:** General correspondence of every kind, e.g.: individuals seeking information about FAC regulations re some particular country; requests for advice on proposed or possible transaction involving a designated country or a national thereof; letters reporting possible violation of some FAC ad-

ministered regulation; requests from law students and other researchers; requests for copies of regulations administered by FAC; requests for information regarding possible employment opportunities with the Office of Foreign Assets Control.

**Authority for maintenance of the system:** Statutory: Section 5(b) of the Trading with the Enemy Act (50 USC, App. Section 5(b)). Section 5 of the United Nations Participation Act (22 USC Section 287 c). Section 620 (a) of the Foreign Assistance Act of 1961 (22 USC Section 2370 (a)). Executive Orders: E.O. 9193; E.O. 9989; E.O. 11322; E.O. 11419; Proc. 3447. Regulations: Foreign Assets Control Regulations 31 CFR Part 500, Cuban Assets Control Regulations 31 CFR Part 515, Rhodesian Sanctions Regulations 31 CFR Part 530; Transaction Control Regulations 31 CFR Part 505; Foreign Funds Control Regulations 31 CFR Part 520.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (A) Intra-Agency—Used by the staff to effectuate the purposes of the Regulations which it is charged with administering: (1) Used by the Enforcement Section as background information in connection with investigations. (2) Used by the Licensing Section as background information in connection with the processing of license applications submitted by the individual. (3) Used by the Legal Section as background information in connection with preparation of briefs, etc. (4) Used by all staff as background information in connection with subsequent inquiries from an individual. (5) Used in connection with the formulation of or as examples of policy followed by the office. (6) Used by all staff to initiate correspondence with third parties mentioned in an individual letter regarding potential or apparent violations of the regulations. (7) Used by all staff to prepare statistics useful in implementing the Regulations. (8) Used by all staff to compile mailing lists for use by Foreign Assets Control to advise individuals interested in a particular aspect of the Regulations of changes relating to these aspects. (9) Used to detect an interest in a particular aspect of the Regulations which necessitate the publication of amendments to the Regulations regarding interpretations of the Regulations. (B) Inter-Agency: (1) Referred to the Department of State, Department of Commerce, Internal Revenue Service, Foreign Claims Settlement Commission, (and other agencies) where the individuals inquiry concerns matters under the jurisdiction of such agencies as well as under the jurisdiction of the Office of Foreign Assets Control. (2) Referred to the Department of Justice, where it appears likely that a crime or civil offense was committed. (3) Referred to other agencies where it appears that an individual has violated the laws, statutes or regulations of such agency. (C) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** The Foreign Assets Control General Correspondence Records consist of documents in folders which are stored in file cabinets secured by approved detachable combination locks. General Correspondence records are retrieved by means of card-index file system containing the names of persons (individuals, corporations, etc.). The file rooms are manned by FAC personnel who are instructed not to admit unauthorized persons into the file-areas, nor to release any material from the enforcement record to persons other than FAC personnel. During off-duty hours, the file rooms are safeguarded by appropriate electronic protective devices. The General Correspondence records are maintained indefinitely for so long as the assets or transactions involved are subject to regulation.

**System manager(s) and address:** Director, Office of Foreign Assets Control, U.S. Treasury Department, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Individuals who initiated correspondence with Treasury Department's Office of Foreign Assets Control or who responded to correspondence from the Office of Foreign Assets Control; other governmental agencies (Federal, State and Local); foreign individuals and official sources.

**Treasury/OS 00.116**

**System name:** Foreign Assets Control Litigation files—Treasury/OS

**System location:** 1331 G Street, N.W., Room 504, Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals who have been criminally prosecuted, or involved in civil litigation (as plaintiff or defendant) with the United States, in matters which involve statutes and/or regulations which are administered by the Office of Foreign Assets Control (e.g.: criminal prosecution for violation of statutes and regulations; suits to enjoin the Office of Foreign Assets Control from holding bank accounts or other property in a blocked status; suits to compel the Office of Foreign Assets Control to issue licenses for import of merchandise from a designated country; suits seeking to have statutes and regulations administered by Foreign Assets Control held unconstitutional, in fact or as applied; etc.).

**Categories of records in the system:** Copies of the pleading and all other legal documents connected with civil litigation and criminal proceedings involving statutes and regulations administered by the Office of Foreign Assets Control, including memoranda of law, drafts of legal briefs, and other material prepared by the FAC legal staff for use in such litigation; material obtained pursuant to discovery under applicable court rules (depositions, written interrogatories, etc.); copies of final orders, decrees, and opinions of courts in such litigation, and copies of correspondence relating to activities of any party to such litigation (containing information relevant to the issues involved in the litigation).

**Authority for maintenance of the system:** Statutes: Section 5(b) of the Trading with the Enemy Act, (50 USC, App. Section 5(b)); Section 5 of the United Nations Participation Act, (22 USC, Section 287c); Section 620 (a) of the Foreign Assistance Act of 1961, (22 USC 2370 (a)). Executive Orders: E.O. 9193; E.O. 9989; E.O. 11322; E.O. 11419; Proc. 3447. Regulations: Foreign Funds Control Regulations (31 CFR, Part 520), Foreign Assets Control Regulations, (31 CFR, Part 500), Cuban Assets Control Regulations, (31 CFR, Part 515), Rhodesian Sanctions Regulations (31 CFR, Part 530), Transactions Control Regulations (31 CFR, Part 505).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Preparation and conduct of litigation in process by the Justice Department. (2) Research source for the FAC Enforcement section. (3) Source of information for the FAC Licensing section in consideration of applications for FAC license. (4) Source of legal precedents and for other legal research by the FAC Legal section. (5) Referral to Department of Justice in cases involving Statutes and Regulations administered by the Office of Foreign Assets Control. (6) Disclosure to U.S. Customs Service in cases which jointly involve similar matters, or which involve, jointly, both the FAC and the U.S. Customs Service. (7) Disclosure to the State Department in connection with foreign policy aspects of legal problems involved. (8) Disclosure to U.S. Department of Commerce where cases involve matters of interest to, or which are in the jurisdiction of that Department. (9) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** The Foreign Assets Control Litigation records consist of documents in folders which are stored in file cabinets secured by approved detachable combination locks. The files are retrieved by name of the individual. During normal working hours, the room where these records are kept is manned by persons who are instructed not to allow unauthorized persons into the file area, nor to disclose or release any material to persons other than FAC personnel. During off-duty hours, the room in which the records are kept is safe-guarded by appropriate electronic protective devices. The Litigation records are maintained indefinitely as research source and legal precedent.

**System manager(s) and address:** Director, Office of Foreign Assets Control, 1331 G Street, N.W., U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** PLEADINGS AND OTHER MATERIALS FILED DURING COURSE OF A LEGAL PROCEEDING; DISCOVERY OBTAINED PURSUANT TO APPLICABLE COURT RULES; Materials obtained from FAC Enforcement Section; material obtained pursuant to request made on other Federal agencies; Orders, opinions, decisions of courts.

**Treasury/OS 00.117**

**System name:** Foreign Assets Control Mailing List—Treasury/OS

**System location:** 1331 G Street, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals who have asked to be advised of any amendments, announcements, etc., pertaining to the Regulations administered by this Office.

**Categories of records in the system:** Index cards and addressograph plates containing names and addresses of all persons to whom information regarding the Regulations is sent.

**Authority for maintenance of the system:** Statutory: Section 5(b) of the Trading with the Enemy Act (50 USC, App., Section 5(b). Section 5 of the United Nations Participation Act (22 USC Section 287c). Section 620(a) of the Foreign Assistance Act of 1961 (22 USC Section 2370(a). Executive Orders: Executive Order 9193; Executive Order 9989; Executive Order 11322; Executive Order 11419; Proc. 3447. Regulations: Foreign Assets Control Regulations, 31 CFR Part 500; Cuban Assets Control Regulations, 31 CFR Part 515; Rhodesian Sanctions Regulations, 31 CFR Part 530; Transaction Control Regulations, 31 CFR Part 505; Foreign Funds Control Regulations, 31 CFR Part 520.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Information in this system of records is used by FAC to enable the Government Printing Office to send out information regarding our Regulations to all interested parties. (2) For additional routine uses see appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Index cards and addressograph plates.

**Retrievability:** Indexed by name of individual or corporation.

**Safeguards:** The FAC mailing list records consist of index cards filed in index card boxes. The room where these records are stored is manned by FAC personnel who are instructed not to admit unauthorized persons, nor to release any material from these records to persons other than FAC personnel. During off duty hours this room is locked and safe-guarded by appropriate security measures.

**System manager(s) and address:** Director, Office of Foreign Assets Control, U.S. Treasury Department, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** See Category of Individual.

**Treasury/OS 00.118**

**System name:** Foreign Assets Control Licensing Records—Treasury/OS

**System location:** 1331 G Street, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Applicants for license to import prohibited goods from countries designated in Regulations administered by Office of Foreign Assets Control. Applicants for license to remit funds to countries designated in Regulations of the Office of Foreign Assets Control. Applicants for license authorizing engagement in other transactions and activities which are prohibited by Regulations of the Office of Foreign Assets Control.

**Categories of records in the system:** Applications for Treasury license; information in support of applications submitted by applicant; information from other sources regarding such applications; copies of agency action granting or denying applications; requests for amendment of license; requests for rehearing or appeal of denial actions; other information related to any of the foregoing.

**Authority for maintenance of the system:** Statutes: Section 5(b) of the Trading with the Enemy Act (50 USC, App. Section 5(b)). Section 5 of the United Nations Participation Act (22 USC 287 (1)(c)(1)). Section 620 (a) of the Foreign Assistance Act of 1961 (22 USC 2370 (a)). Executive Orders: E.O. 9193; E.O. 9989; E.O. 11322; E.O. 11419; Proc. 3447. Regulations: Foreign Assets Control Regulations 31 CFR, Part 500; Transaction Control Regulations 31 CFR, Part 505; Cuban Assets Control Regulations 31 CFR, Part 515; Foreign Funds Control Regulations 31 CFR, Part 520; Rhodesian Sanctions Regulations 31 CFR, Part 530.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Furnishing of information to the FAC Enforcement Section where it appears that some willful violation of Treasury regulation or requirement may have occurred. (2) Comparison with subsequent application from same applicant. (3) Consultation with State, Commerce and Defense, as appropriate concerning applicable policy and relevant facts. (4) Furnishing information to the U.S. Customs Service where it appears that a Customs requirement or regulation has not been complied with. (5) Furnishing information to Internal Revenue Service where it appears that a matter within the jurisdiction of that agency is involved. (6) Furnishing of information to the Department of Commerce where it appears that a requirement or regulation of that agency is involved. (7) Notice to the U.S. Customs Service (a) of importers who have made illegal importations or prohibited publications, and (b) of persons who are authorized to make commercial importations of prohibited publications (under regulations administered by the Office of Foreign Assets Control). (8) Furnishing of report to Justice Department where it appears that some civil or criminal violation by applicant of a Treasury regulation or other requirement has occurred. (9) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** The Foreign Assets Control Licensing records consist of documents in folders which are stored in file cabinets. Each such file cabinet is outfitted with a detachable combination lock.The records are retrieved by license numbers, and may also be obtained by means of a card-index file. During normal working hours, the file room is manned by persons who are instructed not to allow unauthorized persons into the file area, nor to disclose or release any material to persons other than FAC personnel. During off-duty hours, the file rooms are safe-guarded by appropriate electronic protective devices. The FAC licensing records are maintained indefinitely for so long as the assets or transactions involved are subject to regulations.

**System manager(s) and address:** Director, Office of Foreign Assets Control, U.S. Treasury Department, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** The majority of information concerning an individual applicant in a FAC License Record will typically have come from the applicant. On infrequent occasions some such information will have been obtained from other governmental agencies; or, during the course of an investigation by the FAC Enforcement Section.

**Treasury/OS 00.121**

**System name:** ORS Auditors' Address File—Treasury/OS

**System location:** Office of Computer Science, Department of the Treasury, 1435 G Street, N.W., Washington, D.C.

**Categories of individuals covered by the system:** All State Auditors

**Categories of records in the system:** Mailing Addresses & Phone Numbers.

**Authority for maintenance of the system:** PL 92-512 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Address File & Telephone Index. For additional routine uses see appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic Tape.

**Retrievability:** Indexed by state code & unique numeric suffix.

**Safeguards:** Secured computer room.

**Retention and disposal:** Maintained until file is updated by the Audit Division, Office of Revenue Sharing.

**System manager(s) and address:** Administrative Officer, Office of Revenue Sharing, 2401 E Street, N.W., Washington, D.C. 20226.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** State audit address lists.

**Treasury/OS 00.124**

**System name:** ORS Governors' Address File—Treasury/OS

**System location:** Systems & Operations Division, Office of Revenue Sharing, 2401 E Street, NW, Washington, DC 20226.

**Categories of individuals covered by the system:** All current governors.

**Categories of records in the system:** Mailing Addresses.

**Authority for maintenance of the system:** PL 92-512, 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Address File. For additional routine uses see appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** MCST Magnetic Cards.

**Retrievability:** Indexed by state code.

**Safeguards:** Secured computer room.

**Retention and disposal:** Maintained until file is updated.

**System manager(s) and address:** Administrative Officer, Office of Revenue Sharing, 2401 E Street N.W., Washington, D.C. 20226.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Congressional Directory, State submissions.

**Treasury/OS 00.125**

**System name:** ORS Governors & Governors Authorized Representatives List—Treasury/OS.

**System location:** Systems & Operations Division, Office of Revenue Sharing, 2401 E Street, NW, Washington, DC 20226.

**Categories of individuals covered by the system:** All current governors & their authorized representatives.

**Categories of records in the system:** Individual Names & Addresses.

**Authority for maintenance of the system:** PL 92-512, 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Address File, for additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Notebook (Hardcopy).

**Retrievability:** Indexed by State name.

**Safeguards:** Secured computer room.

**Retention and disposal:** Maintained until file is updated.

**System manager(s) and address:** Administrative Officer, Office of Revenue Sharing, 2401 E Street NW, Washington, DC 20226.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** State official and address files.

**Treasury/OS 00.126**

**System name:** Office of Revenue Sharing, Intergovernmental Relations Division mailing list—Treasury/OS.

**System location:** Office of Revenue Sharing, 2401 E Street, N.W., Rm. 1407, Washington, D.C. 20226.

**Categories of individuals covered by the system:** Not all entries on the mailing list are by name of individual; many entries are identified only by agency or organization name. Names of individuals or organizations on the reveNews mailing list were placed there by personal request, designation of the State Governor or by the screening of mailing lists of local officials of national public interest groups.

**Categories of records in the system:** The system identifies name and address only and is arranged in such a way as to be sorted and retrieved by State. The system is further broken down into a sublist of frequent liaison contacts which can be retrieved separately.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The reveNews mailing list is used to distribute copies of reveNews, the Office of Revenue Sharing newsletter. It also is used to mail program and technical assistance materials to service agencies of State and local government and to distribute ORS publications. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The system is stored on mag. tape.

**Retrievability:** The system is indexed by nine digit I.D. number; the first two digits represent the State of the address and are the only parts of the I.D. which are used for retrieving address information.

**Safeguards:** System listings can be authorized only by written request to the Systems and Operations Division, ORS.

**Retention and disposal:** The records are retained indefinitely; individual records can be amended or deleted at any time. Coding sheets for address changes and deletions are forwarded periodically to the Systems and Operations Division, ORS.

**System manager(s) and address:** Administrative Officer: ORS, Office of Revenue Sharing, 2401 E Street, N.W., Washington, D.C. 20226.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** See Category of Individual.

**Treasury/OS 00.130**

**System name:** ORS Senate, House & Governors' Address File—Treasury/OS

**System location:** Office of Computer Science, Department of the Treasury, 1435 G Street, NW, Washington, DC.

**Categories of individuals covered by the system:** All current U.S. Senators, Congressmen, & Governors.

**Categories of records in the system:** Mailing Addresses.

**Authority for maintenance of the system:** PL 92-512, 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Address File. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic Tape.

**Retrievability:** Indexed by state code & unique numeric suffix.

**Safeguards:** Secured computer room.

**Retention and disposal:** Maintained until file is updated by the Public Affairs Division, Office of Revenue Sharing.

**System manager(s) and address:** Administrative Officer, Office of Revenue Sharing, 2401 E Street N.W., Washington, D.C. 20226.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Congressional Directory, State submissions.

**Treasury/OS 00.131**

**System name:** ORS State Attorneys General Records—Treasury/OS

**System location:** Office of Revenue Sharing, 2401 "E" Street, N.W., Washington, D.C. 20226.

**Categories of individuals covered by the system:** State Attorneys General or Assistant Attorneys General.

**Categories of records in the system:** Correspondence with State offices of Attorney Generals concerning State laws as they affect the expenditure of funds under the Revenue Sharing Act.

**Authority for maintenance of the system:** State and Local Fiscal Assistance Act of 1972 (P.L. 92-512). 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The records are used by the Chief Counsel for Revenue Sharing. They are used for determining the applicability and effect of State laws on the expenditure of funds under the Revenue Sharing Act. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Filing cabinet.

**Retrievability:** The system is alphabetically indexed by name of State.

**Safeguards:** Locked file room.

**Retention and disposal:** Records are updated periodically.

**System manager(s) and address:** Chief Counsel for Revenue Sharing, 2401 "E" St., N.W., Room 1545, Washington, D.C. 20226.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Correspondence with State offices of Attorney Generals.

**Treasury/OS 00.144**

**System name:** Civil Litigation Records—Treasury/OS.

**System location:** U.S. Treasury Department, Office of the General Counsel, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Persons who are parties, plaintiff or defendant, in civil litigation (as described below) with the Treasury Department.

**Categories of records in the system:** This system of records contains information or documents related to litigation involving or concerning the Department or its officials. The records consist of pleadings, investigative reports, legal memoranda and related correspondence.

**Authority for maintenance of the system:** Title 31, U.S.C., Section 1009.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records are used to prosecute or defend court cases related to certain general civil litigation. For additional routine uses see Appendix AA except for tax matters or matters litigated in the U.S. Customs Courts, and to provide cooperation to the U.S. Department of Justice in marshalling facts, correlating evidence, and preparing pleadings and briefs.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These records are maintained in file folders with index cards.

**Retrievability:** These records are indexed by the title of the case.

**Safeguards:** Access to and use of these records are limited to those persons whose official duties require such access.

**Retention and disposal:** The records are maintained during the pendency of the litigation and approximately one year thereafter are transferred to the Federal Records Center, Suitland, Maryland. They are destroyed by the Federal Records Center when the records are 7 years old.

**System manager(s) and address:** Administrative Officer, Room 3006, U.S. Treasury Department, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (k)(2), 31 C.F.R. 1.36.

**Treasury/OS 00.145**

**System name:** Claimants, Disbursing—Treasury/OS

**System location:** U.S. Treasury Department, Office of the General Counsel, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Claimants for Disbursements by the United States.

**Categories of records in the system:** Correspondence, memoranda, and related material.

**Authority for maintenance of the system:** 50 U.S.C. App. 1705-1707, Title 31, United States Code, Department Circulars No. 145 and 830.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To process disbursements in accordance with Departmental regulations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Boxes in Federal Records Center.

**Retrievability:** Name of claimant.

**Safeguards:** Files are in Records Center; access is limited to persons on official business.

**Retention and disposal:** Files kept for an indefinite period.

**System manager(s) and address:** Administrative Officer, Office of the General Counsel, U.S. Treasury Department, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Individuals and their representatives.

**Treasury/OS 00.149**

**System name:** Foreign Assets Control Legal Files—Treasury/OS

**System location:** 1331 G Street N.W., Room 504, Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals who have corresponded with (or been the subject of correspondence) regarding legal matters and regulations administered by the Office of Foreign Assets Control; and individuals who have been criminally prosecuted, or involved in civil litigation (as plaintiff or defendant) with the United States, in matters involving statutes and/or regulations administered by the Office of Foreign Assets Control (e.g.: criminal prosecutions for violation of statutes and regulations; suits to enjoin the Office of Foreign Assets Control from holding bank accounts or other property in a blocked status; suits to compel the Office of Foreign Assets Control to issue licenses for import of merchandise from a designated country; suits seeking to have statutes and regulations administered by Foreign Assets Control held unconstitutional, in fact or as applied; etc.).

**Categories of records in the system:** Copies of the pleading and all other legal documents connected with civil litigation and criminal proceedings involving statutes and regulations administered by the Office of Foreign Assets Control, including memoranda of law, drafts of legal briefs, and other material prepared by the FAC legal staff for use in such litigation; material obtained pursuant to discovery under applicable court rules (depositions, written interrogatories, etc.); copies of final orders, decrees, and opinions of courts in such litigation, and copies of correspondence relating to activities of any party to such litigation (containing information relevant to the issues involved in the litigation); or other general correspondence regarding the Office of Foreign Assets Control legal matters.

**Authority for maintenance of the system:** Statutes: Section 5(b) of the Trading with the Enemy Act (50 USC, App. Section 5(b)). Section 5 of the United Nations Participation Act (22 USC, Section 287c). Section 620 (a) of the Foreign Assistance Act of 1961 (22 USC 2370 (a)). Executive Orders: E.O. 9193; E.O. 9989; E.O. 11322; E.O. 11419: Proc. 3447. Regulations: Foreign Funds Control Regulations, (31 CFR, Part 520); Foreign Assets Control Regulations, (31 CFR, Part 500); Cuban Assets Control Regulations, (31 CFR, Part 515); Rhodesian Sanctions Regulations, (31 CFR, Part 530); Transactions Control Regulations, (31 CFR, Part 505).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Preparation and conduct of litigation in process by the Justice Department. (2) Research source for the FAC Enforcement section. (3) Source of information for the FAC Licensing section in consideration of applications for FAC license. (4) Source of legal precedents and for other legal research by the FAC Legal section. (5) Referral to Department of Justice in cases involving Statutes and Regulations administered by the Office of Foreign Assets Control. (6) Disclosure to U.S. Customs Service in cases which jointly involve similar matters, or which involve, jointly, both the FAC and the U.S. Customs Service. (7) Disclosure to the State Department in connection with foreign policy aspects of legal problems involved. (8) Disclosure to U.S. Department of Commerce where cases involve matters of interest to, or which are in the jurisdiction of that Department. (9) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** The Foreign Assets Control Litigation records consist of documents in folders which are stored in file cabinets secured by approved detachable combination locks. The files are retrieved by name of the individual. During normal working hours, the room where these records are kept is manned by persons who are instructed not to allow unauthorized persons into the file area, nor to disclose or release any material to persons other than FAC personnel. During off-duty hours, the room in which the records are kept is safe-guarded by appropriate electronic protective devices.The Litigation records are maintained indefinitely as research source and legal precedent.

**System manager(s) and address:** Administrative Officer, Room 3006, U.S. Treasury Department, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Pleadings and other materials filed during course of a legal proceeding; discovery obtained pursuant to applicable court rules; materials obtained from FAC Enforcement Section; material obtained pursuant to requests made on other Federal agencies; orders, opinions, decisions of courts.

**Treasury/OS 00.150**

**System name:** Freedom of Information Requests for Office of Secretary and other Department records-Treasury /OS.

**System location:** Freedom of Information Request, OS, Department of the Treasury, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals requesting information.

**Categories of records in the system:** Correspondence pursuant to the Freedom of Information Act, internal processing documents and memoranda, referrals and copies of requested records.

**Authority for maintenance of the system:** Freedom of Information Act, 5 U.S.C. 552. 31 CFR Part 1.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** For reporting requirements as required by the Act; to respond to other Department officials who request information regarding persons making an FOI request; evaluation purposes and determination of volume of requests received and the impact on the current workload; preparation of budget; disclosures in accordance with Freedom of Information Act, to other agencies when required for coordination of response or referral; to Department of Justice for defending law suits; to Congressional Committees; for additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders.

**Retrievability:** By name of requester(s) and date of request.

**Safeguards:** Filed in filing cabinet and released only to individuals with legitimate right to review.

**Retention and disposal:** In accordance with the provisions of the Act and Departmental records management procedures.

**System manager(s) and address:** Assistant General Counsel (ALFO), Room 1410, Main Treasury Building, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Individuals who make Freedom of Information Act requests. Federal officials responding to Freedom of Information Act requests and documents from official records.

**Treasury/OS 00.151**

**System name:** Gifts to the United States—Treasury/OS.

**System location:** U.S. Treasury Department, Office of the General Counsel, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Donors of inter vivos and testamentary gifts to the United States.

**Categories of records in the system:** Correspondence, copies of wills and court proceedings, and other material related to gifts to the United States.

**Authority for maintenance of the system:** 50 U.S.C. 1151-1156. Department Circular No. 865 (revised).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To process gifts to the United States and claims against such gifts in accordance with Departmental regulations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Boxes in Federal Records Centers.

**Retrievability:** Name of donor.

**Safeguards:** Files are in Records Center; access is limited to persons on official business.

**Retention and disposal:** Files kept for an indefinite period.

**System manager(s) and address:** Administrative Officer, Office of the General Counsel, U.S. Treasury Department, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Individuals, executors, administrators and other involved persons.

**Treasury/OS 00.154**

**System name:** Private relief bill system—Treasury/OS.

**System location:** Office of the General Counsel, Room 1417, Treasury Department, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals who have had private relief bills introduced in Congress on their behalf.

**Categories of records in the system:** Congressional committee or OMB request for Treasury views on proposed legislation plus comments on proposal from offices or bureaus of Treasury.

**Authority for maintenance of the system:** 5 U.S.C. 301. A function of the Office of the General Counsel is to handle and coordinate legislative work that concerns Treasury.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** System is used to furnish reports on proposed legislation to Congress or OMB. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Indexed on 5 by 8 card by bill number but cross-indexed to individual's name. Complete file is kept by bill number and Congress. Permanent file.

**System manager(s) and address:** Administrative Officer, Room 3006, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Sources of the request are usually Congressional committees or OMB. Other information comes from Treasury bureau or office concerned in matter and from the individual concerned.

**Treasury/OS 00.156**

**System name:** Tax Court Judge Applicants—Treasury/OS.

**System location:** Room 3000, Main Treasury Building, 15th and Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals requesting consideration for appointment to Tax Court judgeships.

**Categories of records in the system:** Information concerning the qualification of individuals for appointment to the Tax Court.

**Authority for maintenance of the system:** In accordance with the requirements for Presidential appointments, 26 U.S.C. 7443.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by senior Treasury Department officials in making recommendations to the President on appointments to the Tax Court. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cabinets.

**Retrievability:** By name of individual.

**Safeguards:** The files are kept in locked cabinets with a limited number of employees permitted access.

**Retention and disposal:** The records relating to individuals date from 1966.

**System manager(s) and address:** Administrative Officer, Office of the General Counsel, Room 3006, Main Treasury, 15th and Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Individual concerned and letters of recommendation from other individuals submitted at the request of the individual and/or the Department.

**Treasury/OS 00.160**

**System name:** Abandoned Enrollment Applications—Treasury/OS.

**System location:** Washington National Record Center, National Archives and Record Service, General Services Administration, Washington, D.C. 20409.

**Categories of individuals covered by the system:** Individuals who applied for enrollment to practice before the Internal Revenue Service but subsequently abandoned their applications.

**Categories of records in the system:** Application for enrollment to practice before the Internal Revenue Service and, in some cases, information regarding individuals' fitness for enrollment.

**Authority for maintenance of the system:** Title 31 U.S. Code, Section 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Transfer of information to Federal law enforcement authorities for investigation and possible criminal prosecution, civil court action, administrative proceeding or regulatory order with respect to apparent violation of Federal law or regulations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Original application form and information relating to it fastened to each other.

**Retrievability:** This system is indexed by name of applicant.

**Safeguards:** Those safeguards in effect at Federal Record Center.

**Retention and disposal:** Permanent retention.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Information contained in this system may have been provided by: (1) Applicant, (2) Individuals, (3) Internal Revenue Service, (4) Other government agencies, (5) Professional organizations.

**Treasury/OS 00.161**

**System name:** Applicant Appeal Files—Treasury/OS.

**System location:** (1) U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220. (2) Washington National Record Center, National Archives and Record Service, General Services Administration, Washington, D.C. 20409.

**Categories of individuals covered by the system:** Individuals whose applications for enrollment to practice before the Internal Revenue Service have been denied and who have appealed such denial to the Director of Practice.

**Categories of records in the system:** Information relating to individuals' applications and eligibility for enrollment to practice before the Internal Revenue Service.

**Authority for maintenance of the system:** Title 31 U.S. Code, Section 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Decision on appeal by Director of Practice from denial of application by the Internal Revenue Service. (2) Decision by Secretary of Treasury on appeal from Director of Practice's sustaining of denial of application for enrollment. (3) For individuals, denial of whose applications for enrollment is reversed by the Director of Practice, for use in connection with subsequent determinations by the Director of Practice as to whether violation of the regulations governing practice before the Internal Revenue Service has occurred. (4) Transfer of information to Federal law enforcement authorities for investigation and possible criminal prosecution, civil court action, administrative proceeding or regulatory order with respect to apparent violation of Federal law or regulations. (5) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folders.

**Retrievability:** This system is indexed by name of individual.

**Safeguards:** This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Dispose 25 years after case closed; transfer to Federal Record Center 5 years after case closed except for a random selection of a small number of disciplinary cases to be made at 5-year intervals for retention.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (k)(2), 31 C.F.R. 1.36.

**Treasury/OS 00.162**

**System name:** Closed Files containing Derogatory Information about individuals' practice before the Internal Revenue Service and files of attorneys and certified public accountants formerly enrolled to practice—Treasury/OS.

**System location:** (1) U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220. (2) Washington National Records Center, National Archives and Record Service, General Services Administration, Washington, D.C. 20409.

**Categories of individuals covered by the system:** Individuals eligible to practice before the Internal Revenue Service (attorneys, certified public accountants and enrolled agents).

**Categories of records in the system:** Information relating to individuals' enrollments to practice before the Internal Revenue Service and, derogatory and other information regarding such practice.

**Authority for maintenance of the system:** Title 31 U.S. Code, Section 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Determinations by the Director of Practice as to whether violations of the regulations governing practice before the Internal Revenue Service have occurred. (2) Transfer of information to Office of Chief Counsel, Internal Revenue Service so that that Office can represent the Director of Practice in hearings before administrative law judges held to determine whether violations of the regulations governing practice before the Internal Revenue Service have occurred and, if so, the appropriate disciplinary action. (3) Transfer of information to Federal law enforcement authorities for investigation and possible criminal prosecution, civil court action, administrative proceeding, or regulatory order with respect to apparent violations of Federal law or regulations. (4) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folders.

**Retrievability:** This system is indexed by name of individual.

**Safeguards:** The Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Dispose 25 years after case closed; transfer to Federal Record Center 5 years after case closed except for a random selection of a small number of disciplinary cases to be made at 5-year intervals for retention.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (k)(2), 31 C.F.R. 1.36.

**Treasury/OS 00.163**

**System name:** Derogatory Information (No Action)—Treasury/OS.

**System location:** U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220.

**Categories of individuals covered by the system:** Attorneys, certified public accountants, enrolled agents and others.

**Categories of records in the system:** Such files contain derogatory information concerning attorneys, certified public accountants, and enrolled agents and others over whom there is no current jurisdiction, where such information is subject to future development, or where such information is not sufficiently serious to be currently considered a case file.

**Authority for maintenance of the system:** Title 31 U.S. Code, Section 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Determinations by the Director of Practice as to whether violations of the regulations governing practice before the Internal Revenue Service have occurred. (2) Transfer of information to Federal law enforcement authorities for investigation and possible criminal prosecution, civil court action, administrative proceeding or regulatory order with respect to apparent violation of Federal law or regulations. (3) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folders.

**Retrievability:** This system is indexed by name of individual.

**Safeguards:** This Office keeps all access doors locked when office personnel are not present. Office personnel are cautioned against unnecessary exposure of office files. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Dispose after 5 years by burning.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (k)(2), 31 C.F.R. 1.36

**Treasury/OS 00.164**

**System name:** Disbarments—Treasury/OS.

**System location:** (1) U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220. (2) Washington National Record Center, National Archives and Record Service, General Services Administration, Washington, D.C. 20409.

**Categories of individuals covered by the system:** Individuals formerly eligible to practice before the Internal Revenue Service but now disbarred from such practice.

**Categories of records in the system:** Information relating to individuals' enrollment to practice before the Internal Revenue Service, derogatory and other information regarding such practice, and record of proceedings.

**Authority for maintenance of the system:** Title 31 U.S. Code, Section 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Maintain record of those who have been disbarred from practice before the Internal Revenue Service and reasons for such disbarment. (2) Determinations by the Director of Practice as to whether disbarred individuals' petition for reinstatement to practice before the Internal Revenue Service shall be granted. (3) Transfer of information to Federal law enforcement authorities for investigation and possible criminal prosecution, civil court action, administrative proceeding or regulatory order with respect to apparent violation of Federal law. (4) Transfer of information regarding disbarment of attorneys, certified public accountants and enrolled agents to professional organizations. (5) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folders.

**Retrievability:** This system is indexed by name of individual.

**Safeguards:** This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Dispose 25 years after case closed; transfer to Federal Record Center 5 years after case closed except for a random selection of a small number of disciplinary cases to be made at 5-year intervals for retention.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (k)(2), 31, C.F.R. 1.36.

**Treasury/OS 00.165**

**System name:** General Correspondence File—Treasury/OS.

**System location:** U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220.

**Categories of individuals covered by the system:** General public.

**Categories of records in the system:** General inquiries and comments from the general public.

**Authority for maintenance of the system:** 31 U.S.C. 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Provide answers to inquiries or other information regarding the operation of this Office. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folder.

**Retrievability:** Correspondence is indexed alphabetically by writer.

**Safeguards:** This Office keeps all access doors locked when Office personnel are not present. File cabinets in which correspondence is stored are locked during nonbusiness hours. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Destroyed after 3 years.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Inquiries should be addressed to: Office of Director of Practice, U.S. Department of the Treasury Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Information contained in records of this system has been provided by the writers of correspondence contained in the system.

**Treasury/OS 00.166**

**System name:** Inventory—Treasury/OS.

**System location:** U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220.

**Categories of individuals covered by the system:** Attorneys, certified public accountants and enrolled agents about which alleged misconduct in their practice before the Internal Revenue Service is being reviewed and evaluated.

**Categories of records in the system:** Information relating to individuals' enrollment or eligibility to practice before the Internal Revenue Service, and information relating to their conduct in such practice.

**Authority for maintenance of the system:** 31 U.S.C. 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Determinations by the Director of Practice as to whether violations of the regulations governing practice before the Internal Revenue Service have occurred. (2) Use of information (ordinarily by Office of Chief Counsel, Internal Revenue Service, and the Department of Justice) at administrative hearings and court proceedings relating to individuals' eligibility to represent taxpayers before the Internal Revenue Service. (3) Transfer of information to Federal law enforcement authorities for investigation and possible criminal prosecution, civil court action, administrative proceeding or regulatory order with respect to apparent violations of Federal law or regulations. (4) Transfer of information to Internal Revenue Service for investigation with respect to apparent violation of the regulations governing practice before the Internal Revenue Service.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folders.

**Retrievability:** This system is indexed by name of individual.

**Safeguards:** This Office keeps all access doors locked when Office personnel are not present. File cabinets in which this system is stored are locked during nonbusiness hours. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Dispose 25 years after case closed; transfer to Federal Record Center 5 years after case is closed except for a random selection of a small number of disciplinary cases to be made at 5-year intervals for retention.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (k)(2), 31 C.F.R. 1.36.

**Treasury/OS 00.167**

**System name:** Register of Docketed Cases and Applicant Appeals—Treasury/OS.

**System location:** U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals against whom complaints have been filed with the Office of Director of Practice pursuant to Title 31, CFR, Subpart C, Section 10.54, for alleged violation of the regulations governing practice before the Internal Revenue Service and individuals who have appealed to the Director of Practice the denials of their application for enrollment to practice before the Internal Revenue Service.

**Categories of records in the system:** Record of actions taken in cases docketed for hearings and record of actions taken on appeals from denials of applications for enrollment.

**Authority for maintenance of the system:** 31 U.S. Code 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Office of Director of Practice administrative recordkeeping. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In loose-leaf binder.

**Retrievability:** This system is indexed by complaint number and by name of the individual.

**Safeguards:** This Office keeps all access doors locked when Office personnel are not present. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Permanent retention.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Information contained in records in this system has been provided by: (1) this office, (2) administrative law judges, (3) Internal Revenue Service.

**Treasury/OS 00.168**

**System name:** Resigned Enrolled Agents (action pursuant to 31 CFR, Section 10.55(b))—Treasury/OS.

**System location:** U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220.

**Categories of individuals covered by the system:** Those individuals who were formerly enrolled to practice before the Internal Revenue Service and who resigned from such enrollment.

**Categories of records in the system:** Information relating to individuals' applications for enrollment to practice before the Internal Revenue Service and derogatory and other information regarding such practice.

**Authority for maintenance of the system:** 26 U.S. Code 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Use in connection with resigned enrollees' future applications for enrollment to practice before the Internal Revenue Service. (2) In cases where resigned enrollees are again enrolled to practice before the Internal Revenue Service, for use in connection with determinations as to whether violations of the regulations governing such practice have occurred. (3) Transfer of information to Federal law enforcement authorities for investigation and possible criminal prosecution, civil court action, administrative proceeding, or regulatory order with respect to apparent violation of Federal law or regulations. (4) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folders.

**Retrievability:** This system is indexed by name of individual.

**Safeguards:** This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Dispose 25 years after case closed; transfer to Federal Records Center 5 years after case closed except for a random selection of a small number of disciplinary cases to be made at 5-year intervals for retention.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (k)(2), 31 C.F.R. 1.36.

**Treasury/OS 00.169**

**System name:** Roster of Former Enrollees—Treasury/OS.

**System location:** U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220.

**Categories of individuals covered by the system:** Attorneys and certified public accountants who were enrolled to practice before the Internal Revenue Service prior to enactment of the Agency Practice Act, Title 5 U.S. Code, Section 500.

**Categories of records in the system:** This system contains individuals' names, addresses, professions, the dates of their enrollments and the expiration dates of such enrollments.

**Authority for maintenance of the system:** 31 U.S. Code 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Determinations as to whether the Office of Director of Practice has jurisdiction over an individual's violation of the regulations governing practice before the Internal Revenue Service. (2) Use of information (ordinarily by Office of Chief Counsel, Internal Revenue Service, and the Department of Justice) at administrative and court proceedings relating to individuals' eligibility to represent taxpayers before the Internal Revenue Service. (3) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In loose-leaf binders.

**Retrievability:** This system is indexed by profession (i.e., attorney or certified public accountant) and by the individual's name.

**Safeguards:** This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of office files. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Permanent retention.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Information contained in records in this system has been provided by: (1) Individuals, (2) Internal Revenue Service.

**Treasury/OS 00.170**

**System name:** Present suspensions from practice before the Internal Revenue Service.

**System location:** (1) U.S. Department of the Treasury, Office of Director of Practice, 2401 E Street, N.W., Suite 1537, Washington, D.C. 20220. (2) Washington National Records Center, National Archives and Record Service, General Services Administration, Washington, D.C. 20409.

**Categories of individuals covered by the system:** Attorneys, certified public accountants and enrolled agents who have offered their consent to voluntary suspension from practice before the Internal Revenue Service or who have been suspended from such practice after due notice and opportunity for hearing.

**Categories of records in the system:** Information relating to individuals' enrollment or eligibility to practice before the Internal Revenue Service, derogatory and other information relating to their conduct in such practice.

**Authority for maintenance of the system:** Title 31 U.S. Code, Section 1026.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Determinations by the Director of Practice as to whether violations of the regulations governing practice before the Internal Revenue Service have occurred. (2) Determinations by the Director of Practice as to whether suspended practitioners' petitions for reinstatement to practice should be granted. (3) Transfer of information to Federal law enforcement authorities for investigation and possible criminal prosecution, civil court action, administrative proceeding or regulatory order with respect to apparent violation of Federal law or regulations. (4) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folders.

**Retrievability:** This system is indexed by name of individual.

**Safeguards:** This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of Office files and are instructed to lock file cabinets containing these records during nonbusiness hours. Security investigations are conducted with respect to all Office of Director of Practice personnel.

**Retention and disposal:** Dispose 25 years after case closed; transfer to Federal Records Center 5 years after case closed except for a random selection of a small number of disciplinary cases to be made at 5-year intervals for retention.

**System manager(s) and address:** Director of Practice, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Systems exempted from certain provisions of the act:** Exempt under Subsection (k)(2), 31 C.F.R. 1.36

**Treasury/OS 00.183**

**System name:** Private Relief Tax Bill Files—Office of the Assistant Secretary for Tax Policy—Treasury/OS.

**System location:** Rooms 3064 and 4222 and 4028, Main Treasury Building, 15th Street and Pennsylvania Avenue, Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals who have had private relief tax bills introduced in Congress on their behalf.

**Categories of records in the system:** Congressional Committee or OMB request for Treasury views on proposed legislation, plus comments on proposal from offices or bureaus of Treasury, plus the Internal Revenue Service data concerning the issues involved and that unit's recommendation, and the report of the Treasury on the Bill.

**Authority for maintenance of the system:** 5 U.S.C. 301. A function of the Office of the Assistant Secretary for Tax Policy and the Office of the Tax Legislative Counsel is to coordinate legislative work in the tax field that concerns Treasury and to advise the Secretary with respect thereto.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** System is used to furnish reports and testimony to Congress or OMB. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** System manager(s) and address: Tax Legislative Counsel, Room 3064, Main Treasury Building, 15th Street and Pennsylvania Avenue, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Principally the Congress and the Internal Revenue Service.

**Treasury/OS 00.242**

**System name:** General Correspondence.

**System location:** OASIA Research, Office of the Secretary, U.S. Department of the Treasury, 15th & Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** People outside of OASIA Research with whom we have had correspondence.

**Categories of records in the system:** Copies of correspondence to and from OASIA Research.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Routine in office use for the accomplishment of OASIA Research business. (2) For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File.

**Retrievability:** Name.

**Safeguards:** Bar lock filing cabinet.

**Retention and disposal:** Held a maximum of three (3) years.

**System manager(s) and address:** Privacy Act Coordinator, OASIA Research, Office of the Secretary, U.S. Department of the Treasury, Washington, D.C. 20220.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** General public.

**Treasury/OS 00.245**

**System name:** Public correspondence—Treasury/OS.

**System location:** Office of Statistical Reports, OASIA Research, Office of the Secretary, U.S. Department of the Treasury, 15th & Pennsylvania Ave., N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals who have requested data or other information.

**Categories of records in the system:** Files on public correspondence.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** File record of public and Government inquiries and replies. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File.

**Retrievability:** One file named for respondent. Others are chrono files of "release data," "request for information," etc.

**Safeguards:** Locked bar safe.

**Retention and disposal:** As long as needed.

**System manager(s) and address:** Director, Office of Statistical Reports, OASIA.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Inquiries and requests for data from members of the public, members of Congress, members of other Government agencies and the Federal Reserve System.

**Treasury/OS 00.246**

**System name:** Treasury Foreign Currency (TFC) Reporters—Treasury/OS.

**System location:** Working data files maintained by Federal Reserve Banks. Central computer file maintained by Federal Reserve Bank of New York. Headquarters: OASIA Research, Office of the Secretary, Department of the Treasury, 15th & Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Banks and nonbanking business concerns and nonprofit institutions. (May include individuals operating as sole proprietorships or as partnerships.)

**Categories of records in the system:** Data on foreign exchange operations.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Compilation of aggregate figures for analysis of foreign exchange market developments and for publication. Compilation of data reported by particular groups of reporters or pertaining to particular countries, or types of assets, liabilities or transactions, for internal analysis of particular problems. Occasional compilation of data reported by individual reporters for internal analysis of adequacy of reporting. Statistical analysis of data file. Individual reports may be used by Federal Reserve System for surveillance of foreign exchange markets, bank examination, and monetary policy, and by Comptroller of Currency and FDIC for bank examination. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Files, punch cards, magnetic tape, magnetic disc.

**Retrievability:** Lists of reporters and prospective reporters. Name, ID number, location, type of report.

**Safeguards:** Procedures and directives to assure confidentiality of reports of individual reporters. Computer access controlled by "pyramid" security system.

**Retention and disposal:** Indefinitely.

**System manager(s) and address:** Director, Office of Statistical Reports, OASIA.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Reports filed on Treasury Foreign Currency Forms. Oral and written communications with reporters and their agents, directly or through Federal Reserve Banks.

**Treasury/OS 00.247**

**System name:** Treasury Foreign Exchange (TFEX) Reporters—Treasury/OS.

**System location:** Working data files maintained by Federal Reserve Banks. Central computer file maintained by Federal Reserve Bank of New York. Headquarters: OASIA Research, Office of the Secretary, Department of the Treasury, 15th & Pennsylvania Avenue, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Banks, brokers, nonbanking business concerns, nonprofit institutions (may include individual operating as sole proprietorships or in partnerships).

**Categories of records in the system:** Data on international financial transactions.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Compilation of aggregate statistics on capital movements for balance of payments and international monetary and financial policy and for publication.

Compilation of data reported by particular groups of reporters or pertaining to particular countries, or types of assets, liabilities or transactions, for internal analysis of particular problems.

Occasional compilation of data reported by individual reporters for internal analysis of adequacy of reporting.

Statistical analysis of data file.

Names of reporters furnished periodically to Board of Governors, Federal Reserve System, for their use in connection with the Information System for Banking Agency Reports (ISBAR).

For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Files, punch cards, magnetic tape, magnetic disc. Lists of reporters and prospective reporters.

**Retrievability:** Name, ID number, location, type of report.

**Safeguards:** Procedures and directives to assure confidentiality of reports of individual reporters. Computer access controlled by "pyramid" security system.

**Retention and disposal:** Indefinitely.

**System manager(s) and address:** Director, Office of Statistical Reports, OASIA.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** The Departmental Disclosure Office, Room 1041 Main Treasury Building, 15th and Pennsylvania Avenue, NW, Washington, DC 20220.

**Contesting record procedures:** Submit requests to the Departmental Disclosure Officer at the above address.

**Record source categories:** Reports filed on Treasury Foreign Exchange Forms. Oral and written communications with reporters and their agents, directly or through Federal Reserve Banks.

**Treasury/GFO 00.001**

**System name:** Administrative Records—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226.

**Categories of individuals covered by the system:** Bureau personnel.

**Categories of records in the system:** (1) Civil Defense Cards, (2) Motor Vehicle Drivers Permits, (3) Distribution List of individuals requesting various Treasury publications, (4) Motor Vehicle Accident Reports, (5) Parking Permits, (6) Treasury Credentials.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used to provide information on holders of Civil Defense Cards, drivers permits, parking permits, accident reports, credentials and for servicing public on Treasury publications. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Hardcopy.

**Retrievability:** By name.

**Safeguards:** Locked containers.

**Retention and disposal:** (1) Destroy upon resignation, retirement or transfer; Hold—Individual no longer assigned relocation duties. (2) Destroy 3 years from date of separation or 3 years after rescission of authorization. (3) Destroy when superseded. (4) Indefinitely. (5) Destroy when superseded. (6) Destroy upon retirement, resignation or transfer.

**System manager(s) and address:** The Systems Manager is: Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974.

**Contesting record procedures:** See Access above.

**Record source categories:** Bureau personnel.

**Treasury/GFO 00.002**

**System name:** Payment issue records for regular recurring benefit payments—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226.

**Categories of individuals covered by the system:** (1) Beneficiaries of Title II of the Social Security Act, (2) Beneficiaries of Title XVI of the Social Security Act, (3) Beneficiaries of the Civil Service Retirement System, (4) Beneficiaries of the Railroad Retirement System, (5) Beneficiaries of the Foreign Service Retirement System, (6) Holders of Series H Bonds (interest payment).

**Categories of records in the system:** Payment issue records for regular recurring benefit payments showing name, check number and symbol, or other identification, address, account number, payment amount, and date of issuance for each of the categories of individuals listed above.

**Authority for maintenance of the system:** 5 U.S.C. 301; E.O. 6166, June 10, 1933.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Payment issue verification for banking industry, Federal investigative agencies, Division of Check Claims of this bureau, and Departments and agencies for whom payments are made, and payees. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Microfilm-magnetic tape for categories of individuals 1 through 6.

**Retrievability:** By account number.

**Safeguards:** Held in secure buildings.

**Retention and disposal:** Indefinitely.

**System manager(s) and address:** The Systems Manager is: Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31

CFR, Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974. Telephone 202-964-8707.

**Contesting record procedures:** See Access above.

**Record source categories:** Vouchers certifications by departments and agencies for whom payments are made.

**Treasury/GFO 00.003**

**System name:** Claims and Inquiry Records on Treasury checks, U.S. currencies, and International claimants—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226.

**Categories of individuals covered by the system:** (1) Payees and holders of Treasury checks, (2) Holders of mutilated currency, (3) Claimants awarded benefits under War Claims Act and International Claims Settlement Act of 1949.

**Categories of records in the system:** (1) Treasury check claim file: Treasury check, claim of payee with name and address, settlement action taken. (2) Mutilated currency claim file: Mutilated currency, name of bank assisting claim of individual, settlement action taken. (3) Awards for claims for losses sustained by individuals.

**Authority for maintenance of the system:** 5 U.S.C. 301; (1) For Treasury check claims—31 U.S.C. 71 with delegation of authority from Comptroller General of the U.S.; (2) Mutilated currency claims—31 CFR 100; (3) International claims—50 U.S.C. 2012; 22 U.S.C. 1627, 1641, 1642.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Check Claims—Information is used routinely by the Division of Check Claims and by indorsers on checks having liability, Federal agencies, State and Local Law enforcment agencies, General Accounting Office, Congressional offioes and media assistance offices on behalf of payee claimants. (2) Mutilated Currency Claims—Information is furnished to the Internal Revenue Service for claims of 5000 dollars or more claimants, banks, state and local enforcement agencies. (3) International Claims—Information in files is used by employees of the Division of Financial Management, claimants (awardees) and their representatives; Foreign Claims Settlement Commission, and congressmen (4) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** (1) Claim file folders, Card checks, microfilm. (2) Correspondence files. (3) Claim file folders.

**Retrievability:** (1) Name of payee and check number and symbol. (2) Alpha cross-reference to case number. (3) Name of claimant or alpha reference to claim number.

**Safeguards:** (1) Secured building, (2) Secured building, (3) Secured files in secured building.

**Retention and disposal:** (1) Claim files and checks; six years seven months; Microfilm—indefinitely. (2) Seven years. (3) Indefinitely.

**System manager(s) and address:** The Systems Manager is: Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974. Telephone 202-964-8707.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Individual payees of Treasury checks, indorsers of Treasury checks, investigative agencies, disbursing officers issuing checks, contesting claimants. (2) Individual owners of mutilated currencies, commercial banks. (3) Awards certified to Treasury for payment by Foreign Claims Settlement Commission.

**Treasury/GFO 00.004**

**System name:** Freedom of Information Requests—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226.

**Categories of individuals covered by the system:** Individuals requesting information.

**Categories of records in the system:** Correspondence pursuant to the Freedom of Information Act, internal processing documents and memoranda, referrals and copies of requested records.

**Authority for maintenance of the system:** Freedom of Information Act, 5 U.S.C. 552. 31 CFR Part 1.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** For reporting requirements as required by the Act; to respond to other Department officials who request information regarding persons making a FOI request; evaluation purposes and determination of volume of requests received and the impact on the current workload; preparation of budget; disclosures in accordance with Freedom of Information Act, to other agencies when required for coordination of response or referral; to Department of Justice for defending law suits; to Congressional Committees; for additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders.

**Retrievability:** By name of requester(s) and date of request.

**Safeguards:** Filed in filing cabinet and released only to individuals with legitimate right to review.

**Retention and disposal:** In accordance with the provisions of the Act and Departmental records management procedures.

**System manager(s) and address:** Special Assistant (F.O.I.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** See system manager.

**Record access procedures:** See system manager.

**Contesting record procedures:** See system manager.

**Record source categories:** Individuals who make Freedom of Information Act requests. Federal officials responding to Freedom of Information Act requests and documents from official records.

**Treasury/GFO 00.005**

**System name:** GFO Personnel Records—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, Penn. Ave. and Madison Place, N.W., Washington, D.C. 20226.

**Categories of individuals covered by the system:** All Employees of Bureau (Separated employees—in certain cases) and applicants.

**Categories of records in the system:** (A) Official Personnel Folder, (B) Personnel Roster, (C) Logs of SF-52's, (D) Locator Cards, (E) Chronological Journal File, (F) Service Record Card (SF-7), (G) Correspondence File, (H) Written Verifications of Employment, (I) Roster of Retirement Eligibles, (J) Summary of Training (Card File), (K) Training Course Nominations, (L) Evaluation of Training Program, (M) Tuition Assistance Files, (N) GED Test Scores, (O) Executive Development File, (P) Position Listings, (Q) Position Descriptions with Evaluation Statements, (R) Personnel Management Evaluation Survey Reports, (S) Position Maintenance Reviews, (T) Applicant Supply File, (U) Suitability File, (V) Incentive Awards Record, (W) Request for Certification File, (X) Merit Promotion File, (Y) Exit Interview File, (Z) Skills and Appraisal File, (AA) Statistical Reports—(Which Show Names) (1) Personnel Status Report, (2) Monthly Retiree Report, (3) Monthly EEO report, (4) Direct Hire Authority Report, (BB) Registers Worked File, (CC) Statements of Employment and Financial Interest.

**Authority for maintenance of the system:** Executive Order 10561 dated 9-13-54, Federal Personnel Manual, and Title 5 of US Code.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** A—(1) Process Personnel Actions, (2) Verifying Service Computation Date, (3) Evaluating Qualifications for Promotion. B—(1) Compile Statistical Reports, (2) For Budget and Manpower Planning, (3) For Promotion Information, (4) Verification of Employment. C—(1) Control of Processing SF-52's, (2) Verify Receipt and Non Receipt of SF-52's. D—(1) Emergency Notifications, (2) Listing for Bureau Phone Directory, (3) Verification of Employment. E—(1) Regulatory Au-

dits, (2) Personnel Management Evaluations, (3) Compilation of Data for Statistical Reports on Personnel Actions. F—(1) Tickler System, (2) A Comprehensive and Continuing Record of each Employee's Status, Skills, etc., (3) Control over budgeted positions both filled and vacant, (4) Cards on Separated Employees are used to verify prior employment. G—(1) Data for Statistical Reports, (2) Reference of prior actions. H—(1) Verify current or past employment. I—(1) Retirement Planning Program, (2) Projected Staffing Plans. J-K-L-M-N—(1) Record of all training—used for reference by Employment Development Specialist for planning future training as needed. O—(1) Reference by Appraisal Committee and Employee Development. P-Q—(1) Documented duties of employees for original allocated positions. R—(1) Audit and Evaluation of programs and specific positions. S—(1) Official Record of annual review of positions required by FPM. T—(1) Current Source of Recruitment. U—(1) Reconstruction of case if appealed or grieved, (2) Assure continuity in handling troubled employees, (3) Document positive efforts made to rehabilitate employees, (4) Serve as source documents for suspensions or reprimands as cases warrant. V—(1) Quarterly and Annual Reports, (2) Used as reference to assure approval of an award or amount of award consistent with regulations. W—(1) Used as statistical base for planning future recruitment activities and reports for Fiscal Year. X—(1) Reconstruction of actions if appeal is filed, (2) Assure compliance with FPM regulations. Y—(1) Annual statistical report of turnover rate and reasons for leaving, (2) Obtain feedback from supervisors on advisability of rehiring. Z—(1) To determine skills and employee performance. AA—(1) Maintenance of records for reporting and informational purposes. BB—(1) Maintain records of recruitment activities for staffing reports, (2) Used to assure compliance with CSC regulations. CC—(1) Used to determine conflict of interest or possible conflict of interest. DD—For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Hard copy and Magnetic Storage.

**Retrievability:** Alphabetically by name—also in some instances by organization, then social security number.

**Safeguards:** Personnel Records are locked when unattended—Access is limited to Personnel Employees, Supervisors, Promotion Panels, Investigators from CSC, etc., Top Management, and members of Fair Employment Staff.

**Retention and disposal:** Records are maintained and disposed of in accordance with General Services Administration Schedule.

**System manager(s) and address:** The Systems Manager is: Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual. Telephone: 202-964-8707.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974.

**Contesting record procedures:** See Access above.

**Record source categories:** Applicant Personnel Action Forms (SF-50), SF-171 (Completed by applicant), Payroll Actions References, Educational Institutions, etc.

**Treasury/GFO 00.006**

**System name:** Identification files on individuals cashing Treasury checks at the U.S. Treasury—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226.

**Categories of individuals covered by the system:** All individuals not employed by the Treasury Department cashing Treasury checks.

**Categories of records in the system:** (1) Identifying information by name, address, date of birth, social security number, and agency responsible for issuance of check. (2) Film records with picture and other identification.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Identification for check cashing purposes. (2) Identification for check cashing purposes and for apprehension of forgers. (3) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper file in individual's handwriting; Film.

**Retrievability:** By name; By identification number and date.

**Safeguards:** Locked files; By contractor in secured building.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** The Systems Manager is: Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974.

**Contesting record procedures:** See Access above.

**Record source categories:** Government Departments and Agencies requiring services of Treasury Department for issuance and payment of Treasury checks.

**Treasury/GFO 00.011**

**System name:** Individual Retirement Cards, SF2806—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226.

**Categories of individuals covered by the system:** Employees of the Bureau.

**Categories of records in the system:** Individual retirement cards maintained to record annual contribution to the Retirement Fund of each employee.

**Authority for maintenance of the system:** 5 U.S.C. 8707; 5 CFR 831.102

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by the Bureau to record annual contribution to the Retirement Fund. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Card.

**Retrievability:** By name.

**Safeguards:** All persons requesting information are screened.

**Retention and disposal:** Retained for tenure of employment then transferred to CSC or other Government agency.

**System manager(s) and address:** Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above or telephone him at the following

number 202-964-8707. All individuals are urged to examine the rules of the U.S. Department of the Treasury concerning requirements of this Department with respect to the Privacy Act of 1974.

**Contesting record procedures:** See Access above.

**Record source categories:** Bureau personnel office.

**Treasury/GFO 00.007**

**System name:** Payroll & Pay Administration—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226.

**Categories of individuals covered by the system:** All Employees of Bureau & Separated Employees.

**Categories of records in the system:** (A) Official Payroll Folder—(1) Levy & Garnishment Records; (2) SF-1192—Savings Bond Authorization; (3) SF-1198—Allotment of Pay to Saving Account; (4) SF-1189—Payment of Wages to Financial Organization; (5) Copies of SF-50—Notification of Personnel Action; (6) Withholding Tax Exemptions; (7) Copy of Health Benefit Designation; (8) Copy of Life Insurance Forms; (9) Payroll Change Slips; (10) Combined Federal Campaign Designations; (11) Copy of SF-1150. (B) Time & Attendance Reports (TUS-430)—(1) SF-71 Request for Leave; (2) Court Leave Documents; (3) Request for Advancement of Leave. (C) Payroll Comprehensive Listing—(1) Current Payment Information; (2) Record of Leave Earned and Used; (3) All Deductions from Pay; (4) Personnel Information such as Grade, Step, Salary, Title, Date of Birth, Social Security Number, Veterans Preference, Tenure, etc. (D) Payroll Control Registers.

**Authority for maintenance of the system:** Title 5—Pay, Leave & Allowances.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (A) Payroll Preparation; (B) Issuance of W-2 Forms for Tax Purposes; (C) For additional routine uses see Appendix AA. Disclosure permitted to Federal Agencies and to State and Local Agencies for tax purposes.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Records are stored, maintained and disposed of in accordance with General Services Administration Schedules.

**System manager(s) and address:** The Systems Manager is: Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974. Telephone 202-964-8707.

**Contesting record procedures:** See Access above.

**Record source categories:** From individual Bureau employees.

**Treasury/GFO 00.008**

**System name:** Personnel Security Records—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Categories of individuals covered by the system:** Employees and applicants for position in the bureau.

**Categories of records in the system:** Results of full field investigations, national agency checks and written inquiries, and other limited investigations.

**Authority for maintenance of the system:** Title 5, U.S.C., Chap 73, Executive Order 10450 as amended, and Treasury Order 82.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The records are reviewed for purpose of granting clearances for employees to occupy nonsensitive and sensitive positions. Users—Federal Agencies, Federal, State and Local Law Enforcement Agencies. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** The records are hard copy, filed alphabetically by name and stored in a safe cabinet secured with a combination lock. Access to the records is restricted to key personnel who have been granted clearances to occupy critical-sensitive positions. The records on employees are retained by the bureau during their employment. The records on applicants not selected and separated employees are returned to the investigating agency.

**System manager(s) and address:** The Systems Manager is: Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual. Telephone 202-964-8707.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the System Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974.

**Contesting record procedures:** See Access above.

**Record source categories:** Sources are applicants, employers, former employers, references, fellow workers, neighbors, educational authorities, military records, police and criminal records, credit records and others as required.

**Treasury/GFO 00.012**

**System name:** Precomplaint Counseling and Complaint Activities—GFO.

**System location:** B/GFO—U.S. Treasury Department, Treasury Annex No. 1 Madison Place & Penna. Ave., N.W. Washington, D.C. 20226.

**Categories of individuals covered by the system:** Employees seeking services of EEO Counselors.

**Categories of records in the system:** Monthly precomplaint activity reports from twelve Disbursing Centers and Headquarters.

**Authority for maintenance of the system:** 5 U.S.C. 7154; 42 U.S.C. 200e-16; E.O. 11478; and 5CFR 713.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used to keep records on EEO Counseling activities for monthly submission to Treasury.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cabinet.

**Retrievability:** Filed by station and date of receipt.

**Safeguards:** Staff supervision during day. Records under lock and key.

**Retention and disposal:** Reports destroyed at the end of four years.

**System manager(s) and address:** Special Assistant (P.A.): Bureau of Government Financial Operations, Treasury Annex No. 1, Madison Place & Penna. Ave., N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the PRIVACY ACT of 1974 shall be addressed to the System Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974.

**Contesting record procedures:** See Access above.

**Record source categories:** Monthly submissions by Disbursing Centers and Headquarters.

**Treasury/GFO 00.009**

**System name:** Postal Savings Deposits—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226.

**Categories of individuals covered by the system:** Postal Savings depositors.

**Categories of records in the system:** (1) Account cards of Open Deposits. (2) Paid cases from 1967. (c) Record of reissued certificates.

**Authority for maintenance of the system:** 39 U.S.C. 5225-5229; 31 CFR 257.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** For payment by depositors, legal representatives, heirs; Internal Revenue Service Inspectors for tax purposes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Filing system.

**Retrievability:** Name, account number, within Post Office, City, State, by Postal Data Center.

**Safeguards:** In secured filing system. Accessible only to office personnel.

**Retention and disposal:** Closed cases; disposed after payment (10 yrs). Open accounts; indefinitely.

**System manager(s) and address:** The Systems Manager is: Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974. Telephone 202-964-8707.

**Contesting record procedures:** See Access above.

**Record source categories:** Records received from the Post Office Department.

**Treasury/GFO 00.010**

**System name:** Records of Accountable Officers' authority with Treasury—Treasury/GFO.

**System location:** Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226.

**Categories of individuals covered by the system:** (1) Disbursing Officers; (2) Certifying Officers; (3) Agent Cashiers; (4) Designated Agents.

**Categories of records in the system:** Records are maintained on the above listed accountable officers showing the designation or removal of the officer to act in the specified capacity pursuant to a proper authorization.

**Authority for maintenance of the system:** 5 U.S.C. 301; E.O. 6166, June 10, 1933.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Banking institutions, Federal Reserve Banks, Government agencies and other bureaus and offices of the Treasury Department for verification of information on authority of accountable officers to determine propriety of actions taken by such individuals. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Card files.

**Retrievability:** By name.

**Safeguards:** Held in secured buildings. Disbursing Officers file is locked.

**Retention and disposal:** Indefinitely.

**System manager(s) and address:** The Systems Manager is: Special Assistant (P.A.), Bureau of Government Financial Operations, U.S. Department of the Treasury, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries under the Privacy Act of 1974 shall be addressed to the Systems Manager as shown above. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The Systems Manager will advise as to whether this bureau maintains the record requested by the individual.

**Record access procedures:** Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Systems Manager at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1(c) concerning requirements of this Department with respect to the Privacy Act of 1974.

**Contesting record procedures:** See Access above.

**Record source categories:** Government Departments and Agencies requiring services of Treasury Department for issuance and payment of Treasury checks.

**Treasury/ATF 00.001**

**System name:** Administrative Record System-Treasury/ATF.

**System location:** Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

Components of this record system are geographically dispersed throughout the Bureau's field offices. For nearest office location, see addresses listed Appendix E-1.

**Categories of individuals covered by the system:** (1) Present employees of the Bureau of ATF. (2) Former employees of the Bureau of ATF. (3) Claimants against the Bureau of ATF.

**Categories of records in the system:** (1) Accident Report—nonvehicle (2) Accident Report—Vehicle (3) Accountability records for Government property (4) Credit card purchases (5) Disability reports (6) Fatality reports (7) Motor pool records (8) Injury reports (9) Motor vehicle operator's records. (10) Chief Counsel and Regional Counsel memoranda and opinions.

**Authority for maintenance of the system:** (1) Federal Claims Collection Act (2) Federal Employees Compensation Act (3) Federal Property and Administration Services Act of 1949 as amended. (4) Federal Tort Claims Act (5) Military Personnel and Federal Employees Claim Act (6) Occupational Safety and Health Act of 1970 (7) Small Claims Act. (8) 5 U.S.C. 1302, 3301, 3302.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The purpose of this system is to provide administrative services for the Bureau; to maintain administrative records as required by law or regulation; and to be used in the adjudication of any claims for or against the Bureau. When required or authorized by statute, regulation, or executive order, information in the record system is made available to members of the public or employees of other government agencies.

A record in this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information if necessary to obtain information relevant to an agency decision concerning the letting of a contract, grant or other benefit.

A record in this system of records may be disclosed to a federal agency, in response to its request, in connection with the letting of a contract, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record in this system may be disclosed as a routine use to Officers and employees of the Department of the Treasury who have a need for the record in the performance of their duties; Local, state and Federal law enforcement agencies; Local, state and Federal regulatory agencies; Members of the public, employees of other Governmental agencies, or members of news media (on a case by case basis where determination that such disclosure would be in accordance with guidelines set forth under 28 C.F.R. Part 50.2; 5 U.S.C. 552 and 552a, and would not compromise enforcement of laws administered by Bureau of Alcohol, Tobacco and Firearms). For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Active records stored in file folders in security filing cabinets. Inactive records stored in file folders at Federal Records Centers.

**Retrievability:** Records are retrievable by name of individual.

**Safeguards:** Direct access restricted to personnel in Department of the Treasury in the performance of their duty. Transmitted to routine users on a need to know basis or where a right to access is established, and to others upon verification of the substance and propriety of the request. Stored in lockable metal file cabinets in rooms locked during non-duty hours.

**Retention and disposal:** Records are retained in accordance with General Services Administration General Records Schedules Numbers 1 through 20 and Bureau of Alcohol, Tobacco and Firearms records control schedules numbers 101 and 201 and disposed of by shredding or burning.

**System manager(s) and address:** Chief, Administrative Services Division Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20226.

**Notification procedure:** Inquiries should be addressed to: Privacy Act Request, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

Requests may be delivered personally to Room 2232, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Record access procedures:** Requests for access to records made by mail should be addressed to: Privacy Act Request, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C.

Requests may be delivered personally to Room 2232, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226

Appeals of determinations refusing amendment of records should be addressed to: Privacy Act Appeal, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226

Appeals may be delivered personally to Room 2232, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Administrative records.(2) Claimants.(3) Doctors.(4) Employee records.(5) Fiscal records.(6) Former employees of the Bureau of ATF.(7) Former employers. (8) General Services Administration.(9) Individuals who have information relevant to claims.(10) Inspections records.(11) Internal Investigation reports.(12) Police reports.(13) Present employees of the Bureau of ATF.(14) Supervisors.(15) Witnesses.

**Treasury/ATF 00.002**

**System name:** Correspondence Record System—Treasury/ATF.

**System location:** Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.Components of this record system are geographically dispersed throughout the Bureau's field offices. For nearest office location, see address listed Appendix E-1.

**Categories of individuals covered by the system:** (1) Persons who correspond with the Bureau requesting information relating to Bureau personnel. (2) Persons who correspond with the Bureau requesting information relating to Bureau activities. (3) Persons who correspond with the Bureau requesting rulings, interpretations, or technical and scientific matters of a general nature. (4) Persons who correspond with others and whose correspondence is referred to ATF for response. (5) Persons referred to in correspondence with the Bureau. (6) Authors and publishers of technical and scientific matters relating to Bureau activities.

**Categories of records in the system:** Correspondence with individuals who contact the Bureau requesting information relating to Bureau personnel and/or activities, Chief Counsel and Regional Counsel memoranda and opinions.

**Authority for maintenance of the system:** 5 U.S.C. 301, E.O. 11222.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The purpose of the system is to record the nature of reponses made to general public; to maintain a record of responses to individuals who correspond with the Bureau. When required or authorized by statute, regulation, or Executive Order, information in the record system is made available to members of the public or employees of other Government agencies. A record in this system may be disclosed as a routine use to: officers and employees of the Department of the Treasury who have a need for the record in the performance of their duties, members of the public, employees of other governmental agencies, or members of the news media (on a case by case basis where determination that such disclosure would be in accordance with guidelines set out under 28 C.F.R. Part 50.2; 5 U.S.C. 552 and 552a, and would not compromise enforcement of laws administered by Bureau of Alcohol, Tobacco and Firearms). For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Active records stored in file folders in security filing cabinets. Inactive records stored in file folders at Federal Records Centers.

**Retrievability:** Records are retrieved by name, subject matter and date of correspondence.

**Safeguards:** Transmitted to routine users on a need to know basis. Stored in lockable file cabinets in rooms locked during non-duty hours.

**Retention and disposal:** Records are retained in accordance with General Services Administration General Records Schedules numbers 1 through 20 and Bureau of Alcohol, Tobacco and Firearms Records Control Schedules numbers 101 and 201 and disposed of by shredding or burning.

**System manager(s) and address:** Assistant to the Director (Public Affairs) Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries should be addressed to: Privacy Act Request, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226. Requests may be delivered personally to Room 2232, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Record access procedures:** Requests for access to records made by mail should be addressed to: Privacy Act Request, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226. Requests may be delivered personally to Room 2232, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C.

Appeals of determinations refusing amendment of records should be addressed to: Privacy Act Appeal, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

Appeals may be delivered personally to Room 2232, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C.

**Contesting record procedures:** See Access above.

**Record source categories:** Persons who correspond with the Bureau on general, technical or scientific matters.

**Treasury/ATF 00.003**

**System name:** Criminal Investigation Report System—Treasury/ATF.

**System location:** Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226. Components of this record system are geographically dispersed throughout Bureau of Alcohol, Tobacco and Firearms' field offices. For nearest location, see addresses listed Appendix E-1.

**Categories of individuals covered by the system:** (1) Criminal offenders or alleged criminal offenders acting alone or in concert with other individuals and suspects who have been or are under investigation for a violation or suspected violation of laws enforced by the Bureau. (2) Criminal offenders or alleged criminal offenders acting alone or in concert with individuals who have been referred to the Bureau of Alcohol, Tobacco and Firearms by other law enforcement agencies, govermental units and the general public. (3) Informants. (4) Persons who come to the attention of the Bureau in the conduct of criminal investigations. (5) Persons who have been convicted of a crime punishable by imprisonment for a term exceeding one year and who have applied for relief from disabilities under Federal law with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and explosives and whose disability was incurred by reason of such conviction. (6) Victims of crimes. (7) Witnesses.

**Categories of records in the system:** (a) Records containing information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrest, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (b) Records containing information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; (c) Records containing reports identifiable to an individual compiled at various stages of the process of enforcement of criminal laws from arrest or indictment through release from supervision; (d) Records compiled and maintained by the Bureau as generally described in (a), (b), and (c) above including the following: (1) Abandoned property reports. (2) ATF Criminal Investigation Reports (not resulting in formal prosecution reports). (3) ATF referrals to foreign, Federal, State, and local law enforcement agencies. (4) Chief and Regional Counsel opinions. (5) Contemporaneous investigative notes. (6) Criminal investigatory correspondence from and to foreign, Federal, State and local law enforcement agencies. (7) Criminal intelligence information on individuals suspected to be violating ATF laws and regulations. (8) Documentary proof of defendant's criminal record; identity; or lack or registration of N.F.A. (as amended) firearm(s). (9) FBI Criminal Record Reports. (10) Fingerprints and palmprints. (11) Fugitive arrest warrants. (12) Handwriting exemplars. (13) Index cards, violation and reputation. (14) Illicit liquor and raw material surveys. (15) Laboratory reports of evidence analysis. (16) Memoranda of expected testimony of witnesses. (17) Organized crime members violating or suspected of violating ATF laws. (18) Parole and pardon reports. (19) Personal histories (address, employment, social security number, financial background, physical descriptions, etc.). (20) Photographs. (21) Purchase of evidence records. (22) Records of electronic surveillance by ATF. (23) Records received in response to summons and subpoenas. (24) Reliefs from disability. (25) Reports of interview with witnesses. (26) Search warrants and affidavits for search warrants. (27) Seized property reports. (28) Significant criminals, armed and dangerous, firearms, explosives, liquor, and wagering. (29) Special agent's daily activity diary (accessible by date only). (30) State and local law enforcement criminal investigative reports. (31) Statements of defendants. (32) Statements of witnesses. (33) Summons and subpoenas issued pursuant to criminal investigations. (34) Voice prints. (35) Wagering tax suspected violators. (36) Warning and demand letters. (37) Criminal violation reports (a formal report compiling all or portions of the foregoing for prosecutive purposes).

**Authority for maintenance of the system:** (1) 26 U.S.C. Chapters 35 and 40. (2) 26 U.S.C. Chapters 51 and 52. (3) 26 U.S.C. Chapters 53, as amended. (4) 26 U.S.C. Chapters 61 through 80, as amended. (5) 27 U.S.C. Chapter 8, as amended, (Federal Alcohol Administration Act). (6) 18 U.S.C. Chapter 40. (7) 18 U.S.C. Chapter 44. (8) 18 U.S.C. Chapter 59 (9) 18 U.S.C. App. 1201-1203 (Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by Title III of the Gun Control Act of 1968). (10) 22 U.S.C. section 414, (Mutual Security Act of 1954, as amended). (11) 5 U.S.C. sections 901 and 903, 5 U.S.C. App. (Reorganization Plan of 1950), Treasury Order 221, 5 U.S.C. section 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The purpose of this system is to suppress traffic in illicit untaxpaid distilled spirits; to enforce the Federal laws relating to the illegal possession and use of firearms, destructive devices, explosives, explosive materials, and wagering activities; and to assist Federal, State, local and foreign law enforcement agencies in reducing crime and violence. When required or authorized by statute, regulation, or Executive Order, information in the record system is made available to members of the public or employees of other Government agencies.

A record in this system may be disclosed as a routine use to: officers and employees of Department of the Treasury who have a need for the record in the performance of their duties; personnel of Department of Justice and other agencies, Federal, State, and local, foreign and domestic, having prosecutive and civil law enforcement functions; attorneys, magistrates, and judges; and parole and probation authorities for the purpose of prosecuting, sentencing and determining the parole and probation status of criminal offenders or suspected criminal offenders; Personnel of other Federal, State and local law enforcement agencies, foreign and domestic, for the purpose of developing information on subjects involved in Bureau criminal investigations and for assisting law enforcement agencies in the investigation and prosecution of violations of the criminal laws those agencies are responsible for enforcing; Personnel of Federal, State, and local governmental agencies, where such referral is considered reasonably necessary for the purpose of furthering Bureau efforts to investigate the activities of and apprehend criminal offenders and suspected criminal offenders; Personnel of Federal, State and local governmental agencies, foreign and domestic, where there is a showing of reasonable necessity to obtain such information to accomplish a valid law enforcement purpose; Employees and officials of financial and commercial business firms and private individuals for identification purposes pertaining to actual or suspected criminal offenders where it is considered reasonably necessary for the purpose of furthering Bureau efforts to investigate the activities of, and when appropriate, to apprehend, criminal offenders and suspected criminal offenders; Defense attorneys under Discovery Procedures; Members of the public, employees of other governmental agencies, or members of the news media (on a case by case basis where determination that such disclosure would be in accordance with guidelines set out under 28 C.F.R. Part 50.2; 5 U.S.C. 552, and 552a, and would not compromise enforcement of laws administered by Bureau of Alcohol, Tobacco and Firearms). For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Active records stored in file folders in security filing cabinets. Inactive records stored in file folders at Federal Records Centers. Records also stored on magnetic tape at ADP Division, Technical and Scientific Services Branch of Bureau Headquarters and at the IRS Data Center, Detroit, Michigan. Records are stored in on-line mass computer storage at San Diego, California. (Treasury Enforcement Communications System.)

**Retrievability:** Records are retrievable by name, date of birth, social security number, unique identifier, investigation number, serial number of firearm, or a combination of any of these; plus date and geographical location of incident giving rise to investigation.

**Safeguards:** Direct access restricted to personnel in Department of Treasury in the performance of their duty. Transmitted to routine users on a need to know basis and to others upon verification of the substance and propriety of the request. Stored in lockable file cabinets in rooms locked during non-duty hours.

**Retention and disposal:** Records are retained in accordance with General Services Administration General Records Schedules numbers 1 through 20 and Bureau of Alcohol, Tobacco and Firearms Records Control Schedules numbers 101 and 201 and disposed of by shredding or burning. Records on tape or on-line mass storage are disposed of by degaussing.

**System manager(s) and address:** Assistant Director (Criminal Enforcement), Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Notification procedure:** The Director of the Bureau of Alcohol, Tobacco and Firearms has exempted this system of records from compliance with the provisions of 5 U.S.C. 552a (e) (4) (G).

**Record access procedures:** The Director of the Bureau of Alcohol, Tobacco and Firearms has determined this system of records to be exempted from compliance with the provisions of 5 U.S.C. 552a (e) (4) (H).

**Contesting record procedures:** The Director of the Bureau of Alcohol, Tobacco and Firearms has determined this system of records to be exempted from compliance with the provisions of 5 U.S.C. 552a (e)(4)(H).

**Record source categories:** The Director of the Bureau of Alcohol, Tobacco and Firearms has determined this system of records to be exempt from compliance with the provisions of 5 U.S.C. 552a (e)(4)(I).

**Systems exempted from certain provisions of the act:** System exempted from certain provisions of the Act: Proposed to be exempted elsewhere in the Federal Register.

**Treasury/ATF 00.004**

**System name:** Fiscal Record System—Treasury/ATF.

**System location:** Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvanina Avenue, N.W., Washington, D.C. 20226. Components of this record system are geographically dispersed throughout the Bureau's field offices. For nearest office location, see addresses listed Appendix E-1.

**Categories of individuals covered by the system:** (1) Present employees. (2) Former employees. (3) Recipients of rewards. (4) Vendors furnishing goods and services to the Bureau.

**Categories of records in the system:** (1) Advance of Funds. (2) Agreements. (3) Contracts. (4) Designated Agents or recommended Designated Agents. (5) Designated timekeepers and alternates. (6) Employee pay records. (7) Purchase Orders. (8) Payment vouchers. (9) Time and attendance records. (10) Travel and moving vouchers. (11) Travel request and authorization. (12) Chief Counsel and Regional Counsel memoranda and opinions.

**Authority for maintenance of the system:** (1) 5 U.S.C. sections 901 and 903, 5 U.S.C. App. (Reorganization Plan No. 26 of 1950), Treasury Order 221; 5 U.S.C. section 301. (2) E.O. 6166 (amended).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The purpose of this system is to provide fiscal services to employees of the Bureau and former employees of the Bureau; to record fiscal information as required by law and regulations; to prevent unauthorized disclosures; to provide accountability for government funds. When required or authorized by statute, regulation, or Executive Order, information in the record system is made available to members of the public or employees of other government agencies.

A record in this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as the letting of a contract, grant or other benefit.

A record in this system of records may be disclosed to a federal agency, in response to its request, in connection with the letting of a contract, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record in this system may be disclosed as a routine use to: officers and employees of the Department of the Treasury who have a need for the record in the performance of their duties, Employee of the General Accounting Office for review, Vendors of contractual services to the Bureau, members of the public, employees of other governmental agencies, or members of news media (on a case by case basis where determination that such disclosure would be in accordance with guidelines set forth under 28 C.F.R. Part 50.2; 5 U.S.C. 552 and 552a, and would not compromise enforcement of laws administered by Bureau of Alcohol, Tobacco and Firearms); local, state and Federal law enforcement agencies; local, state and Federal regulatory agencies; for additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Active records stored in file folders in security filing cabinets. Inactive records stored in file folders at Federal Records Centers. Records also stored on magnetic tape at the IRS Data Center, Detroit, Michigan.

**Retrievability:** Records are retrievable by name, date of birth, social security number, employee identification number, or a combination of any of these four.

**Safeguards:** Direct access restricted to personnel in Department of Treasury in the performance of their duty. Transmitted to routine users on a need to know basis or where a right to access is established, and to others upon verification of the substance and propriety of the request. Stored in lockable file cabinets in rooms locked during non-duty hours.

**Retention and disposal:** Records are retained in accordance with General Services Administration General Records Schedules numbers 1 through 20 and Bureau of Alcohol, Tobacco and Firearms records Controls Schedules numbers 101 and 201 and disposed of by shredding or burning. Records stored on tapes, discs or in online mass storage, are disposed of by degaussing.

**System manager(s) and address:** Chief, Fiscal Division, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Notification procedure:** Inquiries should be addressed to: Privacy Act Request, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.Requests may be delivered personally to Room 2232, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C.

**Record access procedures:** Requests for access to records made by mail should be addressed to: Privacy Act Request, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.Requests may be delivered personally to Room 2232, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C.

Appeals of determinations refusing amendment of records should be addressed to: Privacy Act Appeal, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226. Appeals may be delivered personally to Room 2232, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Former employees of the Bureau of ATF. (2) IRS Data Center. (3) Present employees of the Bureau of ATF. (4) Surviving spouse of deceased personnel. (5) Vendors of necessary goods and services for operations of Bureau of ATF.

**Treasury/ATF 00.005**

**System name:** Freedom of Information Requests—Treasury/ATF.

**System location:** Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Categories of individuals covered by the system:** Individuals requesting information.

**Categories of records in the system:** Correspondence pursuant to the Freedom of Information Act, internal processing documents and memoranda, referrals and copies of requested records, and Chief Counsel and Regional Counsel memoranda and opinions.

**Authority for maintenance of the system:** Freedom of Information Act, 5 U.S.C. 552.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** For reporting requirements as required by the Act; to respond to other Department officials who request information regarding persons making a FOI request; evaluation purposes and determination of volume of requests received and the impact on the current workload; preparation of budget; disclosures in accordance with Freedom of Information Act, to other agencies when required for coordination of response or referral; to Department of Justice for defending law suits; to Congressional Committees; for additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders. .

**Retrievability:** By name of requester(s) and date of request.

**Safeguards:** Filed in filing cabinet and released only to individuals with legitimate right to review.

**Retention and disposal:** In accordance with the provisions of the Act and Departmental records management procedures.

**System manager(s) and address:** Assistant to the Director (Disclosure), Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Notification procedure:** See system manager.

**Record access procedures:** See system manager.

**Contesting record procedures:** See system manager.

**Record source categories:** Individuals who make Freedom of Information Act requests. Federal officials responding to Freedom of Information Act requests and documents from official records.

**Treasury/ATF 00.006**

**System name:** Internal Security Record System—Treasury/ATF.

**System location:** Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Categories of individuals covered by the system:** (1) Present employees of the Bureau of ATF. (2) Former employees of the Bureau of ATF. (3) Applicants for employment.

**Categories of records in the system:** (1) Records containing investigative material compiled for law enforcement purposes including reports relating to: (a) conduct of employees. (b) integrity of employees. (2) Records containing investigative material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or access to classified information including reports relating to security clearances of employees.

**Authority for maintenance of the system:** (1) 18 U.S.C. 201 (2) E.O. 10450 (3) E.O. 11222

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** This system is used to assure the Bureau Director, the Department of the Treasury, and the public that the Bureau is taking strong and vigorous steps to maintain the highest standards of integrity, loyalty, conduct, and

security among Bureau personnel. When a criminal investigation results in a compilation of information contained in this system, the information so compiled shall be transferred to the AT&F Criminal Investigation Report System and shall become a part of that system for all purposes of the Privacy Act of 1974.

A record in this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contact, or the issuance of a license, grant or other benefit.

A record in this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation to an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record in this system of records may be disclosed as a routine use to: officers and employees of the Department of the Treasury who have a need for the record in the performance of their duties; personnel of Department of Justice and other agencies, Federal, state, and local, foreign and domestic, having prosecutive and civil law enforcement functions; attorneys, magistrates, and judges; and parole and probation authorities for the purpose of prosecuting, sentencing, and determining the parole and probation status of criminal offenders or suspected criminal offenders; personnel of other Federal, state and local law enforcement agencies, foreign and domestic, for the purpose of developing information on subjects involved in Bureau criminal investigations and for assisting law enforcement agencies in the investigation and prosecution of violations of the criminal laws those agencies are responsible for enforcing; personnel of Federal, state and local governmental agencies, where such referral is considered reasonably necessary for the purpose of furthering Bureau efforts to investigate the activities of and apprehend criminal offenders and suspected criminal offenders; personnel of Federal, state and local governmental agencies, foreign and domestic, where there is a showing of reasonable necessity to obtain such information to accomplish a valid law enforcement purpose; employees and officials of financial and commercial business firms and private individuals for identification purposes pertaining to actual or suspected criminal offenders where it is considered reasonably necessary for the purpose of furthering Bureau efforts to investigate the activities of and apprehend criminal offenders and suspected criminal offenders; defense attorneys under Discovery Procedures; members of the public, employees of other governmental agencies, or members of the news media (on a case by case basis where determination that such disclosure would be in accordance with guidelines set out under 28 C.F.R. Part 50.2; 5 U.S.C. 552, and 552a, and would not compromise enforcement of laws administered by Bureau of Alcohol, Tobacco and Firearms). For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Active records stored in file folders in security filing cabinets. Inactive records stored in file folders at Federal Records Center.

**Retrievability:** Records are retrievable by name.

**Safeguards:** Direct access restricted to personnel in Department of the Treasury in the performance of their duty. Transmitted to routine users on a need to know basis and to others upon verification of the substance and propriety of the request. Stored in lockable metal file cabinets in rooms locked during non-duty hours.

**Retention and disposal:** Records are retained in accordance with General Services Administration General Records Schedules Numbers 1 through 20 and Bureau of Alcohol, Tobacco and Firearms records control schedules numbers 101 and 201 and disposed of by shredding or burning.

**System manager(s) and address:** Assistant Director, Inspection, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue N.W., Washington, D.C. 20226.

**Notification procedure:** The Director of the Bureau of Alcohol, Tobacco and Firearms has determined this system of records to be exempt from compliance with the provisions of 5 U.S.C. 552a (e) (4) (G).

**Record access procedures:** The Director of the Bureau of Alcohol, Tobacco and Firearms has determined this system of records to be exempt from compliance with the provisions of 5 U.S.C. 552a (e) (4) (H).

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Employees of this Bureau. (2) Internal Investigative report forms. (3) witnesses. (4) informants. (5) Federal, State and local enforcement agencies. (6) Employers. (7) Educational institutions. (8) Credit agencies. (9) Neighbors. (10) References. (11) Professional Organizations. (12) other government agencies.

**Systems exempted from certain provisions of the act:** Proposed to be exempted elsewhere in the Federal Register.

**Treasury/ATF 00.007**

**System name:** Personnel Record System—Treasury/ATF.

**System location:** Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226. Components of this record system are geographically dispersed throughout the Bureau's field offices. For nearest office location, see addresses listed Appendix E—1.

**Categories of individuals covered by the system:** (1) Present Employees of the Bureau of ATF. (2) Former Employees of the Bureau of ATF. (3) Applicants for employment with ATF.

**Categories of records in the system:** (1) Allotment and Dues. (2) Annual Tax Reports. (3) Applicants for employment. (4) Applications for reassignment. (5) Awards, honors, and fellowship records. (6) Classification appeal records. (7) Death claim records. (8) Educational history. (9) Employee indebtedness records. (10) Employees qualified as Grievance Examiners. (11) Employee Suggestions. (12) Employee history. (13) Employee relations case file. (14) Equal employment opportunity case file. (15) Health maintenance records. (16) Insurance records. (17) Military history. (18) Occupational injuries, disabilities, and Worker's Compensation Records. (19) Official personnel folder. (20) Outside employment and identification numbers, business or professional records. (21) Outside employment. (22) Outside financial interests. (23) Overtime and/or Premium Pay records. (24) Performance evaluation records. (25) Personal history. (26) Pocket commission, badge number. (27) Position description records. (28) Promotion/Selection Certificates Records. (29) Property custody records. (30) Retirement records. (31) Security clearance records. (32) Statement of career goals. (33) Supervisory or managerial potential records. (34) Temporary assignments and details. (35) Time application reports and records. (36) Training record. (37) U.S. Savings Bond participation records. (38) Upward mobility applications. (39) Vehicle accidents. (40) Withholding tax records. (41) Work schedule records. (42) Chief Counsel and Regional Counsel memoranda and opinions.

**Authority for maintenance of the system:** (1) 5 U.S.C. Chapter 29, Subchapter II. (2) 5 U.S.C. Chapters 31 and 33. (3) 5 U.S.C. Chapter 43. (4) 5 U.S.C. Chapter 45. (5) 5 U.S.C. Chapter 51. (6) 5 U.S.C. Chapter 55, subchapter III. (7) 5 U.S.C. Chapter 61. (8) 5 U.S.C. Chapter 75. (9) 5 U.S.C. Chapter 83. (10) 5 U.S.C. Section 301. (11) 5 U.S.C. 4503. (12) 5 U.S.C. Section 5101—5115. (13) 5 U.S.C. Section 7151—7154. (14) 5 U.S.C. Section 7901. (15) P.L. 92—261 (Equal Employment Act of 1972). (16) P.L. 93—579. (17) Federal Employees Compensation Act. (18) Occupational Safety and Health Act of 1970. (19) Executive Order 10561. (20) E.O. 11222. (21) E.O. 11478. (22) E.O. 11491.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The purpose of this system is to provide personnel services to employees of the Bureau, former employees of the Bureau, and applicants for employment with the Bureau; to record personnel information as required by law and regulations; to prevent unauthorized disclosures; provide identification information in accident or medical emergency situations. When required or authorized by statute, regulations, or executive order, information in the record system is made available to members of the public, news media or other governmental agencies.

A record in this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record in this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record in this system maybe disclosed to the following as a routine use: (1) The Department of Labor; (2) Congressmen; (3) Equal Employment Opportunity Commission; (4) Members of the public, employees of other governmental agencies, or members of the news media (on a case by case basis where determination that such disclosure would be in accordance with guidelines set forth under 28 C.F.R. Part 50.2; 5 U.S.C. 552 and 552a, and would not compromise enforcement of laws administered by Bureau of Alcohol, Tobacco and Firearms); (5) Officers and employees of Department of the Treasury who have a need for the record in the performance of their duties; (6) Federal, state and local law enforcement agencies; (7) Federal, state and local regulatory agencies. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Active records stored in file folders in security filing cabinets. Inactive records stored in file folders at Federal Records Centers. Records also stored on magnetic tape at the IRS Data Center, Detroit, Michigan. Records are stored in on—line mass computer storage at San Diego, California (Treasury Enforcement Communications System).

**Retrievability:** Records are retrievable by name, date of birth, social security number, employee identification number, or a combination of any of these four.

**Safeguards:** Direct access restricted to personnel in Department of Treasury in the performance of their duty. Transmitted to routine users on a need to know basis or where a right to access is established, and to others upon verification of the substance and propriety of the request. Stored in lockable file cabinets in rooms locked during non—duty hours.

**Retention and disposal:** Records are retained in accordance with General Services Administration General Records Schedules numbers 1 through 20 and Bureau of Alcohol, Tobacco and Firearms Records Control Schedules numbers 101 and 201 and disposed of by shredding, burning or by degaussing.

**System manager(s) and address:** Assistant Director (Administration), Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Notification procedure:** The Director of the Bureau of Alcohol, Tobacco and Firearms has exempted this system of records from compliance with the provisions of 5 U.S.C. 552a (e) (4) (G).

**Record access procedures:** The Director of the Bureau of Alcohol, Tobacco and Firearms has exempted this system of records from compliance with the provisions of 5 U.S.C. 522a (e) (4) (H).

**Contesting record procedures:** Same as access above.

**Record source categories:** (1) Administrative Records. (2) Applicants for employment with Bureau. (3) Acquaintances. (4) Business and professional associates. (5) Creditors. (6) Criminal records. (7) Educational institutions attended. (8) Employee records. (9) Equal Employment Opportunity Commission. (10) Financial institutions. (11) Fiscal records. (12) Former employees. (13) Former employers. (14) Inspection records. (15) Internal investigation reports. (16) Internal Revenue Service. (17) Military records. (18) Outside employers. (19) Physicians. (20) Police reports. (21) Position classification specialists. (22) Psychiatrists. (23) References. (24) Supervisors. (25) Training officers. (26) Unions, accredited. (27) U.S. Civil Service Commission. (28) Witnesses.

**Treasury/ATF 00.008**

**System name:** Regulatory Enforcement Record System—Treasury/ATF.

**System location:** Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226. Components of this system of records are also geographically dispersed throughout ATF's regional and field offices. For locations, see addresses of regional and field offices listed in Appendix E—1.

**Categories of individuals covered by the system:** (1) Individuals who have been issued permits or licenses, have filed applications with ATF, or have registered with ATF as: (a) Brewers; (b) Claimants for refund, abatement, credit, allowance or drawback of excise or special occupational taxes; (c) Collectors of firearms or ammunition; (d) Distillers, bonded warehousemen, rectifiers, or bottlers of distilled spirits; (e) Importers of firearms, ammunition or implements of war; (f) Importers or wholesalers of beer, wine or distilled spirits; distillers, rectifiers, bottlers, or warehousemen of distilled spirits; or wine producers; (g) Individuals engaged in wagering activities; (h) Individuals who produce, receive, blend, store or treat wine or distilled spirits for experimental or research purposes; (i) Individuals who establish experimental distilled spirits plants; (j) Limited retail dealers in beer or wine; (k) Liquor bottle manufacturers; (l) Manufacturers of stills; (m) Manufacturers, importers, or dealers of firearms or ammunition; (n) Manufacturers, importers, dealers, or users of explosive materials; (o) Manufacturers, proprietors of export warehouses or importers of tobacco products; (p) Nonbeverage drawback claimants; (q) Operators of pilot brewing plants; (r) Possessors of stills and related equipment; (s) Producers of wine for family use; (t) Proprietors of vinegar plants, fruit—flavor concentrate plants or class 6 bonded warehouses; (u) Proprietors of bonded wine cellars, bonded wineries, taxpaid wine bottling houses, or bonded wine warehouses; (v) Reprocessors or rebottlers of specially denatured spirits; (w) Retailers of beer, wine or distilled spirits; (x) Users of tax—free alcohol, dealers or users of specially denatured spirits, or recoverers of specially denatured or completely denatured spirits.

(2) Individuals who are employed by businesses engaged in the activities specified in paragraph 1 and who are officers, directors, holders of 10 percent or more of the outstanding stock, designated agents, or responsible persons. (3) Individuals who are not qualified to engage in any of the activities listed in paragraph 1, but who are assessed excise or special occupational taxes. (4) Individuals who submit Offers in Compromise.

**Categories of records in the system:** Records containing investigative material compiled for law enforcement purposes which may consist of the following: (1) Abstracts of offers in compromise. (2) Administrative law judge decisions. (3) Assessment records: (a) notices of proposed assessments; (b) notices of shortages or losses; (c) notices to IRS to assess taxes; (d) recommendation for assessments. (4) Claim records: (a) claims; (b) letters of claim rejection; (c) sample reports; (d) supporting data; (e) vouchers and schedules of payment. (5) Comments on proposed rulemakings. (6) Complaints from third parties. (7) Correspondence concerning records in this system and related matters. (8) Financial statements. (9) Inspection and investigation reports. (10) Joint demands on principals and sureties for payment of excise tax liabilities. (11) Letters of reprimand. (12) Lists of permittees and licensees. (13) Lists of officers, directors and principal stockholders. (14) Mailing lists and addressograph plates. (15) Notices of delinquent reports. (16) Offers in compromise. (17) Operation records: (a) operating reports; (b) reports of required inventories; (c) reports of thefts or losses of firearms; (d) reports of thefts of explosive materials; (e) transaction records; (f) transaction reports. (18) Orders of revocation, suspension or annulment of permits or licenses. (19) Regional and Chief Counsel opinions and memoranda. (20) Reports of violations. (21) Permit status records. (22) Qualifying records: (a) access authorizations; (b) advertisement records; (c) applications; (d) bonds; (e) business histories; (f) criminal records; (g) diagrams of premises; (h) educational histories; (i) employment histories; (j) environmental records; (k) financial data; (l) formula approvals; (m) label approvals; (n) licenses; (o) notices; (p) permits; (q) personal references; (r) plant profiles; (s) plant capacities; (t) plats and plans; (u) registrations; (v) sample reports; (w) signature authorities; (x) special permissions and authorizations; (y) statements of process. (23) Show cause orders. (24) Tax records: (a) control cards relating to periodic payment and prepayment of taxes; (b) excise and special tax returns; (c) notices of tax discrepancy or adjustment.

**Authority for maintenance of the system:** (1) 26 U.S.C. 5172. (2) 26 U.S.C. 5271(b)(1). (3) 26 U.S.C. 5356. (4) 26 U.S.C. 5401. (5) 26 U.S.C. 5417. (6) 26 U.S.C. 5502(b). (7) 26 U.S.C. 5511(3). (8) 26 U.S.C. 5521(a). (9) 26 U.S.C. 5179(a). (10) 22 U.S.C. 204(c). (11) 26 U.S.C. 5105. (12) 26 U.S.C. 5275. (13) 26 U.S.C. 5301(b). (14) 26 U.S.C. 5132. (15) 26 U.S.C. 5042(a)(2). (16) 26 U.S.C. 7011. (17) 26 U.S.C. 5712. (18) 18 U.S.C. 923(a). (19) 18 U.S.C. 923(b). (20) 18 U.S.C. 843(a). (21) 22 U.S.C. 414. (22) 26 U.S.C. 4401(a). (23) 26 U.S.C. 6001. (24) 26 U.S.C. 6011(a). (25) 26 U.S.C. 5001. (26) 26 U.S.C. 5021—5023. (27) 26 U.S.C. 5041. (28) 26 U.S.C. 5051. (29) 26 U.S.C. 6201. (30) 26 U.S.C. 5008. (31) 26 U.S.C. 5044. (32) 26 U.S.C. 5056. (33) 26 U.S.C. 5705. (34) 26 U.S.C. 6423(b). (35) 26 U.S.C. 5009(a). (36) 26 U.S.C. 5006(a). (37) 26 U.S.C. 5055. (38) 26

U.S.C. 5062(c). (39) 26 U.S.C. 5106. (40) 26 U.S.C. 5131(c). (41) 26 U.S.C. 5064. (42) 26 U.S.C. 7122. (43) 27 U.S.C. 207. (44) 18 U.S.C. 843(d). (45) 18 U.S.C. 923(f). (46) 27 U.S.C. 204(e). (47) 26 U.S.C. 5312(a). (48) 26 U.S.C. 5042(a)(3). (49) Reorganization Act of 1949, 5 U.S.C. Sections 901 et seq.; Revenue Act of 1951, Section 616; Treasury Department Order 221 (37 F.R. 11696, June 19, 1972). (50) 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The purpose of this system is to determine suitability, eligibility or qualifications of individuals who are engaged or propose to engage in activities regulated by ATF; achieve compliance with laws under ATF's jurisdiction; assure full collection of revenue due from legal industries; eliminate commercial bribery, consumer deception and other improper trade practices in the distilled spirits, beer and wine industries; interact with Federal, state and local governmental agencies in the resolution of problems relating to industrial development, revenue protection, public health, ecology, and other areas of joint jurisdictional concern. When required or authorized by statute, regulation, or Executive Order, information in the record system is made available to members of the public or employees of other government agencies.

In the event that a record in this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, these records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record in this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the issuance of a license, grant or other benefit.

A record in this system of records may be disclosed to a federal agency, in responses to its request, in connection with the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.When an ATF criminal investigation results in compilation of information contained in this system of records, the information shall be transferred to the Treasury ATF—Criminal Investigation Report System and shall become part of that system for all purposes of the Privacy Act of 1974. A record in this system may be disclosed as a routine use to: Officers and employees of the Department of the Treasury who have a need for the record in the performance of their duties; Federal, State or local regulatory or law enforcement agencies in the performance of their duties on a need to know basis; Members of the public, employees of other Governmental agencies, or members of the news media (on a case by case basis where determination that such disclosure would be in accordance with guidelines set forth under 28 C.F.R. Part 50.2; 5 U.S.C. 552 and 552a, and would not compromise enforcement of laws administered by Bureau of Alcohol, Tobacco and Firearms). For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Active records stored in file folders in filing cabinets; card forms in card filing cabinets; and on magnetic tapes or microfiche at IRS Service Centers, ATF Headquarters, or Department of the Treasury.

**Retrievability:** Records are retrievable by name, permit or license number, or by document locator number.

**Safeguards:** Direct access restricted to personnel in Department of Treasury in the performance of their duty. Transmitted to routine users on a need to know basis and others upon verification of the substance and propriety of the request. Stored in file cabinets in rooms locked during non—duty hours. Wagering records are maintained in safes or file cabinets which are locked at all times.

**Retention and disposal:** Records are retained in accordance with General Services Administration General Records Schedules numbers 1 through 20 and Bureau of Alcohol, Tobacco and Firearms Records Control Schedules numbers 101 and 201 and disposed of by shredding, burning or by degaussing.

**System manager(s) and address:** Assistant Director, Regulatory Enforcement, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Notification procedure:** The Director of the Bureau of Alcohol, Tobacco and Firearms has determined this system of records to be exempt from compliance with the provisions of 5 U.S.C. 522a (e) (4) (G).

**Record access procedures:** The Director of the Bureau of Alcohol, Tobacco and Firearms has determined this system of records to be exempt from compliance with the provisions of 5 U.S.C. 522a (e) (4) (H).

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Acquaintances. (2) Bureau Personnel. (3) Business and Professional Associates. (4) Creditors. (5) Criminal Records. (6) Financial Institutions. (7) Former Employers. (8) Internal Revenue Service. (9) Military Records. (10) Physicians. (11) Psychiatrists. (12) References. (13) Police Reports. (14) Witnesses. (15) Federal Law Enforcement Agencies. (16) State Law Enforcement Agencies. (17) Local Law Enforcement Agencies. (18) State Regulatory Agencies. (19) Federal Regulatory Agencies. (20) Local Regulatory Agencies. (21) Chief Counsel's Opinions. (22) Regional Counsel's Opinions. (23) Chief Counsel's Memoranda. (24) Regional Counsel's Memoranda. (25) Field Investigation Reports. (26) Third Parties.

**Systems exempted from certain provisions of the act:** Proposed to be exempted elsewhere in the Federal Register.

**Treasury/ATF 00.009**

**System name:** Technical and Scientific Services Record System—Treasury/ATF.

**System location:** Bureau of Alcohol, Tobacco, and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226. Components of this record system are geographically dispersed throughout Bureau of Alcohol, Tobacco and Firearms' field offices. For nearest location, see addresses listed Appendix E—1.

**Categories of individuals covered by the system:** (1) Applicants to register firearms under the National Firearms Act. (2) Applicants for Surplus Military Firearms under the Director of Civilian Marksmanship Program. (3) Importers of implements of war as defined under the Mutual Security Act of 1954. (4) Licensed importers registered under the Mutual Security Act of 1954. (5) Manufacturers of National Firearms Act who are exempt from payment of Special (Occupational) tax provisions. (6) Non—Bureau chemists certified to make analysis of alcoholic beverages. (7) Persons involved in explosives tagging and detection program. (8) Registered owners of National Firearms Act firearms. (9) Special (Occupational) taxpayers as defined under title II of the Gun Control Act of 1968. (10) Victims of explosives. (11) Individuals involved in Government funded research projects.

**Categories of records in the system:** (1) Alterations of registered National Firearms Act firearms. (2) Applications for surplus military firearms. (3) Applications to register firearms and destructive devices under the National Firearms Act. (4) Applications to import articles on the U.S. Munitions list. (5) Blueprints. (6) Certifications of payment of Special (occupational) tax payments. (7) Changes of address for owner of firearms registered under the National Firearms Act. (8) Claims for erroneous Special (Occupational) taxes payments. (9) Descriptions of Inventions. (10) Delinquency notices regarding proof of importation of National Firearms Act Firearms. (11) Explosive reports. (12) Non—Bureau chemists' statements of qualification. (13) Patent information. (14) Registrations of firearms and destructive devices under the National Firearms Act. (15) Registration of war trophy firearms. (16) Requests and authorizations for temporary movement and/or temporary storage of National Firearms Act firearms. (17) Technical and scientific data. (18) Transaction records concerning National Firearms Act firearms. (19) Trade secrets. (20) U.S. Government contracts to manufacturers of National Firearms Act firearms. (21) Chief Counsel and Regional Counsel memoranda and opinions.

**Authority for maintenance of the system:** (1) 18 U.S.C. Chapter 40. (2) 18 U.S.C. Chapter 44. (3) 18 U.S.C. Section 3056. (4) 26 U.S.C., Sections 6001(a), 5001, 5008, 5009(a), 5006(a), 5021—5023, 5041, 5042(a)(2), 5051, 5053, 5056, 5062(c), 5705, 6201, 6423(b), 5105, 5106, 5131(c), 5132, 5172, 5172(b)(1), 5275, 5301(b), 5356, 5401, 5417, 5502(b), 5511(3), 5521(a), 5179(a), 5712, 7011. (5) 27 U.S.C. Sections 204(c). (6) 26 U.S.C. Chapter 35. (7) Executive Order 10973 as amended by Executive Order 11432.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The purpose of this system is to provide technical and scientific support and expertise to Criminal and Regulatory Enforcement activities of the Bureau;

to other Federal, State, local and foreign law enforcement agencies; and to industries involved in activities regulated by the Bureau. When required or authorized by statute, regulation, or Executive Order, information in the record system is made available to members of the public or employees of other government agencies. When a criminal investigation results in a compilation of information contained in this system, the information so compiled shall be transferred to the ATF Criminal Investigation Report System and shall become a part of that system for all purposes of the Privacy Act of 1974.

In the event that a record in this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, these records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. Records in this system may be disclosed as a routine use to: (1) Officers and employees of the Department of the Treasury who have a need for the record in the performance of their duties. (2) Federal law enforcement agencies. (3) State law enforcement agencies. (4) Local law enforcement agencies. (5) Foreign law enforcement agencies. (6) Industries involved in activities regulated by the Bureau. (7) Department of Defense. (8) Federal regulatory agencies. (9) State regulatory agencies. (10) Local regulatory agencies. (11) Members of the public, employees of other government agencies, or members of the news media (on a case by case basis where determination that such disclosure would be in accordance with guidelines set forth under 28 C.F.R. Part 50.2; 5 U.S.C. 552 and 552a, and would not compromise enforcement of laws administered by Bureau of Alcohol, Tobacco and Firearms). (12) Smithsonian Institution. (13) For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Active records stored in file folders in filing cabinets; on 3 by 5 and 5 by 8 cards stored in card file cabinets; on microfilm reels; magnetic tape reels and discs; and on keypunch cards.

**Retrievability:** Records are retrievable by name, by unique identifier, control number, serial number of National Firearms Act firearms.

**Safeguards:** Stored in file cabinets locked during non—duty hours.

**Retention and disposal:** Records are retained in accordance with General Services Administration Records Schedules numbers 1 through 20 and Bureau of Alcohol, Tobacco and Firearms Records Control Schedules numbers 101 and 201 and disposed of by shredding or burning. Records stored on tape discs or on—line mass storage are disposed of by degaussing.

**System manager(s) and address:** Assistant Director, Technical and Scientific Services, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

**Notification procedure:** The Director of the Bureau of Alcohol, Tobacco and Firearms has determined this system of records to be exempt from compliance with the provisions of 5 U.S.C. 552 (e) (4) (G).

**Record access procedures:** The Director of the Bureau of Alcohol, Tobacco and Firearms has determined this system of records to be exempt from compliance with the provisions of 5 U.S.C. 552a (e) (4) (H).

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Individuals. (2) Companies. (3) Corporations. (4) Firearms Licensees. (5) Firearms Permittees. (6) Explosive Licensees. (7) Explosive Permittees. (8) Bureau personnel. (9) Federal law enforcement agencies. (10) State law enforcement agencies. (11) Local law enforcement agencies. (12) Foreign law enforcement agencies. (13) Federal Regulatory agencies. (14) State Regulatory agencies. (15) Local Regulatory agencies. (16) Non—Bureau Chemists.

**Systems exempted from certain provisions of the act:** Proposed to be exempted elsewhere in the Federal Register.APPENDIX E

(List of geographically dispersed offices referred to in the "Location" sections of each system of records)

Regional Offices

Regional Director, Bureau of Alcohol, Tobacco and Firearms, 6 World Trade Center, Room 620 H, New York, New York 10048.

Regional Director, Bureau of Alcohol, Tobacco and Firearms, Room 360, 2 Penn Center, Philadelphia, Pennsylvania 19102.

Regional Director, Bureau of Alcohol, Tobacco and Firearms, Federal Office Building, Room 6510A, 550 Main Street, Cincinnati, Ohio 45202.

Regional Director, Bureau of Alcohol, Tobacco and Firearms, Room 1502, 230 S. Dearborn Street, Chicago, Illinois 60604.

Regional Director, Bureau of Alcohol, Tobacco and Firearms, Room 204, 3835 Northeast Expressway, Atlanta, Georgia 30340.

Regional Director, Bureau of Alcohol, Tobacco and Firearms, Room 300, Main Tower, 1200 Main Street Dallas, Texas 75202.

Regional Director, Bureau of Alcohol, Tobacco and Firearms, 525 Market Street, 34th Floor, San Francisco, California 94105.

CRIMINAL ENFORCEMENT OFFICES

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, J F Kennedy Building Government Center, Cambridge St., BOSTON, MASSACHUSETTS 02203.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 141, Essex Junction, Vermont 05452.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 323, 55 Pleasant Street, CONCORD, NEW HAMPSHIRE 03301.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, 450 Main Street, HARTFORD, CONNECTICUT 06101.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 205 Whitney Avenue, Room 321, NEW HAVEN, CONNECTICUT 06511.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Courthouse, Room 125A, 156 Federal Street, PORTLAND, MAINE 04112.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Howard Building, 10 Dorrance, Room 534, PROVIDENCE, RHODE ISLAND 02903.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 406, SPRINGFIELD, MASSACHUSETTS 01103.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building—Room 216, 595 Main Street, WORCESTER, MASSACHUSETTS 01601.

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 90 Church Street Station, NEW YORK, NEW YORK 10007.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building—Room 217, 111 W Huron Street, BUFFALO, NEW YORK 14202.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 114 Old Country Road, MINEOLA, NEW YORK 11501.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Office Building—Suite 411, N. Pearl St. and Clinton Avenue, ALBANY, NEW YORK 12207.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Rooms 200-202, Brinkerhoff & Margaret Street, PLATTSBURGH, NEW YORK 12901.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 300 Hamilton Ave., WHITE PLAINS, NEW YORK 10601.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 1343, U.S. Courthouse and Federal Bldg., 100 S. Clinton St., SYRACUSE, NEW YORK 13202.

Resident Agent in Charge, Bureau of Alcohol, Tobacco, and Firearms, U.S. Courthouse and Federal Building, Room 354, Calle Chardon, Hato Rey, Puerto Rico 00919.

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 206, 701 W Broad Street, FALLS CHURCH, VIRGINIA 22046.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 825, 31 Hopkins Plaza, Room 825, BALTIMORE, MARYLAND 21201.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Box 13, 9th & King Streets, WILMINGTON, DELAWARE 19802.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 50 S. Cameron Street, WINCHESTER, VIRGINIA 22601.

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 2401 Morris Ave., UNION, NEW JERSEY 07083.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Reutter Building, 4th Floor, 840 Cooper Street, CAMDEN, NEW JERSEY 08102.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Post Office Building, Room 209, TRENTON, NEW JERSEY 08608.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Customs House, Room 504, Second & Chestnut Streets, PHILADELPHIA, PENNSYLVANIA 19106.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Federal Square Station, 3rd and Walnut Streets, HARRISBURG, PENNSYLVANIA 17108.
Resident Agent in Charge, Bureau of Alcohol, Tobacco, and Firearms, Suite 300B, 100 W. Main St. Lansdale, Pennsylvania 19446.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Berks Title Building, 826 Penn St. READING, PENNSYLVANIA 19602.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Courthouse, Room 136, Perry Square, ERIE, PENNSYLVANIA 16501.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 2104, 1000 Liberty Avenue, PITTSBURGH, PENNSYLVANIA 15222.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 400 N 8th Street, RICHMOND, VIRGINIA 23219.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Post Office Building, Room 301, 700 Main Street, DANVILLE, VIRGINIA 24541.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, 110 Piedmont Street, BRISTOL, VIRGINIA 24201.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Bank of Virginia Building, Room 210, 870 N Military Circle, NORFOLK, VIRGINIA 23502.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Poff Building, Room 551, 210 Franklin Road, ROANOKE, VIRGINIA 24011.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 304 U.S.P.O. & Courthouse Bldg. CINCINNATI, OHIO 45202.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 3414, 500 Quarrier Street, CHARLESTON, WEST VIRGINIA 25301.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room B—303, BLUEFIELD, WEST VIRGINIA 24701.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Post Office Building, Room 202, 6th and Gay Streets, PORTSMOUTH, OHIO 45662.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building & U.S. Courthouse, Room 427, Chaplin & 12th Streets, WHEELING, WEST VIRGINIA 26003.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 329, 1240 E 9th Street, CLEVELAND, OHIO 44199.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Court & Customs Building, Room 302, 1716 Spielbusch, TOLEDO, OHIO 43624.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, City Centre One Building, Room 420, Federal Plaza, YOUNGSTOWN, OHIO 44501.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 237, 85 Marconi Boulevard, COLUMBUS, OHIO 43215.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 504 Federal Bldg. & Courthouse, 200 West 2nd Street, DAYTON, OHIO 45402.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 371, 231 West LaFayette Street, DETROIT, MICHIGAN 48226.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 200 Federal Building, FLINT, MICHIGAN 48501.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building & Courthouse, Room 710, 110 Michigan NW, GRAND RAPIDS, MICHIGAN 49502.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Office Building, Room 872—D, 600 Federal Place, LOUISVILLE, KENTUCKY 40202.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Wells Building, Junction of U.S. 60 & Ku 180, ASHLAND, KENTUCKY 41101.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Post Office Building, Room 304, BOWLING GREEN, KENTUCKY 42101.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 133, 101 N.W. 7th Street, EVANSVILLE, INDIANA 47708.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Lakeside II Office Building, 2250 Lake Ave, FORT WAYNE, INDIANA 46805.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room G—26, 507 State Street, HAMMOND, INDIANA 46325.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Courthouse & Post Office Building, Room 507, INDIANAPOLIS, INDIANA 46204.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Courthouse, Rooms 114—116, Barr & Limestone Streets, LEXINGTON, KENTUCKY 40501.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 108, PADUCAH, KENTUCKY 42001.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Town and Country Shopping Center, Williamson Road, PIKEVILLE, KENTUCKY 41501.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 304 S Pine Street, PINEVILLE, KENTUCKY 40977.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Security Building, Room 120, 207 W Mt. Vernon Street, SOMERSET, KENTUCKY 42501.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 219S 2625 Butterfield Road, OAKBROOK, ILLINOIS 60521.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 600 E. Monroe St., Room 213, SPRINGFIELD, ILLINOIS 62705.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 207 Main Street, 2nd floor, PEORIA, ILLINOIS 61602.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 208 18th Street, Room 209, ROCK ISLAND, ILLINOIS 61201.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 941 U.S. Courthouse, 811 Grand Avenue, KANSAS CITY, MISSOURI 64102.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 400, U.S. Courthouse, E. First and Walnut, DES MOINES, IOWA 50309.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, New Federal Building, 215 N. 17th Avenue, Room 8410, OMAHA, NEBRASKA 68101.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 202 W. First St., Room 504, WICHITA, KANSAS 67201.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 309 N Jefferson Street, Room 205, SPRINGFIELD, MISSOURI 65806.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 1114 Market Street, Room 615, ST. LOUIS, MISSOURI 63101.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building and U.S. Courthouse, 339 Broadway, GIRARDEAU, MISSOURI 63701.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 160, 316 N Robert Street, ST. PAUL, MINNESOTA 55101.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 637, Federal Building, 517 Wisconsin Ave., MILWAUKEE, WISCONSIN 53202.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 655 1st. Ave. N. Room 319, FARGO, NORTH DAKOTA 58102.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 270 Federal Bldg., 110 South 4th St., MINNEAPOLIS, MINNESOTA 55401.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 258, Federal Building, 515 9th St., RAPID CITY, SOUTH DAKOTA 57701.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 310 Federal Bldg., 400 Phillips Ave. South SIOUX FALLS, SOUTH DAKOTA 57102.

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Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, 816 Walker Street, Room 207, AUGUSTA, GEORGIA 30903.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Jackson Building, 1509 4th Ave., COLUMBUS, GEORGIA 31902.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building and Courthouse, 121 E. Spring Street SE, GAINESVILLE, GEORGIA 30501.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 229, 451 College Street, MACON, GEORGIA 31208.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Executive Court, Room 211, 5105 Paulsen Street, SAVANNAH, GEORGIA 31406.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 255, 401 N Patterson Street, VALDOSTA, GEORGIA 31601.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 342, 600 E. 1st Street, ROME, GEORGIA 30161.

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 2121 Building, Room 1025, 2121 8th Avenue, BIRMINGHAM, ALABAMA 35203.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 110, ANNISTON, ALABAMA 36201.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, McDonough Building, Suite 215, 770 McDonough Boulevard, MONTGOMERY, ALABAMA 36104.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 210 Seminary Street, P.O. Building, Room 307, FLORENCE, ALABAMA 35630.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Clinton Building, Room 103, 2109 W. Clinton Avenue, HUNTSVILLE, ALABAMA 35805.

Residents Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Office Building, Room 1009, 109 St. Joseph Street, MOBILE, ALABAMA 36602.

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Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Suite 504, 5821 Park Road, CHARLOTTE, NORTH CAROLINA 28209.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Post Office Building, Rooms 8—10, Otis and Post Streets, ASHEVILLE, NORTH CAROLINA 28802.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room G—16, 207 W Main Street, WILKESBORO, NORTH CAROLINA 28697.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 433 Fed. Office Bldg., 251 N. Main St., WINSTON—SALEM, NORTH CAROLINA 27101.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Browning Plaza II, Suite 12, 40100 Orleander Drive, WILMINGTON, NORTH CAROLINA 28401.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Post Office Building, Room 313, 413 Middle Street, NEW BERN, NORTH CAROLINA 28560.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Post Office and Federal Building, Rooms 230—234, Green & Mason Streets, FAYETTEVILLE, NORTH CAROLINA 28301.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Post Office Building, Room 644, 310 New Bern Ave., RALEIGH, NORTH CAROLINA 27611.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 304, Federal Building, 306 E. Main Street, ELIZABETH CITY, NORTH CAROLINA 27909.

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Office Building, Room 501, 901 Sumter Street, COLUMBIA, SOUTH CAROLINA 29201.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 1700 Highway 171, Suite C, Northbridge Shopping Center, CHARLESTON, SOUTH CAROLINA 29407.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, MacMillan Federal Building, 401 W. Evans Street, Room 236, FLORENCE, SOUTH CAROLINA 29501.

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Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 801 Security S&L Building, 2301 14th Street, GULFPORT, MISSISSIPPI 39501.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 1414 23rd Avenue, MERIDIAN, MISSISSIPPI 39301.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 137, 911 Jackson Avenue, OXFORD, MISSISSIPPI 38655.

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 5205 N.W. 84th Ave., Suite 108, MIAMI, FLORIDA 33166.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 110 U.S. Post Office Building and Courthouse, MARIANNA, FLORIDA 32446.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 400 W. Bay St., JACKSONVILLE, FLORIDA 32202.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 429 Federal Building, 80 North Hughey Ave., ORLANDO, FLORIDA 32801.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Barnett Bank Building, Room 810, 1000 N Ashley Street, TAMPA, FLORIDA 33602.

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 4004 Hillsboro Road, Room 210, NASHVILLE, TENNESSEE 37215.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Franklin Building, Suite 315, E. Gate Center, CHATTANOOGA, TENNESSEE 37411.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Snapps Perry Road at Sparta Street, GREENEVILLE, TENNESSEE 37743.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Parkway Building, Room 100, 1212 Pierce Parkway, KNOXVILLE, TENNESSEE 37921.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 67 N. Main Street, Room 22, MEMPHIS, TENNESSEE 38103.

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Corporate Square Building—Suite 260, 3910 Kirby Drive, HOUSTON, TEXAS 77027.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 204, 2101 S. Interregional Highway, AUSTIN, TEXAS

Resident Agent in Charge Bureau of Alcohol, Tobacco, and Firearms Room 1818, 600 Upper Broadway, Corpus Christi, Texas 78403.

Resident Agent in Charge, Bureau of Alcohol, Tobacco, and Firearms, Koger Building, Suite 233, 444 Executive Center Boulevard, EL PASO, TEXAS 79902.

Resident Agent in Charge, Bureau of Alcohol, Tobacco, and Firearms Room 220, 1300 Matamoros, LAREDO, TEXAS 78040.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Suite 321, 3505 Boca Chica, BROWNSVILLE, TEXAS 78520.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, New Federal Building—Room A—405, 727 E Durango Street, SAN ANTONIO, TEXAS 78206.

Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Main Tower Building, Room 330, 1200 Main St., DALLAS, TEXAS 75202.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 204, New Federal Building, 221 W. Ferguson Street, TYLER, TEXAS

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Old Federal Building—Room 3008, 517 Gold Ave. SW, ALBUQUERQUE, NEW MEXICO 87103.

Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Office Building, Room 625, 1205 Texas Avenue, LUBBOCK, TEXAS 79401.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Office Building—Room 11C01, 819 Taylor Street, FORT WORTH, TEXAS 76102.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 330 Federal Bldg., 510 Camp St., NEW ORLEANS, LOUISIANA 70190.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building—Room 278, FORT SMITH, ARKANSAS 72902.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Post Office, Room 213, TEXARKANA, ARKANSAS 75502
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Resident Agent in Charge Bureau of Alcohol, Tobacco, and Firearms, Suite 1606, One American Place, BATON ROUGE, LOUISIANA 70821.
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Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 960, 200 N.W. 5th St., OKLAHOMA CITY, OKLAHOMA 73102.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, J.C. O'Mahoney Federal Center, Room 7010, 2120 Capitol Avenue, CHEYENNE, WYOMING 82001.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Office Building, Room 6038, 1961 Stout Street, DENVER, COLORADO 80294.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 3A10, 125 S. Main, MUSKOGEE, OKLAHOMA 74401.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Page Belcher Federal Building, Suite 4520, 333 W 4th Street, TULSA, OKLAHOMA 74101.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Room 4354, 300 N Los Angeles Street, LOS ANGELES, CALIFORNIA 90012.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Financial Plaza, 500 Esplanade Drive, OXNARD, CALIFORNIA 93031.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 2721 North Central, Suite 814, PHOENIX, ARIZONA 85004.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 800 Front St., SAN DIEGO, CALIFORNIA 92188.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 912, 34 Civic Center Plaza, SANTA ANA, CALIFORNIA 92712.
Resident Agent in Charge, Bureau of Alcohol, Tobacco, and Firearms, 3610 Central Ave., Suite 511, Riverside, California 92506.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 8—B, TUCSON, ARIZONA 85702.
Resident Agent in Charge, Bureau of Alcohol, Tobacco, and Firearms, 400 Oceangate, Suite 1130, LONG BEACH, CALIFORNIA 90802.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Rm 2s11, 6230 Van Nuys Blvd., VAN NUYS, CALIFORNIA 91408.
Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 525 Market Street, Room 2540, SAN FRANCISCO, CALIFORNIA 94105.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 5019, 1130 O Street, FRESNO, CALIFORNIA 93721.
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Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 1515 Clay Street, Room 906, OAKLAND, CALIFORNIA 94612
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 300 Booth Street, Room 4055, RENO, NEVADA 89502.
Resident Agent in Charge, Bureau of Alochol, Tobacco and Firearms, Room 125, 131 East Gish Road, SAN JOSE, CALIFORNIA 95112.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 3424, 650 Capitol Mall, SACRAMENTO, CALIFORNIA 95814.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, Room 445, 350 S. Main Street, SALT LAKE CITY, UTAH 84101.
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Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, Federal Building, G-79, 4th and F Streets, ANCHORAGE, ALASKA 99501.
Resident Agent in Charge, Bureau of Alochol, Tobacco and Firearms, American Reserve Building, Room 3280, 2410 Banks Drive, BOISE, IDAHO 83705.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, W. 6th and Park Streets, Room 323, HELENA, MONTANA 59601.
Resident Agent in Charge, Bureau of Alochol, Tobacco and Firearms, Crown Plaza Building, Room 820, 1500 S.W. First Avenue, PORTLAND, OREGON 97201.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Courthouse, Room 775, 920 W Riverside, SPOKANE, WASHINGTON 99210.
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, 300 Alamoana Blvd., Room 3321, HONOLULU, HAWAII 96850.

REGULATORY ENFORCEMENT OFFICES

AREA OFFICES

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Area Supervisor, Bureau of ATF, Room 1805, 120 Church Street, New York, NY. Mail: P.O. Box 3539, Church Street Sta., New York, NY 10008.
Area Supervisor, Bureau of ATF, Room 200, 300 Hamilton Ave., White Plains, New York 10601.
Area Supervisor, Bureau of ATF, Room 219, Federal Building, 111 West Huron St., Buffalo, NY 14202.
Area Supervisor Bureau of ATF, Room 300, 701 West Broad St. Falls Church, VA 22046.
Area Supervisor, Bureau of ATF, Room 938, 31 Hopkins Plaza, Baltimore, MD 21201.
Area Supervisor, Bureau of ATF, Suite 401, Century Plaza Bldg., 100 West Main Street, Lansdale, PA. 19446.
Area Supervisor, Bureau of ATF, Room 734, 970 Broad Street, Newark, NJ 07102.
Area Supervisor, Bureau of ATF, 2401 Morris Avenue, Union, NJ 07083.
Area Supervisor, Bureau of ATF, Room 500, U.S. Customs House, 2nd & Chestnut Streets, Philadelphia, PA 19106.
Area Supervisor, Bureau of ATF, Room 2126, Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.
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Area Supervisor, Bureau of ATF, Room 511, Courthouse & P.O. Building, Indianapolis, IN 46204.
Area Supervisor, Bureau of ATF, Room 8403 Federal Office Building, 550 Main Street, Cincinnati, OH 45202.
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Area Supervisor, Bureau of ATF, Room 376 Federal Building, 231 Lafayette Blvd., Detroit, MI 48226.
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Area Supervisor, Bureau of ATF, Room 906, 1515 Clay Street, Oakland, CA 94612.
Area Supervisor, Bureau of ATF, 525 Market Street, 25th Floor, San Francisco, CA 94105.
Area Supervisor, Bureau of ATF, 315 West Pine Street, Suite 5, Lodi, CA. Mail: P.O. Box 237, Lodi, CA 95240.
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Area Supervisor, Bureau of ATF, Room 4217 Fed. Bldg. and U.S. Courthouse, 1130 Street, Fresno, CA 93721. (Both Fresno Area A and Area B Offices)
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Regional Counsel, Bureau of ATF, Room 327, 2 Penn Center Plaza, Philadelphia, Pennsylvania 19102.
Regional Counsel, Bureau of ATF, Room 450, Main Tower Building, 1200 Main Street, Dallas, Texas 75202.
Regional Counsel, Bureau of ATF, Room 1522, 230 S. Dearborn Street, Chicago, Illinois 60604.
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Chief, ATF Field Laboratory Room 29, U.S. Post Office and Court House, Cincinnati, Ohio 45202.
Chief, ATF Field Laboratory, 3835 N.E. Expressway, Room 214, Atlanta, Georgia 30340.
Chief, ATF Field Laboratory, 1104 U.S. Custom House, 2nd and Chestnut Streets, Philadelphia, Penna. 19106.
Chief, Scientific Services Division, IRS Building, Room 7575, 1111 Constitution Avenue, N.W., Washington, D.C. 20226.

ATF DISTRIBUTION CENTER
Chief, Distribution Center, Bureau of Alcohol, Tobacco and Firearms, 3800 South Four Mile Run Drive, Arlington, Virginia 22206.

**Treasury/Customs 00.001**

**System name:** Acceptable Level of Competence, Negative Determination—Treasury/Customs.

**System location:** Personnel Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02210.

**Categories of individuals covered by the system:** Any employee of U.S. Customs Service Region I, who receives a negative determination regarding acceptable level of competence.

**Categories of records in the system:** Employee's name, social security number, position description, grade, and correspondence containing specific reasons for negative determination.

**Authority for maintenance of the system:** Five U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; such uses include general reference to the records by supervisors when considering appropriate actions to take with regard to the individuals; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders and stored in locked file cabinets.

**Retrievability:** The records are filed by the individual's name.

**Safeguards:** Direct access is limited to the Director and five employees of the Personnel Division. In addition to being stored in locked cabinets, the area in which these records are stored is locked during non-duty hours and the building is guarded by uniformed security police.

**Retention and disposal:** Records are retained until the employee leaves the Customs Service.

**System manager(s) and address:** Director, Personnel Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02210.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

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**Contesting record procedures:** See Access above.

**Record source categories:** Information is furnished by the employee, employee's supervisor and the Federal Employee Appeals Authority.

**Treasury/Customs 00.002**

**System name:** Accident Reports—Treasury/Customs.

**System location:** Logistics Management Division, Region IV, 99 S.E. 5th Street, Miami, Florida 33131.

**Categories of individuals covered by the system:** Any employee of Region IV who has had an accident on Government property or in an official vehicle since 1973.

**Categories of records in the system:** Standard Government forms dealing with accidents and personal injuries.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

Executive Order 11807 and Section 19 of Occupational Health & Safety Act of 1970.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Files are made available to Headquarters for accumulation of statistics; (d) Each record of automobile accidents is turned over to Regional Counsel for determination of tort claims, liability by Federal Government or other party, etc.; (e) Available for personnel actions, if needed; (f) Disclosure to employee's beneficiary in event of death following the accident or injury or to employee's agent in case of disability.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case folder is maintained in an unlocked drawer in chronological order by date.

**Retrievability:** Each case is identified by employee name and date of accident.

**Safeguards:** The metal container described above is maintained within the area assigned to the Logistics Management Division within the Region IV Headquarters Building. During non-working hours the room in which the metal container is located is locked.

**Retention and disposal:** Accident Record files are retained in accordance with the Records Disposal Manual.

**System manager(s) and address:** Director, Logistics Management Division, Region IV, Headquarters, 99 S.E. 5th Street, Miami, Florida 33131.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner, Region IV, U.S. Customs Service, 7370 N.W. 36th Street, Miami, Florida 33166. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system or records, and how he can contest its content shall be in writing and directed to the Regional Commissioner, Region IV, U.S. Customs Service, 7370 N.W. 36th Street, Miami, Florida 33166. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to five thousand dollars.

**Contesting record procedures:** See Access above.

**Record source categories:** Information originates with employees who have been injured and/or have been involved in accidents during the exercise of their official duties. Also included are witness reports and statements, the employees' supervisors' statements and doctors' reports.

**Treasury/Customs 00.003**

**System name:** Accident Reports—Treasury/Customs.

**System location:** Each Regional Commissioner Office (See Customs Appendix A).

**Categories of individuals covered by the system:** Employees of Customs Service injured on-the-job.

**Categories of records in the system:** Information furnished by employee and his/her supervisor regarding facts relating to accidents or injuries involving the employee. Sometimes includes doctor's statements and witnesses' statements. Includes log sheet kept in order of arrival during calendar year.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the U.S. Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Files are made available to Headquarters for accumulation of statistics; (d) Each record of automobile accidents is turned over to Regional Counsel for determination of tort claims, liability of Federal Government or other party, etc.; (e) Available for personnel actions, if needed; (f) Disclosure to employee's beneficiary in event of death following the accident or injury or to employee's agent in case of disability.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Locked file cabinet.

**Retrievability:** Alphabetically by name.

**Safeguards:** Locked file cabinet.

**Retention and disposal:** In accordance with the Records Control Manual.

**System manager(s) and address:** Each Director, Logistics Management Division, each Customs Region (See Customs Appendix A for addresses).

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified of how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information obtained from person filing the report as well as witness's reports and statements, the employees' supervisors' statements and doctors' reports.

**Treasury/Customs 00.004**

**System name:** Accident and Injury Report File—Treasury/Customs.

**System location:** Logistics Management Division, U.S. Customs Service, 211 Main Street, San Francisco, California 94105.

**Categories of individuals covered by the system:** Present and past employees.

**Categories of records in the system:** Information furnished by employee and his/her supervisor regarding facts relating to accidents or injuries involving the employee. Sometimes includes doctor's statements and witnesses' statements. Includes log sheet kept in order of arrival during calendar year.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; 5 U.S.C. 8101-8150, 8191-8193.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the U.S. Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Files are made available to Headquarters for accumulation of statistics; (d) Each record of automobile accidents is turned over to Regional Counsel for determination of tort claims, liability by Federal Government or other party, etc.; (e) Available for personnel actions, if needed; (f) Disclosure to employee's beneficiary in event of death following the accident or injury or to employee's agent in case of disability.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case folder is maintained in a lockable filing cabinet.

**Retrievability:** The file for each employee is placed according to when it is received during the calendar year. The name of the employee is shown on an index sheet on top of the file.

**Safeguards:** The files are contained within a lockable file cabinet within an office which is locked during non-working hours.

**Retention and disposal:** Active files are retained indefinitely. Files of deceased, retired, etc., employees are forwarded to U.S. Customs Region VIII Personnel Division for inclusion within the person's official personnel folder.

**System manager(s) and address:** Logistics Management Specialist, Logistics Management Division, U.S. Customs Service, 211 Main Street, San Francisco, California 94105.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system originates with employees who have been injured and/or have been involved in accidents during the exercise of their official duties. Also included are witness reports and statements, the employees' supervisors' statements and doctor's reports.

**Treasury/Customs 00.269**

**System name:** Accounts Payable Voucher File—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, Region V, 1440 Canal Street, New Orleans, Louisiana 70112.

**Categories of individuals covered by the system:** All Region V personnel to whom travel and other disbursements are made. All individuals who provide goods and services to Region V.

**Categories of records in the system:** Invoices and travel/other vouchers and supporting disbursements schedules.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Used to substantiate disbursements made; (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Treasury Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders in unlocked file cabinets.

**Retrievability:** By name.

**Safeguards:** Usage limited to Regional personnel; cabinets are located in rooms which are locked during non-working hours.

**Retention and disposal:** In accordance with Records Control Manual; records are disposed of when no longer needed.

**System manager(s) and address:** Director, Financial Management Division, U.S. Customs Service, Region V, 1440 Canal Street, New Orleans, Louisiana 70112.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A). The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A). The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Invoices and travel/other vouchers submitted by the individual.

**Treasury/Customs 00.005**

**System name:** Accounts Receivable Correspondence and Follow-Up—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Persons owing money for Customs duties and services and money owed to persons for overpayment of excessive duties and services.

**Categories of records in the system:** Correspondence and documentation of telephone calls with debtors and creditors or their representatives.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) This system is used by the personnel of the Financial Management Division to effect collections or refund overpayments for duties and services.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored in file folders which are contained in an unlocked metal file cabinet.

**Retrievability:** The file is retrieved by the name of the individual which is kept in alphabetical order within the work area of the Collection Section.

**Safeguards:** The files are located within an office that is locked during non-working hours. The building is guarded by uniformed security police and only authorized persons are permitted entry to the building.

**Retention and disposal:** The file is retained until collection or refund is effected and 2 years thereafter, then destroyed.

**System manager(s) and address:** Director, Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in the system is obtained from data gathered from the automated billing system and ports of entry.

**Treasury/Customs 00.006**

**System name:** Accounts Receivable—Treasury/Customs.

**System location:** Financial Management Division—District and ports, 99 S.E. 5th Street, Miami, Florida 33131.

**Categories of individuals covered by the system:** Importers and Brokers, Corporate and Individuals.

**Categories of records in the system:** Names, Entry Number, Amounts Due (Reimb) Names, Importer Number, Amounts Due.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used by Revenue Accounting Personnel to ascertain receivables and to determine appropriate follow up action to effect collection.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Files are maintained in an unlocked drawer within a metal file cabinet.

**Retrievability:** Monthly hard copy printout, by bill category, alphabetized within.

**Safeguards:** The metal container described above is maintained within the area assigned to the Financial Management Division within the Customs Service Building. During non-working hours the room in which the metal container is located is locked.

**Retention and disposal:** These files are retained as prescribed by Regulations or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Director of Financial Management, 99 S.E. 5th Street, Miami, Florida 33131.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing, and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Headquarters Data Center.

**Treasury/Customs 00.007**

**System name:** Accounts Receivable—Treasury/Customs.

**System location:** U.S. Customs Service, Financial Management Division, Increase and Refund Section, 6 WTC, New York, N.Y. 10048.

**Categories of individuals covered by the system:** File on individuals and corporations that owe the Customs Service money.

**Categories of records in the system:** Each file lists name of debtor, address, its liquidated and unliquidated entries, and notices sent out regarding debtors to all branches of Customs Service.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) To expedite collection of money and to hold refunds.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Stored in cabinets.

**Retrievability:** Rolex file maintained alphabetically refers to all cases.

**Safeguards:** Office locked.

**Retention and disposal:** Retained until case is closed and then destroyed.

**System manager(s) and address:** Regional Commissioner of Customs, U.S. Customs Service, 6 World Trade Center, New York, N.Y. 10048.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Newspapers, Regional Counsel, Customshouse Brokers.

**Treasury/Customs 00.008**

**System name:** Accounts Receivable Files—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, Region V, 1440 Canal Street, New Orleans, Louisiana 70112.

**Categories of individuals covered by the system:** All individuals incurring Customs obligations (duties, taxes, fines, and penalties).

**Categories of records in the system:** Customs bills and related supporting documentation and correspondence.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Used to determine collection status of individual obligations for processing of collection actions; (b) Disclosures to those officers and employees of Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Unlocked file cabinets.

**Retrievability:** By bill number. Can be identified to individual by referring to alphabetical listing on monthly aged accounts receivable report.

**Safeguards:** Usage limited to Regional personnel. Files located in office which is locked during non-working hours.

**Retention and disposal:** Records are retained indefinitely.

**System manager(s) and address:** See "Location" above.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting

identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** All individuals incurring Customs obligations.

**Treasury/Customs 00.009**

**System name:** Acting Customs Inspector (Excepted)—Treasury/Customs.

**System location:** Personnel Management Division, Regional Commissioner of Customs, 55 East Monroe Street, Suite 1501, Chicago, Illinois 60603, and Offices of the District Directors, Region IX, Chicago, Illinois.

**Categories of individuals covered by the system:** Employees or members of other Federal agencies who are designated by the District Directors as Customs Inspectors (Excepted).

**Categories of records in the system:** System has name, social security number, rank or grade and duty station of the individual.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used by Personnel Management Specialists and managers as a control and for statistical purposes.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** CF 55 forms kept in manila folders in file cabinet.

**Retrievability:** Filed alphabetically.

**Safeguards:** During non-working hours the offices and/or buildings in which records are located are locked.

**Retention and disposal:** Until individual transfers or designation is cancelled. Form is then destroyed.

**System manager(s) and address:** Director, Personnel Management Division.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is supplied by the individual and his or her agency.

**Treasury/Customs 00.010**

**System name:** Acting Customs Inspectors (Excepted)—Treasury/Customs.

**System location:** Inspection and Control Division, U.S. Customs Service, Region VI, 500 Dallas St., Suite 1240, Houston, Texas 77002.

**Categories of individuals covered by the system:** Those employees of other agencies (including military) within Region VI designated as Customs Inspectors.

**Categories of records in the system:** The name of individual, location, social security number, rank or grade, position and agency and date of designation.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duites; such uses would include general reference to the files by supervisors for personnel and statistical purposes; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each sheet is inserted in a folder which is filed in an unlocked metal file cabinet.

**Retrievability:** Each sheet is identified by the name of the designee.

**Safeguards:** The metal cabinet is located within an office that is locked during non-working hours. The building is guarded by uniformed security police, and only authorized persons are permitted in the building.

**Retention and disposal:** Active sheets are maintained in the file indefinitely. However, the system is reviewed every six months and outdated sheets are discarded.

**System manager(s) and address:** Director, Inspection and Control Division, U.S. Customs Service, Region VI, 500 Dallas, Suite 1240, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where

the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Copy of action designating the individual from the District Directors.

**Treasury/Customs 00.011**

**System name:** Acting Customs Inspectors (Excepted)—Treasury/Customs.

**System location:** Located in the Office of the District Director, San Diego, Calif.; Offices of the Port Directors, San Ysidro, Calif.; Tecate, Calif.; Calexico, Calif.; Andrade, Calif.; San Diego Barge Office; and the Offices of the Customs Patrol Division, San Diego, Calif.; San Ysidro, Calif.; Calexico, Calif.; Tecate, Calif.; see Customs Appendix A.

**Categories of individuals covered by the system:** All individuals of other Federal agencies who have been cross-designated as Acting Customs Inspectors (Excepted).

**Categories of records in the system:** Name, date of birth, social security number, duty location, GS-level and training statement from Customs Officer.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended and the Customs Regulations.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure of those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; such uses would include general reference to the files by supervisors for personnel and statistical purposes; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention or an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Maintain a list of those employees of other agencies who have met the minimum requirements of Acting Customs Inspectors and record of training for such designation. Maintain minimum requirements for primary and secondary inspection programs, policies, procedures, etc.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper in manila folder in a file cabinet.

**Retrievability:** By name of individual and duty station.

**Safeguards:** Locked file cabinets, buildings locked during nonworking hours.

**Retention and disposal:** Indefinitely or until rescinded.

**System manager(s) and address:** District Director, Port Directors, and Division Directors within the San Diego Customs District, according to the list that is attached as Customs Appendix A.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs, P.O. Box 2071—Main Post Office, Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20029. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of Customs, P.O. Box 2071—Main Post Office, Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person

under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Customs Officers, employees, and officers of other Governmental agencies.

**Treasury/Customs 00.012**

**System name:** Acting Customs Officer (Excepted)—Treasury/Customs.

**System location:** In the office of all District Directors in Region IX, Chicago, Illinois. (See Customs Appendix A).

**Categories of individuals covered by the system:** Employees of other Government agencies who have been designated to act as Customs officers excepted.

**Categories of records in the system:** Names, social security numbers, rank or grade, Customs designation, position and agency or service, duty stations, and effective date. Customs Form 55.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; such uses would include general reference to files by supervisors for personnel and statistical purposes; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are kept in file folders in open file cabinets.

**Retrievability:** These forms are maintained in alphabetical order by name of employee.

**Safeguards:** The file cabinet is maintained in the offices or areas assigned to the District Directors. During non-working hours the room and/or building in which the cabinet is located is locked.

**Retention and disposal:** Retention period is indefinite or until canceled by reason of transfer or retirement.

**System manager(s) and address:** All District Directors, as appropriate, in Region IX, Chicago, Illinois. (See Customs Appendix A.)

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Requests for designation by the agencies involved and memoranda certifying completion of training.

**Treasury/Customs 00.013**

**System name:** Acting Customs Officer (Excepted)—Treasury/Customs.

**System location:** U.S. Customhouse, P.O. Box 111, District Director's Office, St. Albans, Vermont 05478.

**Categories of individuals covered by the system:** Present employees of other agencies designated as Customs Officers (Excepted).

**Categories of records in the system:** Name, social security number, rank or grade, Customs designation, position and agency or service, duty station.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; such uses would include general reference to the files by supervisors for personnel and statistical purposes; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be diclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folders stored in filing cabinet.

**Retrievability:** Alphabetically; by name.

**Safeguards:** These records are filed at the District Director's office under the supervision of District Director's secretary during working hours. The office is locked during non-working hours.

**Retention and disposal:** Retention period is indefinite or until canceled by reason of transfer or retirement.

**System manager(s) and address:** District Director, U.S. Customs Service, St. Albans, Vermont 05478.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is furnished by the individual employee and his agency.

**Treasury/Customs 00.014**

**System name:** Advice Requests (Legal) (Region VIII)—Treasury/Customs.

**System location:** Office of the Regional Counsel, 211 Main Street, San Francisco, CA 94105.

**Categories of individuals covered by the system:** Individuals who are the subject of any request for legal advice by another office within Customs, another Government agency, or the private individual himself. An example would be a request by a District Director for advice as to whether or not a violation of a Customs law for which a penalty may be assessed has occurred.

**Categories of records in the system:** Intra-agency or inter-agency memoranda and reports of investigation and other documents submitted by the requesting office for use in handling the request. Correspondence from the private individual submitting the request.

**Authority for maintenance of the system:** 5 U.S.C. 301; Reorganization Plan No. 1 of 1950; Treasury Department Order No. 165, Revised, as amended; Reorganization Plan No. 1 of 1965.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Information contained in the files is used in handling the request for advice and in preparing a response to the request; (d) Information contained in the files may be used internally by the Regional Counsel and members of his staff insofar as it relates to precedent or guidelines for their handling of future cases.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal file cabinet.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the individual who is the subject of the request and in the alphabetical file folder within the metal file cabinet by the name of the individual who is the subject of the request.

**Safeguards:** The metal file cabinet described above is maintained within the area assigned to the Office of the Regional Counsel within the Federal Building. During non-working hours the room in which the metal file cabinet is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Request for legal advice files are retained indefinitely or until there is no longer any space available for them within the metal file cabinet, at which time some files may be transferred to the Federal Record Center.

**System manager(s) and address:** Regional Counsel, 211 Main Street, San Francisco, CA 94105.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** Information which may concern the subject individual is sourced in the memoranda or correspondence from the office or individual requesting the advice and in any supporting documents that office or individual may transmit.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.016**

**System name:** Aircraft Ownership File—Treasury/Customs

**System location:** U.S. Customs Air Support Branch, PM-TUM, Homestead Air Force Base, Homestead, Florida 33030.

**Categories of individuals covered by the system:** Persons, partnerships, or corporations who are the registered owners of record of U.S. aircraft.

**Categories of records in the system:** This file contains the name and address of the registered owner of the aircraft; the registration number, category and type of aircraft; and an indication of whether or not the aircraft is on record with the TECS system.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; such uses would include general reference to the records by Customs Officers to determine whether certain aircraft are in the TECS system and in enforcing laws and regulations relating to aircraft entering and leaving the United States; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charges with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information files are numerically filed in a looseleaf container within a security area.

**Retrievability:** The information is in the form of Micro-film and is retrieved by means of an Alpha-numerical code identifier.

**Safeguards:** The information files are located within an office which is locked during non-working hours. The building is guarded by U.S. Air Force Military Police and only authorized persons are permitted in the building.

**Retention and disposal:** These files are maintained for a period of three months at which time they are replaced with current information. The old files are then destroyed under Customs supervision.

**System manager(s) and address:** Chief, Air Support Branch, U.S. Customs, PM-TUM, Homestead Air Force Base, Homestead, Florida 33030.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.017**

**System name:** Aircraft Registers—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Investigations, Region V, RDI, 1440 Canal Street, New Orleans, La. 70112; RA, 1719 West End Building, Rm. 303, Nashville, Tennessee 37203.

**Categories of individuals covered by the system:** Owners and co-owners of U.S. registered aircraft.

**Categories of records in the system:** Name indices of owners of U.S. registered aircraft and indices of co-owners of U.S. registered aircraft indexed by aircraft registration number.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; such uses would include general reference to the records by Customs Officers to determine whether certain aircraft are in the TECS system and in enforcing laws and regulations relating to aircraft entering and leaving the United States; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Information contained in these microfiche files is provided for the routine use of the Office of Investigations of the Customs Service for the purpose of verifying information received from other sources in conjunction with investigations within the Office of Investigations.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** This microfiche is maintained in a file folder in a metal cabinet. The cabinet is located in a room which is manned during normal office hours, and locked after hours.

**Retrievability:** This microfiche file is identified by alphabetical name of the categories of individials maintained in that file and information is retrievable manually from these files.

**Safeguards:** These microfiche files are kept in a metal cabinet and are maintained within the room which is manned by Office of Investigations personnel during normal office hours. During non-working hours, the room in which the metal cabinet is located is locked and entrances to the office which contains that room are locked. Access to the building containing the office is controlled during non-working hours by a uniformed guard.

**Retention and disposal:** These files are retained indefinitely or until updated by more current records at which time the old records are disposed of by shredding.

**System manager(s) and address:** Regional Director, Investigations, U.S. Customs Service, Office of Investigations, 1440 Canal Street, New Orleans, La. 70112; Resident Agent, U.S. Customs Service, Office of Investigations, 1719 West End Building, Rm. 303, Nashville, Tenn. 37203.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C.552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.018**

**System name:** Aircraft Sanctioned List—Treasury/Customs.

**System location:** All ports and Regional Headquarters in Region VI, U.S. Customs Service, 500 Dallas St., Suite 1280, Houston, Texas 77002.

**Categories of individuals covered by the system:** Private aircraft owners and/or operators entering Region VI ports from a foreign country.

**Categories of records in the system:** Listed by name, address, port of service, bill number, and dollar amount of delinquent receivables.

**Authority for maintenance of the system:** Public Law 89-508, the "Federal Claims Collection Act of 1966;" 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Provide ready reference to officers and employees of the U.S. Customs Service in Region VI of parties-in-interest with past due accounts; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** List is maintained in file folder at work site.

**Retrievability:** Alphabetical order by name.

**Safeguards:** The list is placed in locked cabinet during non-working hours. The building is guarded by uniformed security police.

**Retention and disposal:** Quarterly an updated list is issued and the prior list is destroyed by shredding.

**System manager(s) and address:** Director, Financial Management Division, 500 Dallas St., Suite 1265, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individial to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individial can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The source of information for the listing is obtained from a suspension file purged from the automated system of Aged Accounts Receivable.

**Treasury/Customs 00.021**

**System name:** Arrest/Seizure/Search Report and Notice of Penalty File—Treasury/Customs.

**System location:** Office of the District Director of Customs, Room 228, United States Customs Service, 335 Merchant Street, Honolulu, Hawaii 96813.

**Categories of individuals covered by the system:** Persons who are suspected of attempting to smuggle, or have smuggled, merchandise or contraband into the United States; individuals who have undervalued merchandise upon entry into the United States; vessels and aircraft which have been found to be in violation of Customs laws.

**Categories of records in the system:** Names of individuals, vessels, aircraft; identifying factors; nature of violation or suspected violation; circumstances surrounding violation or suspected violation; date and place of violation or suspected violation; and on-site disposition actions.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Enforcement use by Customs Patrol Officers.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each report is assigned a case number and filed accordingly in a locked, metal file located in the office of the Director of Patrol.

**Retrievability:** Each report is identified in a manual alphabetical card file by the name of the individual, vessel or aircraft.

**Safeguards:** In addition to being stored in a locked metal cabinet, these records are located in a locked room, the keys of which are controlled and issued only to authorized personnel.

**Retention and disposal:** These records are retained for one year or until action has been completed.

**System manager(s) and address:** District Director of Customs, U.S. Customs Service, Post Office Box 1641, Honolulu, Hawaii 96806.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.022**

**System name:** Attorney Case File—Treasury/Customs

**System location:** Office of Regional Commissioner of Customs, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Persons who are parties in litigation with the United States Government or sub-units, or employees or officers thereof, in matters which affect or involve the U.S. Customs Service.

**Categories of records in the system:** Seizure reports, investigative reports, Customs forms and documents relative to the case, petitions for relief, decisions on petitions, other background information relating to the litigation, motions, orders, etc., filed in connection with the litigation; investigative reports relative to an individual's economic ability to pay a claim.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant

to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records maintained in file folders.

**Retrievability:** Records indexed by name of private individual involved in the litigation.

**Safeguards:** Open case files maintained in file cabinets with access by Regional Counsel and his staff only; closed case files maintained in locked cabinet with keys retained by Regional Counsel and his staff only.

**Retention and disposal:** Retained indefinitely or until there is no longer any space available within metal cabinets, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Commissioner of Customs, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S..Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files is received from U.S. Customs employees, reports of investigation, Customs penalty case files, other Government agencies, parties involved in litigation, banks and credit bureaus, administrative proceedings regarding disciplinary action taken against Customs Service employees, Equal Opportunity complaints, denials of tort claims, denials of information under the Freedom of Information Act, and from other parties' information pertinent to the litigation.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.270**

**System name:** Background—Record File of Non-Customs Employees—Treasury/Customs.

**System location:** Offices of District Directors, Region IX, Chicago, Illinois—for addresses see Customs Appendix A.

**Categories of individuals covered by the system:** Present and past non-Customs personnel requiring a background investigation to gain admittance to restricted U.S. Customs premises.

**Categories of records in the system:** Report of background investigations, names, addresses, social security numbers and date and place of birth, etc. of non-Customs employees.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties which include ensuring the security of merchandise, contraband and information in Customs custody; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Treasury Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders and stored in file cabinets in each District Director's office within Region IX, Chicago, Illinois.

**Retrievability:** Each file is identified by the name of the non-Customs employee.

**Safeguards:** The file cabinets are maintained within the area assigned to the District Director. During nonworking hours the room and/or building in which the file cabinet is located is locked.

**Retention and disposal:** These files are retained indefinitely. Employee name data is retained during the period the non-Customs employee requires admittance to restricted areas.

**System manager(s) and address:** District Director, as appropriate in Region IX, Chicago, Illinois.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, NW., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature. If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, NW., Washington, D.C. 20229. The requestor will be notified in writing of the procedures to be followed. Where the request is presented in person, the requestor shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to 5,000 dollars.Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this file originates from the individual non-Customs employee working for a private contractor who requires admittance to restricted U.S. Customs premises, from reports of background investigation which include interviews of Customs personnel and private parties and from other Customs internal documents.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records are proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.026**

**System name:** Badge and Gun Report—Treasury/Customs

**System location:** Logistics Management Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Customs employees assigned to the Office of Investigations and the Office of Internal Security to whom badges and guns have been issued.

**Categories of records in the system:** Name, Social Security number, badge number, serial number of gun.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) Provide Customs with a record of those employees to whom badges and guns have been issued, and to provide personal accountability for badges and guns.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic tape and computer printout.

**Retrievability:** By name or Social Security number of the person to whom the badge or gun has been issued.

**Safeguards:** The magnetic tape and computer are maintained under procedural and physical safeguards such as accountability and receipt access, guards patrolling the area, restricted access, and alarm systems. Print-outs are stored in locked metal file cabinets. The room where the cabinets are kept is locked during non-working hours. The building is patrolled by security police on a round-the-clock basis, and only authorized persons are permitted in the building.

**Retention and disposal:** The records in this system are kept for as long as the individual remains in possession of a badge or gun. Thereafter the record is erased from the tape. The print-outs are retained for two years and then disposed of as paper trash.

**System manager(s) and address:** Director, Logistics Management Division, U.S. Customs Service, Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is recorded by the issuing officer at the time the badge or gun is issued.

**Treasury/Customs 00.027**

**System name:** Badge Number File—Treasury/Customs.

**System location:** Located in the Office of the District Director, San Diego, Calif.; Offices of the Port Directors, San Ysidro, Calif.; Tecate, Calif.; Calexico, Calif.; Andrade, Calif.; San Diego Barge Office; and the Offices of the Customs Patrol Division, San Diego, Calif.; San Ysidro, Calif.; Calexico, Calif.; Tecate, Calif.; see Customs Appendix A.

**Categories of individuals covered by the system:** Customs officers who have been assigned badges.

**Categories of records in the system:** Names, Badge Numbers.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its

request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Available to Supervisors and other Customs personnel who have need for badge identification.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained on single 8 x 10 sheet by property clerk and Port Director.

**Retrievability:** Alphabetical.

**Safeguards:** Building is locked during non-working hours.

**Retention and disposal:** Indefinite while employee in duty status; otherwise destroyed.

**System manager(s) and address:** District Director, Port Directors, and Division Directors within the San Diego Customs District, according to the list that is attached as Customs Appendix A.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs, P.O. Box 2071—Main Post Office, Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20029. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of Customs, P.O. Box 2071—Main Post Office, Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20029. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information supplied by individual and the Customs Service.

**Treasury/Customs 00.028**

**System name:** Baggage Declaration—Treasury/Customs

**System location:** Located at the District and Port Directors' offices in the Ogdensburg, New York district. (Boston region)

**Categories of individuals covered by the system:** Persons required to make a written baggage declaration.

**Categories of records in the system:** Name, address, items declared and value.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) To substantiate cases of failure to declare or false declarations or investigation by Office of Investigations; (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (d) In the event that this system of records includes information which indicates a violation or potential violation of law whether civil, criminal, or regulatory in nature and whether arising by general statute or particular program statute or by regulation, rule, or order issued pursuant thereto the relevant records in the system of records may be referred, as a routine use, to the appropriate agency whether Federal, state, local, or foreign charged with the responsibility of investigating or prosecuting the statute or rule, regulation, or order issued pursuant thereto; (e) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee; the issuance of a security clearance; the letting of a contract; or the issuance of a license, grant, or other benefit; (f) A record from this system of records may be disclosed to a Federal agency in response to its request in connection with the hiring or retention of an employee; the issuance of a security clearance; the reporting of an investigation of an employee; the letting of a contract; or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file folders in file cabinet.

**Retrievability:** By name.

**Safeguards:** Available to authorized Customs personnel only.

**Retention and disposal:** Free entry declarations are retained for three years then destroyed. Dutiable declarations are retained for three years at the Port, seven years at the Federal Record Center, and then destroyed.

**System manager(s) and address:** District and Port Directors.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records and how he can contest its content shall be in writing and directed to the Regional Commissioner of

the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above

**Record source categories:** The individual who files the baggage declaration.

**Treasury/Customs 00.030**

**System name:** Bankrupt Parties-in-Interest—Treasury/Customs.

**System location:** Regional Headquarters in Region VI, U.S. Customs Service, 500 Dallas St., Suite 1280, Houston, Texas 77002.

**Categories of individuals covered by the system:** Individuals indebted to U.S. Customs.

**Categories of records in the system:** Listed by name, address, port of service, bill number, and dollar amount of delinquent receivables.

**Authority for maintenance of the system:** Public Law 89-508, the "Federal Claims Collection Act of 1966;" 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Provide ready reference to officers and employees of the U.S. Customs Service in Region VI of parties-in-interest with past due accounts who have filed in bankruptcy court; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Cases are maintained in file folders at work site.

**Retrievability:** Alphabetical order by name.

**Safeguards:** These cases are placed in locked cabinets during nonworking hours. The building is guarded by uniformed security police.

**Retention and disposal:** As satisfaction received, cases are closed. Records are maintained per Records Control Manual FIS-4 No. 124.

**System manager(s) and address:** Director, Financial Management Division, 500 Dallas St., Suite 1265, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notifed if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The source of information is obtained from individuals, bankruptcy courts, Customhouse brokers, and sureties.

**Treasury/Customs 00.031**

**System name:** Bills Issued Files—Treasury/Customs.

**System location:** Regional Commissioner of Customs, Suite 1501, 55 East Monroe Street, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Individuals to whom bills have been issued.

**Categories of records in the system:** Correspondence received from or sent to individuals in relation to bills issued by the United States Customs Service.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Individual alphabetical file folders in file cabinet.

**Retrievability:** Access by name of individual.

**Safeguards:** The file cabinet is maintained in the offices of the Regional Commissioner, Region IX, Chicago, Illinois. During nonworking hours the room/building in which the file is located is locked. Access is limited to authorized personnel.

**Retention and disposal:** Correspondence file is maintained for a period of three years then destroyed.

**System manager(s) and address:** Regional Commissioner of Customs, Room 1501, 55 East Monroe Street, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notifed if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Con-

stitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information consists of copies of letters or memoranda issued to or received from individuals. Records of phone calls and copies of documents related to the individual's transaction.

**Treasury/Customs 00.033**

**System name:** Biographical Information File—Treasury/Customs.

**System location:** Public Information Office, U.S. Customs Service, Region VI, Suite 1240, One Allen Center, 500 Dallas Street, Houston, Texas 77002.

**Categories of individuals covered by the system:** Employees who by virtue of position and/or achievement are the subject of official news releases and news inquiries.

**Categories of records in the system:** Name; title; office; location; employment date; professional status; schools and colleges attended; dates of graduation; degrees received; major subjects studied; special courses completed; work experience; memberships in professional societies; achievements; books and articles written; committee service; military service and honors; date and place of birth; marital status; spouse's name; number of children; home address; hobbies; civic activities; list of publications to be sent press releases; names and addresses of parents and spouse's parents; personal photograph; copies of press releases; copies of news clippings.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosures to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) To provide biographical and personal data used in the preparation of news releases; (d) To provide biographical and personal data used in responding to inquiries from the news media; (e) To provide biographical and personal data used in preparing articles for internal publications.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Information is maintained in file folders and stored in metal file cabinets in an office with security lock.

**Retrievability:** The files are arranged alphabetically by name.

**Safeguards:** The file cabinet is located within an office that is locked during non-working hours. The building is guarded by uniformed security personnel.

**Retention and disposal:** Retained indefinitely as long as subjects are employed by Customs within the region. Files are destroyed when they are no longer useful.

**System manager(s) and address:** Regional Commissioner of Customs, U.S. Customs Service, Region VI, Suite 1240, One Allen Center, 500 Dallas Street, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information in press biographical information files is supplied by the individual to whom it pertains. The information is submitted in the form in which persons submitting the data prefer to see it in print.

**Treasury/Customs 00.032**

**System name:** Biographical Files (Headquarters)—Treasury/Customs.

**System location:** Public Information Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229, and the Regional Public Information offices located at the addresses listed in Customs Appendix A.

**Categories of individuals covered by the system:** General biographical records are maintained on all Customs employees for news release and public information purposes.

**Categories of records in the system:** General biographical information including home address, date and place of birth, educational background, work experience, honors and awards, hobbies, and other information.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; such uses include release of information to the news media and for use in internal Customs publications; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses See Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Information is maintained in file cabinets in the Public Information Division at Customs Headquarters.

**Retrievability:** File folders are identified by the name of the person and are filed in alphabetical order.

**Safeguards:** The office in which the records are located is locked during non-working hours and the building is guarded by uniformed guards.

**Retention and disposal:** Files are retained during the individual's tenure as an employee of the Customs Service, after which the files are destroyed.

**System manager(s) and address:** Director, Public Information Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The individual involved, Customs personnel officers and co-workers.

**Treasury/Customs 00.034**

**System name:** Boarding Report—Treasury/Customs.

**System location:** Office of the Director, District Patrol, 600 South Street, New Orleans, La. 70130; Dir., District Patrol Division, Rm. 213, International Trade Center, 250 N. Water Street, Mobile, AL 36602.

**Categories of individuals covered by the system:** All suspect vessels and/or boats that information has been received on indicating unlawful or suspicious activity requiring a Customs search.

**Categories of records in the system:** Regional form giving name of vessel, registration number, boarding date, hailing port, documentation port, name and address of master and all other important information pertaining to suspect vessel or boat.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records maintained in standard Customs file folders in locked metal cabinets.

**Retrievability:** System is filed alphabetically by name of vessel owner.

**Safeguards:** File maintained in locked metal file cabinet, the keys of which are controlled by the custodian of the files. Those departmental officials who may occasionally be granted access consistent with their positions, have been cleared by a full field background

investigation and granted appropriate security clearance for critical sensitive positions. During non-working hours, the room housing the metal cabinet is locked.

**Retention and disposal:** Boarding Reports are normally destroyed after 3 years. On active cases, files could presumably be retained for duration of interest in vessel. Disposal is by means of shredding.

**System manager(s) and address:** Director, District Patrol Division, 600 South Street, New Orleans, La. 70130.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.036**

**System name:** Boat Owners Mailing List—Treasury/Customs.

**System location:** Inspection & Control Division, U.S. Customs Service, Region VI, 500 Dallas St., Suite 1240, Houston, Texas 77002.

**Categories of individuals covered by the system:** Individual boat owners who own boats; (a) 28 feet and over—residing in Texas, Louisiana and Alabama; (b) 16 feet and over—in counties contiguous to and available to Lake Amistad and Falcon Lake, Texas.

**Categories of records in the system:** Name of individual boat owners meeting above criteria, address and boat identification and description.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to printer and/or mailing center for distribution of advisory material; (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is expected to be in a computer sheet printout which will be kept in the desk of an operations officer until needed.

**Retrievability:** It is expected that the lists from each state will be in alphabetical order.

**Safeguards:** The lists will be in an operations officer's desk which is located within an office that is locked during nonworking hours.

**Retention and disposal:** The information in these lists will be kept through initial mailing of required information after which they will be destroyed under supervision.

**System manager(s) and address:** Director, Inspection & Control Division, U.S. Customs Service, Region VI, 500 Dallas St., Suite 1240, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Boat registration lists from: (a) State of Texas; (b) State of Louisiana; (c) State of Alabama; (d) U.S. Coast Guard.

**Treasury/Customs 00.037**

**System name:** Cargo Security File—Treasury/Customs.

**System location:** Special Agent in Charge, Room 501, 243 West Congress Street, Detroit, Michigan 48226; Special Agent in Charge, Room 210, 55 Erieview Plaza, Cleveland, Ohio 44114.

**Categories of individuals covered by the system:** Longshoremen, Customs Bonded Warehouse employees, licensed Cartmen employees and other persons having access to cargo.

**Categories of records in the system:** Names, place of employment, residence, criminal records, date of birth, Social Security numbers, photographs, descriptions and other identifying data.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties and/or to cooperating Law Enforcement Agencies; (b) Disclosures required in administration of the Freedom of Information Act. (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in loose-leaf binders and cross indexed index cards showing license numbers are kept in a metal box. They are kept in the communications room for rapid access.

**Retrievability:** Names of companies and individuals can be retrieved by checking the loose-leaf binders kept in an alphabetical listing. License plate numbers are listed in numerical sequence on index cards.

**Safeguards:** The records are kept in a room within the office which is locked when not in use. Keys are available only to employees, and are not accessible to persons other than employees. Employees having access to the room have received a security background and clearance. The offices are located in buildings with guards and controlled by sign-in, sign-out sheets after regular hours.

**Retention and disposal:** Information remains in the system indefinitely or until no longer needed. The records are disposed of by shredding or burning.

**System manager(s) and address:** Special Agent in Charge, Room 501, 243 West Congress Street, Detroit, Michigan 48226; Special Agent in Charge, Room 210, 55 Erieview Plaza, Cleveland, Ohio 44114.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.271**

**System name:** Cargo Security Record System—Treasury/Customs.

**System location:** District Director, 600 South Street, New Orleans, Louisiana 70130; District Director, P.O. Box 2748, Mobile, Alabama 36601.

**Categories of individuals covered by the system:** Drivers of motor vehicles of licensed cartmen and lightermen; properties and operators of each class of Customs bonded warehouse and their employees.

**Categories of records in the system:** Records on drivers of motor vehicles contain information relating to personal statistical data, physical characteristics, history of past employments, previous five years residences, alias (if any), citizenship, military records, criminal record other than traffic violations, use of narcotic drugs, and photograph. Name of operator of bonded warehouse and employees.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties which include protection of the revenue of the United States and protection of merchandise in Customs custody; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folder with Customs Form 3078, Customs Form 73, Photographs, and correspondence; For bonded warehouses, file folder contains Customs Form 3581 and names, addresses, and social security number of all employees; all stored in metal file cabinet. Alphabetical list of current I.D. cards issued on drivers retained in file folder and stored in desk drawer.

**Retrievability:** By individual name or corporate name.

**Safeguards:** Unlocked metal file cabinet and desk drawer of customs employee; building secured after hours.

**Retention and disposal:** Information on drivers is retained in an active file until revoked or cancelled. After revocation or cancellation, the information folder is placed in an inactive file for a period of five years, after which time the records are disposed of in accordance with the General Services Administration Records Disposal Manual. Information on proprietor bonded warehouse operators and employees is retained on file until Customs bonded operations cease and are discontinued, then are maintained in an inactive file for a period of three years. Final disposition is in accordance with the GSA Records Disposal Manual.

**System manager(s) and address:** District Director, 600 South Street, New Orleans, Louisiana 70130; District Director, P.O. Box 2748, Mobile, Alabama 36601.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requestor will be notified in writing of the procedures to be followed. Where the request is presented in person, the requestor shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requestor asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requestor will be notified in writing of the procedures to be followed. Where the request is presented in person, the requestor shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requestor asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is obtained from applicant (individual or corporation) and from reports of investigation on drivers obtained from Regional Director, Investigations, U.S. Customs Service.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (K)(2) proposes to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.039**

**System name:** Carrier File—Treasury/Customs.

**System location:** Room 130, U.S. Customhouse, Terrace & International Streets, Nogales, Arizona 85621.

**Categories of individuals covered by the system:** Applicants for Bonded Carrier's License.

**Categories of records in the system:** Application with pertinent documents and bonds covering approval as bonded carrier.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Granting of Bonded Carrier status and collection of penalties for Customs violations; (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Carrier files retained in alphabetical order at District Office.

**Retrievability:** By name.

**Safeguards:** Records are retained in lockable file cabinet and building is locked during other than office hours.

**Retention and disposal:** Records retained until obsolete and destroyed by burning.

**System manager(s) and address:** District Director, U.S. Customshouse, Nogales, Arizona 85621.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information contained herein originates with the applicant and includes required licenses and information relative to equipment utilized.

**Treasury/Customs 00.040**

**System name:** Carrier File—Treasury/Customs.

**System location:** Located in the Office of the District Director, San Diego, Calif.; Offices of the Port Directors, San Ysidro, Calif.; Tecate, Calif.; Calexico, Calif.; Andrade, Calif.; San Diego Barge Office; and the Offices of the Customs Patrol Division, San Diego, Calif.; San Ysidro, Calif.; Calexico, Calif.; Tecate, Calif.; see Customs Appendix A.

**Categories of individuals covered by the system:** Officers or owners, employees, associates of Customs Bonded Carriers.

**Categories of records in the system:** Name, date of birth, Social Security No., place of birth and other information relating to Officers, Associates, employees, etc., of Bonded Carriers.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended, and the Customs Regulations.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure of those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Maintain a current file relating to operations, bond status, possible violations, and employment history of individuals working for the Bonded Carrier.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Manila folder in file cabinet.

**Retrievability:** Filed by name of company or individual.

**Safeguards:** Building locked during non-working hours.

**Retention and disposal:** Indefinitely.

**System manager(s) and address:** District Director, Port Directors, and Division Directors within the San Diego Customs District. See Customs Appendix A.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs, P.O. Box 2071—Main Post Office, Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20029. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of Customs, P.O. Box 2071—Main Post Office, Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20029. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Customs Bonded Carriers' employees and correspondence.

### Treasury/Customs 00.041

**System name:** Cartmen or Lightermen—Treasury/Customs.

**System location:** Customs ports, districts, and regional offices. See Customs Appendix A.

**Categories of individuals covered by the system:** Individuals and firms who have applied for or hold a license as a bonded cartman or lighterman and individuals employed by cartman or lightermen.

**Categories of records in the system:** Internal Customs Service memoranda and related materials regarding applications for licenses and identification cards, reports of investigations for approving these licenses and identification cards and card files showing outstanding identification cards and their location. Files also include fingerprint cards.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Used by Customs personnel in determining eligibility of applicants to be approved as licensed cartmen or lightermen; (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (d) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (e) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevent to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (f) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained in a metal file cabinet in the office maintaining the system.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the licensed cartman or lighterman and in the alphabetical file folder by the name of the licensed cartman or lighterman. Each employee's record is filed in a manual alphabetical card file cross-referenced with company names.

**Safeguards:** The file is placed in a metal file cabinet at the work site. At locations where work is not performed on a 24-hour basis the work area is locked and only authorized persons are permitted in the building.

**Retention and disposal:** Files are reviewed at least once a year at which time cancelled I.D. cards may be removed. Closed CF 3078's may also be removed, but normally are held for approximately three years in case a new application is received from the same company or transferred to another company after a new investigation.

**System manager(s) and address:** Port Directors, District Directors, and Regional Commissioners of the U.S. Customs Service. See Customs Appendix A.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Systems exempted from certain provisions of the act:** The commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the

justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.042**

**System name:** Case and Complaint File—Treasury/Customs.

**System location:** Office of the Regional Counsel, U.S. Customs Service, Region IX, 55 E. Monroe Street, Room 1417, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Any individual initiating a court case or against whom a court case is brought; any individual involved in a personnel action, either initiating a grievance, discrimination complaint, or unfair labor practice complaint against the U.S. Customs Service or against whom a disciplinary or other adverse action is initiated; claimants or potential claimants under the Federal Tort Claim Act; individuals involved in accidents with U.S. Customs Service employees; U.S. Customs Service employees involved in accidents; persons seeking relief from fines, penalties and forfeitures and restoration of proceeds from the sale of seized and forfeited property; requesters under the Freedom of Information Act.

**Categories of records in the system:** The System contains the individual's name, the type of case, the uniform filing guide number, the Regional Counsel's office file number, by whom the matter was referred, the district where the action originated, if applicable.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used to retrieve files by attorneys and staff by use of the individual's name.

For additonal routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each alphabetical card is inserted in a metal file drawer.

**Retrievability:** Each card is identified alphabetically by the individual's name described in Category of Individual and the filing is alphabetical by last name.

**Safeguards:** The metal filing drawer containing the alphabetical cards described above is maintained within the area assigned to the Office of the Regional Counsel, Region IX at 55 E. Monroe Street, Chicago, Illinois 60603. During non-working hours, the room in which the metal filing drawer is located is locked and access to the building is controlled at all times by uniformed guards with a check-in system for employees. Only employees of the Regional Counsel's office and authorized building personnel have keys to the building.

**Retention and disposal:** These files are retained indefinitely or until there is no longer space available for them within the metal filing drawer at which time the oldest cards for closed files will be transferred to the storage area within the confines of the office. The storage area is a large area containing cardboard boxes and metal storage cabinets, unable to be locked.

**System manager(s) and address:** Regional Counsel of Customs, Room 1417, United States Customs Service, 55 E. Monroe Street, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained on these cards originates with the initiation of any action by an individual which is channeled through the Regional Counsel's office. Additional information is identifying information for locating the particular case file relating to the court case, personnel action, tort claim, relief petition, or request under the Freedom of Information Act.

**Treasury/Customs 00.043**

**System name:** Case Files (Regional Counsel-Region V)—Treasury/Customs.

**System location:** The system is located at 1440 Canal Street, New Orleans, Louisiana 70112, Office of the Regional Counsel, Region V, United States Customs Service.

**Categories of individuals covered by the system:** (1) The first category of individuals on whom records are maintained in the system includes employees who have filed adverse actions, equal employment opportunity complaints, and grievances within Region V; employees who have filed tort claims under the Military Personnel and Civilian Employees Act; employees of the Regional Counsel's staff with regard to travel, training, evaluations, and other related personnel records; and applications for employment submitted to the Office of the Regional Counsel by prospective employees; (2) The second category of individuals on whom records are maintained in the system includes those individuals not employed by the agency who have filed equal employment opportunity complaints; tort claims under the Federal Tort Claims Act; tort claims filed under the Small Claims Act; individuals who have outstanding Customs bills submitted for collection; individuals, corporations, partnerships, and proprietorships who have filed supplemental petitions on fines, penalties, and forfeitures within Region V; files relating to individuals, corporations, partnerships, and proprietorships upon whom criminal case reports are prepared pending litigation and prosecution for violation of 19 U.S.C. 1305, 18 U.S.C. 542, 18 U.S.C. 545, 18 U.S.C. 549, 18 U.S.C. 1001, 18 U.S.C. 496, and 18 U.S.C. 371; on individuals, corporations, partnerships, and proprietorships who have filed supplemental petitions submitted in civil and technical violations for 19 U.S.C. 1592, 19 U.S.C. 1453, 19 U.S.C. 1448, 19 U.S.C. 1584, irregular deliveries, shortages and overages; and miscellaneous civil and technical violations.

**Categories of records in the system:** The categories of records maintained in the system are personnel actions; tort claims; collection efforts; supplemental petitions for fines, penalties, and forfeitures cases in Region V; criminal case reports for pending litigation

and prosecution of cases in Region V; supplemental petitions for civil and technical violations committed within Region V; and employment applications for positions in the Office of the Regional Counsel, Region V.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as if necessary to obtain information relevant to an agency decision concerning the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Routine uses of the records contained in the system are for the processing and evaluation of complaints and claims submitted in adverse actions, equal employment opportunity complaints, grievances, tort claims, criminal investigations, civil investigations, collection efforts, employment actions, and personnel actions; (g) Routine uses include reference for the processing of claims; continuous updating of the records necessary for the processing of claims; references to the files for the satisfaction of claims and closing cases by or against the United States Customs Service within Region V; submission of copies of records to the General Services Administration and the Justice Department for prosecution of criminal and civil violations and collections; submissions of copies of records to various branches of the United States Customs Service within Region V for the purposes of investigating and/or processing outstanding civil and criminal cases, collection cases, tort claims, and various personnel actions; (h) The purposes of such uses include the processing of all of the above-cited claims by the Office of the Regional Counsel and the preparation of legal memoranda to various department heads and other agencies to expedite the ordinary course of business of the United States Customs Service within and without Region V.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The records are currently maintained in alphabetical file folders which are filed in two steel filing cabinets in the Office of the Regional Counsel, Region V, and they are maintained under lock and key outside the ordinary business hours.

**Retrievability:** Records maintained by the Office of the Regional Counsel, Region V, are retrievable by identifying the character of the record (i.e., adverse action, grievance, tort claim, criminal case), then by comparable statute or regulation, and then alphabetically by name and identifier. In addition, each case file is similarly identified on the alphabetical file folder within the steel filing cabinet.

**Safeguards:** (a) The steel filing cabinets described above are maintained within the area assigned to the Office of the Regional Counsel, 1440 Canal Street, New Orleans, Louisiana 70112. During non-working hours the room in which the locked steel cabinets are located is locked, and access to the building is controlled at all times by uniformed guards; (b) The policies and practices of the Office of the Regional Counsel regarding access controls are that only members of the staff of the Office of the Regional Counsel have access to the records maintained by the office.

**Retention and disposal:** (a) Records collected by this office are currently retained on a permanent basis as the office has only been in operation since August 1973; (b) Individual records are not disposed of by the Office of the Regional Counsel, Region V, and are simply placed into a further file of closed cases by category as stated above, and within each category by name. However, when applicable, this office will comply with appropriate disposal regulations whereby the oldest closed cases will be forwarded to the Federal Records Center in accordance with the Treasury Records Control Manual.

**System manager(s) and address:** The agency official responsible for the system of records maintained by the Office of the Regional Counsel is the Regional Counsel, Region V, United States Customs Service, 1440 Canal Street, New Orleans, Louisiana 70112.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner, U.S. Customs Service, 1440 Canal Street, New Orleans, Louisiana 70112 (the region in which the records are located), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity; and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The categories of sources of records in this system are the individual himself and files compiled by the United States Customs Services by using employers, other government agency resources, financial institutions, educational institutions attended, and previous employers.

Additional information in these files is also derived from reports of investigation regarding the enforcement of civil or criminal statutes, administrative proceedings regarding disciplinary action taken against Customs Service employees, equal opportunity complaints, investigations of tort claims, the processing of inter-office memoranda information requested under the Freedom of Information Act, and the investigation regarding the collection of debts due the Government.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.044**

**System name:** Certificates of Clearance—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** All employees of Region I, Boston, Massachusetts who have transferred, retired or resigned.

**Categories of records in the system:** Documented detailed information on an in-house prepared form indicating that the employee has returned all Government property in his personal possession and that the employee has cleared all debts owing to Customs such as unearned uniform allowances and travel advances.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the

records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) The system is used as a check-off list to insure that the employee has complied with his obligation for the return of Government property and money. The system is used by all employees of the Payment Section.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored in file folders by District and name of employee in a metal file cabinet in the work area of the Payment Section.

**Retrievability:** The file is retrievable by District and name of employee.

**Safeguards:** The file is located within an office that is locked during non-working hours. The building is guarded by uniformed security police and only authorized persons are permitted entry to the building.

**Retention and disposal:** The files are kept for 10 years and then destroyed.

**System manager(s) and address:** Director, Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in the system originates at the District where the individual is employed.

**Treasury/Customs 00.045**

**System name:** Claims Act File—Treasury/Customs.

**System location:** Office of the Regional Counsel, Room 7422, New Federal Building, 300 N. Los Angeles St., Los Angeles, CA 90053.

**Categories of individuals covered by the system:** Current or former Customs employees who have filed, or may file claims under the Military Personnel and Civilian Employees' Claim Act of 1964 for damage to or loss of personal property incident to their service.

**Categories of records in the system:** Documents relating to the administrative handling of the claim and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 31 U.S.C. 240-243; 31 CFR Part 4; Treasury Department Administrative Circular No. 131, August 19, 1965.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The information contained in this file is utilized to formulate recommendations, and is made available to the officials within the Customs Service who make final decisions on claims submitted pursuant to the Military Personnel and Civilian Employees' Claim Act of 1964.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted alphabetically in a file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified alphabetically in the file folder within the metal container by the name of the person who has filed or may file a claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Regional Counsel within the New Federal Building. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest closed files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, Room 7422, New Federal Building, 300 N. Los Angeles St., Los Angeles, California 90053.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs, 300 N. Los Angeles St., Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison

of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A compariosn of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of Customs, 300 N. Los Angeles St., Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates with a Treasury Department Form No. 3079, Civilian Employee Claim For Loss or Damage to Personal Property, which is completed and filed with the Customs Service by the claimant. Additional information contained in these files may be separately provided by the claimant or by the claimant's supervisor. Where a claim is not filed, the information is limited to the investigative reports of damage to or loss of personal property of a Customs employee.

**Treasury/Customs 00.046**

**System name:** Claims Case File—Treasury/Customs.

**System location:** Office of Regional Commissioner of Customs, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Parties who have filed claims for damage or injury against the Government, or against whom the Government has a claim for damage or injury in matters which affect or involve the U.S. Customs Service; private individuals or Government employees who are involved in the incident which gave rise to the claim.

**Categories of records in the system:** Reports relative to the circumstances of the claim (including accident reports provided by Customs personnel, agents' investigative reports, correspondence between Customs and the claimant or his representative); reports relative to an individual's ability to pay a claim for damages.

**Authority for maintenance of the system:** 5 U.S.C. 301; Reorganization Plan No. 1 of 1950; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records maintained in file folders.

**Retrievability:** Records indexed by name of private individual making a claim or against whom a claim is made; cross-referenced file with name of Government employee, if any, involved.

**Safeguards:** Open case files maintained in file cabinets with access by Regional Counsel and his staff only; closed case files maintained in locked cabinet with keys retained by Regional Counsel and staff only.

**Retention and disposal:** Retained indefinitely or until there is no longer any space available within metal cabinets, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Commissioner of Customs, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files is received from U.S. Customs employees, reports of investigation, credit checks, private individuals involved in the claims, other Government agencies and other individuals with pertinent information.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.047**

**System name:** Claims Files (Region VIII)—Treasury/Customs.

**System location:** Office of the Regional Counsel, 211 Main Street, San Francisco, CA 94105

**Categories of individuals covered by the system:** The categories included are: (1) Private persons filing claims under the Federal Tort Claims Act for property damage or personal injury allegedly caused by a wrongful or negligent act or omission on the part of a Customs Service employee while acting within the scope of his employment; (2) Current or former Customs employees filing claims under the Military Personnel and Civilan Employees' Claims Act of 1964 for damage to or loss of personal property incident to their service; (3) Individuals against whom the Government may have a claim for property damage caused by a wrongful or negligent act or omission on the part of the individual.

**Categories of records in the system:** Reports of invstigation regarding claims filed, documents relating to the administrative handling of the claim and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; Reorganization Plan No. 1 of 1965; 28 U.S.C. 2672, et seq; 31 U.S.C. 240-243, 28 CFR 14.1 et seq; 31 CFR 3.1, et seq; 31 CFR, Part 4; Treasury Department Administrative Circular No. 131, August 19, 1965.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552);(c) The information contained in these files with respect to Category 1 individuals above is used to administratively process claims filed under the Federal Tort Claims Act and is made available to the officials within the Customs Service who review recommendations and who make final decisions on such claims. In addition, information contained in the Category 1 files is made available to the Department of Justice to assist that Department in preparing the Government's case when suit is filed in court based on an administrative denial of the claim or based on a failure to administratively process the claim within the prescribed time period; (d) The information contained in these files with respect to Category 2 individuals above is utilized to formulate recommendations, and is made available to the officials within the Customs Service who make final decisions on claims submitted pursuant to the Military Personnel and Civilian Employees' Claims Act of 1964; (e) Information contained in these files with respect to Category 3 individuals above is used to make recommendations and is made available to officials within the Customs Service who make final determinations with respect to whether or not Customs should proceed to collect a claim against an individual for damage to Government property and how this should be done.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal file cabinet.

**Retrievability:** Each case file is indentified in a manual alphabetical card file by the name of the person who filed the claim and in the alphabetical file folder within the metal file cabinet by the name of the person who filed the claim in the case of Categories 1 and 2 above and by the name of the individual against whom the Government may have a claim in the case of Category 3 above.

**Safeguards:** The metal file cabinet described above is maintained within the area assigned to the Office of the Regional Counsel within the Federal Building. During non-working hours the room in which the metal file cabinet is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Claim files are retained indefinitely or until there is no longer any space available for them within the metal file cabinet, at which time the oldest files may be transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, 211 Main Street, San Francisco, CA 94105.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in the Federal Tort Claim files originates with a Standard Form 95, Claim for Damage or Injury, which is completed and filed with the Customs Service by the claimant. Investigations are conducted by authorized Customs Service investigative personnel in order to determine the facts surrounding the claims. During these investigations information may be elicited from Customs Service employees, private persons, or any other parties who may have information regarding the facts surrounding the claims.

The information contained in the Military Personnel and Civilian Employees Claims Act files originates with a Treasury Department Form No. 3079, Civilian Employee Claim For Loss or Damage to Personal Property, which is completed and filed with the Customs Service by the claimant. Additional information contained in these files may be separately provided by the claimant or by the claimant's supervisor.

Information contained in the files concerning property damage claims by the Government originates with a report by a Government employee of an incident or of facts from which it appears that the Government may have a claim. Based upon the reports, investigations are conducted to determine the facts surrounding the claims. During the investigations information may be elicited from Customs Service employees, private persons, or any other parties who may have information regarding the facts surrounding the claims.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.048**

**System name:** Claims for Automobile Accidents—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Persons involved in automobile accidents for which Customs is pursuing collection.

**Categories of records in the system:** Accident reports, estimate of damages, insurance company correspondence, statements of witnesses, scope of employment of motor vehicle operation, and copies of bills sent to debtors.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law whether civil, criminal, or regulatory in nature and whether arising by general statute or particular program statute or by regulation, rule, or order issued pursuant thereto the relevant records in the system of records may be referred, as a routine use, to the appropriate agency whether Federal, state, local, or foreign charged

with the responsibility of investigating or prosecuting the statute or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee; the issuance of a security clearance; the letting of a contract or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency in response to its request in connection with the hiring or retention of an employee; the issuance of a security clearance; the reporting of an investigation of an employee; the letting of a contract; or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) This system is used by the Operating Accountant and Collection Section employees to collect claims resulting from damage to Customs vehicles.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored in file folders located in the office of the Revenue Accountant in a 4-drawer metal file under his physical security.

**Retrievability:** The file is retrieved by the name of the individual which is kept in alphabetical order.

**Safeguards:** The file is located within an office that is locked during non-working hours. The building is guarded by uniformed Security Police, and only authorized persons are permitted entry to the building.

**Retention and disposal:** The file is retained until collection is effected or referred to the Regional Counsel. The file is kept for three years and then destroyed.

**System manager(s) and address:** Director, Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information in the system originates with the operator of the motor vehicle in conjunction with the investigation report obtained from the Office of Internal Affairs.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.049**

**System name:** Claims (Receivable and Payable)—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Persons who have presented claims for payments by Customs or one involved in debts due Customs.

**Categories of records in the system:** Documented detailed information concerning the claims or debts involved in each case and related financial data on individuals involved in the debt or claim.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program stature, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) The system is used by the Chief, Accounting Branch as a guide in information-gathering to effect payment or collection.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored in file folders maintained in a metal file cabinet under the physical security of the Chief, Accounting Branch of the Financial Management Division.

**Retrievability:** The file is retrieved by the name of the individual on subject matter.

**Safeguards:** The files are located within an office that is locked during non-working hours. The building is guarded by uniformed security police and only authorized persons are permitted entry to the building.

**Retention and disposal:** The files on unusual cases are kept indefinitely for reference; routine cases are destroyed.

**System manager(s) and address:** Director, Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting

identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W, Washington D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in the system is obtained from the Personnel Department and the Payroll Data Center.

**Treasury/Customs 00.266**

**System name:** Collection File—Treasury/Customs.

**System location:** Office of the Regional Counsel, Suite 1220, 500 Dallas Street, Houston, Texas 77002.

**Categories of individuals covered by the system:** Individuals against whom the Customs Service has asserted monetary claims and maintains collection efforts, principally for damages done to Government property.

**Categories of records in the system:** Reports of investigation regarding damage done to Government property by private individuals and documents relating to the administrative determination and handling of the claim.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the U.S. Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) The information contained in this file is used to administratively process claims asserted by the Customs Service for damage done to government property by private individuals. The information is made available to those officials within the Customs Service who review and process such claims. In addition, information contained in this file is made available to the Department of Justice to assist that Department in preparing the government's case when suit is filed in court because administrative collection efforts are unsuccessful.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in the alphabetical file folder within the metal container by the name of the person who filed the claim.

**Safeguards:** The metal container described above is maintained with the area assigned to the Office of the Regional Counsel on the 12th Floor of 500 Dallas Street, Houston, Texas. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed security guards provided by the lessor.

**Retention and disposal:** These files are retained until closed at which time the closed files are transferred to the Division of Facilities Management, Office of the Regional Commissioner, Houston, Texas for ultimate transportation to the Federal Record Center.

**System manager(s) and address:** Regional Counsel, Suite 1220, United States Customs Service, 500 Dallas Street, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with a memorandum filed by the Customs employee accountable for the damaged property. An investigation is then conducted by authorized Customs Service investigative personnel in order to determine the appropriate facts. During the investigation, information may be elicited from Customs Service employees, private individuals, or any other party who may have relevant information.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.050**

**System name:** Community Leader Survey—Treasury/Customs.

**System location:** Equal Employment Opportunity Officer, U.S. Customs Service, Region VI, 500 Dallas St., Suite 1240, Houston, Texas 77002.

**Categories of individuals covered by the system:** The names, titles, and organization of persons who may be construed to be occupying a community leadership role and who may be in a position to furnish information or have some influence in regard to the equal employment opportunity program area.

**Categories of records in the system:** These records will consist of a card index of the names, titles, and organization of community leaders.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) To provide an evaluation of the Regional equal employment opportunity posture; (b) To provide planning for an affirmative action program and to assist in evaluating and monitoring progress in the equal employment opportunity program area; (c) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (d) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** To be prepared in an alphabetical card listing and filed in a metal file cabinet.

**Retrievability:** To be listed and filed alphabetically.

**Safeguards:** The metal file cabinet described above will be maintained within the area assigned to the Equal Employment Opportunity Officer. During non-working hours this office area is locked and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** To be useful, this information file must be kept current. Non-current files will be destroyed locally.

**System manager(s) and address:** Equal Employment Opportunity Officer, U.S. Customs Service, Region VI, 500 Dallas St., Suite 1240, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information to be included in these files will be developed from local agencies (city, county, state, and Federal) and from local civic organizations.

**Treasury/Customs 00.051**

**System name:** Complaints Against Customs Personnel—Treasury/Customs.

**System location:** Director, District Patrol Division, 600 South Street, New Orleans, LA 70130; Director, District Patrol Division, Room 213, International Trade Center, 250 N. Water Street, Mobile, AL 36602.

**Categories of individuals covered by the system:** Present and past employees of the Patrol Division and U.S. Customs Service.

**Categories of records in the system:** Letters and official government memoranda.

**Authority for maintenance of the system:** 5 U.S.C. 301; Reorganization Plan No. 1 of 1950; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additonal routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained in file folders and stored in locked metal cabinets.

**Retrievability:** File folders for this system are filed according to Customs filing code system.

**Safeguards:** File is maintained in locked, metal file cabinet, the keys of which are controlled by the custodian of the files. Those departmental officials who may occasionally be granted access consistent with their positions have been cleared by a full field background investigation and granted appropriate security clearance for critical sensitive positions. During non-working hours, the room housing the metal cabinets is locked.

**Retention and disposal:** Complaints against Customs Personnel files are normally destroyed after 1 year. If there are any pending complaints, the file may be kept until the case is closed. Method of disposal is shredding.

**System manager(s) and address:** Director, District Patrol Division, 600 South Street, New Orleans, La 70130.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person

under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system originates from any Federal, state or local law enforcement agencies or individuals, from any private business or individuals who may have any complaints against Customs personnel.

**Treasury/Customs 00.053**

**System name:** Confidential Source Identification File—Treasury/Customs.

**System location:** Office of Investigations, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Individuals (Sources) supplying confidential information to the U.S. Customs Service, Office of Investigations.

**Categories of records in the system:** This system contains some or all of the following information: name (actual or assumed), source (identifying) number, date number assigned, address, citizenship, date and place of birth, physical description, photograph, Social Security number, FBI number, passport number, Customs Form 4621 documenting information received from confidential source, amount and date of monetary payment made to source for information supplied, criminal record, copy of driver's license, and copy of alien registration card.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; 19 U.S.C. 2072, Title 19, United States Code; Title 18, United States Code.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** This information is primarily for the exclusive internal use of authorized employees of the Office of Investigations in connection with civil and criminal investigations and in connection with payments made for information received. Stringent controls are placed upon access to the files, even among Office of Investigations personal. In extremely rare and unusual situations, information with full source concurrence may be supplied to such organizations as Federal, state, and/or other law enforcement or prosecutorial agencies as the demands of law or justice might require.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored in a metal storage cabinet which remains locked except when momentarily opened for filing purposes.

**Retrievability:** The name of each source is filed in both alphabetical order and by location of the submitting office.

**Safeguards:** In addition to being stored in secure metal cabinets with government approved locks, the metal files are located in a closely watched room of the Office of Investigations. Personnel maintaining the files are selected for their reliability, among other qualities, and afforded access only after having been cleared by a full field investigation. During non-working hours the room in which the records are located is locked and access to the building is controlled by uniformed security guards.

**Retention and disposal:** Indefinite retention periods have been established for all records contained in the file. When a file no longer has any utility it is destroyed by either shredding or burning.

**System manager(s) and address:** Assistant Commissioner, Office of Investigations, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.054**

**System name:** Confidential Statements of Employment and Financial Interests—Treasury/Customs.

**System location:** Located in the Regional office or Personnel Management Division, U.S. Customs Service, of each region and headquarters, according to Customs Appendix A.

**Categories of individuals covered by the system:** Those employees as listed in Treasury Personnel Manual Chapter 735 Subpart C, Section 0.735-320, Customs Appendix A, and the currently effective edition of Customs Circular PER-2-PER (Subject: Personnel; Departmental Rules of Conduct and Requirements Concerning Financial Statement).

**Categories of records in the system:** Form TD 3087, Confidential Statement of Employment and Financial Interests.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) All financial statements are to be reviewed for an indication of any conflict of interest or apparent conflict of interst as defined in the Federal, Treasury, and Customs Personnel Manuals.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders.

**Retrievability:** Records are indexed by name.

**Safeguards:** Records are maintained in locked safe.

**Retention and disposal:** Records are destroyed two (2) years after employee leaves a position in which a statement is required, or two (2) years after the employee leaves the agency, whichever is earlier.

**System manager(s) and address:** Director, Personnel Management Division, U.S. Customs Service, Washington, D.C. 20229, or appropriate Regional Principal Field Officer.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Individuals required to submit Form TD 3087.

### Treasury/Customs 00.055

**System name:** Congressional and Employment Correspondence—Treasury/Customs.

**System location:** Personnel Management Division, U.S. Customs Service, Washington, D.C. 20229.

**Categories of individuals covered by the system:** Records are maintained in this system on individuals who have written to their Congressman or directly to Customs requesting assistance in resolving problems and/or securing employment.

**Categories of records in the system:** Incoming letters and the agency's reply and related materials.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Records are used as a point of reference should the individual submit other inquiries either from him personally or his Congressman.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders.

**Retrievability:** Records are indexed by name.

**Safeguards:** Records are maintained in a locked file.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** Director, Personnel Management Division, U.S. Customs Service, Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The source of records in the system are the inquiries originated by the individual.

### Treasury/Customs 00.056

**System name:** Congressional and Public Correspondence File—Treasury/Customs.

**System location:** Support Branch, Inspection and Control Division, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Those persons sending letters of complaint or making written inquiries concerning Customs inspectional activities and procedures. Those persons include Congressmen acting on behalf of their constituents, industrial and commercial representatives, and private individuals.

**Categories of records in the system:** The name of the person or persons concerned, file number, date of inquiry, date inquiry received, closing date, member of staff closing case, and the nature of the complaint or inquiry.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine use of records contained in this system are as follows: (a) Disclosure to those officers and employees of the Customs Service and Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) To maintain a record of public inquiries and complaints received by

the Division, to determine priority for responding to inquiries and complaints; to provide quick retrieval of such correspondence; to ensure timely response to inquiries and complaints; and to prepare responses to inquiries and complaints.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Correspondence records are maintained on 3 x 5 index cards. The cards are placed within a 6 x 9 metal file box, which is kept in an unlocked desk drawer. The correspondence files themselves are placed in legal and letter size metal file cabinets which are kept in a locked file room.

**Retrievability:** Correspondence records are identified by the name of the person making inquiry or complaint. The cards are then filed alphabetically.

**Safeguards:** Access to the file is granted only to authorized Customs personnel. During non-working hours the room in which the records are located is locked and access to the building is controlled by uniformed security police.

**Retention and disposal:** The records are maintained indefinitely.

**System manager(s) and address:** Office Manager, Support Branch, Inspection and Control Division, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information contained in this record system is obtained from the correspondence of the individual making the inquiry or complaint and from investigations and/or inquiries into complaints conducted by Customs Service personnel which include interviews of involved Customs employees and private individuals or other witnesses to the incident in question.

**Treasury/Customs 00.057**

**System name:** Container Station Operator Files—Treasury/Customs.

**System location:** Offices of District Directors, Region IX, Chicago, Illinois. See Customs Appendix A.

**Categories of individuals covered by the system:** Present and past container station operators and employees that require an investigation and related information.

**Categories of records in the system:** Report of investigations, application and approval or denial of bond to act as container station operator and other Customs Service memoranda. Names, addresses, social security numbers, and dates and places of birth of persons employed.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; Customs Regulations, Part 19.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders and stored in file cabinets in each District Director's office within Region IX, Chicago, Illinois.

**Retrievability:** Each file is identified by the name of the container station operator.

**Safeguards:** The file cabinets are maintained within the area assigned to the District Director. During non-working hours, the room and/or building in which the file cabinet is located is locked.

**Retention and disposal:** These files are retained indefinitely. Employee name data retained for period of employment with container station operator.

**System manager(s) and address:** District Director, each district within Region IX, Chicago, Illinois. See Customs Appendix A

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his

identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this file originates from the individual applicant for container station operator bond, from reports of investigation and other Customs memoranda.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.058**

**System name:** Cooperating Individual Files—Treasury/Customs.

**System location:** These files are located in regional and local Customs Patrol Offices within the United States. See Customs Appendix A.

**Categories of individuals covered by the system:** Persons providing confidential information to the U.S. Customs Service Patrol Division.

**Categories of records in the system:** These records include: assumed names; actual names; code numbers; addresses; telephone numbers; physical descriptions; miscellaneous identifying numbers such as Social Security numbers, driver's license number, etc.; date individual's record was established; amount and date of reward paid for information supplied.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The information in this system is used primarily by the Customs Patrol Officer who receives confidential information for the purpose of detecting and apprehending suspected violators of Customs and related laws, and for the purpose of processing the payment of rewards for information received. Disclosure may be made only in extremely rare and unusual situations when demands of law or justice require that information be supplied to such organizations as Federal, state and/or other agencies.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** All files and indices relating to cooperating individuals are stored in metal file cabinets secured with combination locks in a government secured building.

**Retrievability:** The name of each cooperating individual is filed in alphabetical order by assumed name and by actual name. The indices are maintained in the same alphabetical order and are also cross-referenced by the Patrol Division alpha numeric code number. All other indentifying data is used for verification of identity rather than method of retrieval.

**Safeguards:** In addition to being stored in secure metal cabinets with government approved locks, the metal files are kept locked when not in use and located in a closely watched room of the Patrol Division. Personnel maintaining the files are selected for their reliability among other qualities, and they are afforded access only after having been cleared by a full field investigation. The files are given the same treatment as material classified as Secret. During duty hours, Patrol Division personnel maintain visual control and during off-duty hours the area containing the files is locked.

**Retention and disposal:** Indefinite retention periods have been established for almost all records contained in the file. When a file no longer has any utility, it is destroyed by either shredding or burning.

**System manager(s) and address:** The Regional Patrol Director in Regional Customs Patrol Offices; the District Patrol Director in District Patrol Offices; and the Supervisory Customs Patrol Officer in suboffices of District Customs Patrol. See Customs Appendix A.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.060**

**System name:** Counseling Reports—Treasury/Customs.

**System location:** Equal Employment Opportunity Officer, U.S. Customs Service, Region VI, 500 Dallas Street, Suite 1240, Houston, Texas 77002.

**Categories of individuals covered by the system:** Present and past employees who have received counseling service offered by the Equal Employment Opportunity Officer or a designated counselor.

**Categories of records in the system:** Internal Customs Service memoranda, notes, excerpts from the official personnel files and other information pertinent to the counseling session(s).

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) To gather information to prove or disprove complainant's allegation and to resolve complaint informally, if possible; (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552); (d) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in a locked metal file cabinet drawer.

**Retrievability:** Each case file is identified on the alphabetical file folder within the metal file drawer.

**Safeguards:** The metal file cabinet described above is maintained within the area assigned to the Equal Employment Opportunity Officer. During non-working hours the office area is locked and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer adequate local storage space at which time they are transferred to the Federal Records Center at Ft. Worth, Texas.

**System manager(s) and address:** Equal Employment Opportunity Officer, U.S. Customs Service, Region VI, 500 Dallas Street, Suite 1240, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, 1301 Constitution Ave., N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates with the receipt of a complaint by an employee. Additional information may be obtained from the employee's official personnel file and inquiries concerning the specific complaint.

**Treasury/Customs 00.061**

**System name:** Court Case File—Treasury/Customs.

**System location:** Office of the Regional Counsel, Room 7422, New Federal Building, 300 N. Los Angeles St., Los Angeles, California 90053.

**Categories of individuals covered by the system:** Persons who are parties in litigation with the United States Government or subunits or employees or officers thereof, in matters which affect or involve the United States Customs Service.

**Categories of records in the system:** Court documents with exhibits, reports of investigations, internal Customs Service memoranda summarizing or relating to the matter in controversy and other background information relating to the subject matter or origin of the litigation.

**Authority for maintenance of the system:** 28 U.S.C. 2676, 19 U.S.C. 1603, E.O. 6166. 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information contained in this file is maintained for the use of the Regional Counsel and may be made available to the appropriate United States Attorney upon request to assist him in representing the interests of the Government, the agency or officer or employee involved in the litigation, or to other agencies involved in the same or similar litigation. Disclosure to Treasury and Customs employees who have need for the records in the performance of their duties and disclosures under the Freedom of Information Act.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified by the name of the person against whom the Government has initiated the litigation, or by the name of the person who initiated the litigation against the Government.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Regional Counsel within the New Federal Building. During nonworking hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest closed files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, Room 7422, United States Customs Service, 300 N. Los Angeles St., Los Angeles, California 90053.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs, 300 N. Los Angeles St., Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with a request by a District Director to the appropriate United States Attorney that he institute suitable judicial action to enforce the forfeiture of merchandise and vehicles, or the value thereof, which had been imported or used in violation of the Customs laws, and upon which final administration action has taken place. Information in this file also originates with the filing of a complaint by a private person against the Government, and by the filing of a complaint by the Government against private persons or former employees to enforce the collection of debts due the Government. Information in the files is also derived from reports of investigation regarding the enforcement of civil or criminal statutes and denial of tort claims.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.062**

**System name:** Court Case Files (Region VIII)—Treasury/Customs.

**System location:** Office of the Regional Counsel, 211 Main Street, S.F. CA 94105.

**Categories of individuals covered by the system:** Persons who are parties in litigation with the United States Government or subunits or employees or officers thereof, in matters which affect or involve the United States Customs Service.

**Categories of records in the system:** Litigation report requests and responses thereto, reports of investigations, internal Customs Service memoranda summarizing or relating to the matter in controversy and other background information relating to the subject matter or origin of the litigation.

**Authority for maintenance of the system:** 5 U.S.C. 301, Reorganization Plan No. 1 of 1950; Treasury Department Order No. 165, Revised, as amended; Reorganization Plan No. 1 of 1965. 28 U.S.C. 507, 19 U.S.C. 1603, E.O. 6166.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Information contained in these files is routinely provided to the Department of Justice or individual U.S. Attorneys upon request to assist that Department or individual U.S. Attorney in representing the interests of the Government, the agency or officer or employee involved in the litigation, or to other agencies involved in the same or similar litigation. Files are often channeled through the office of the Chief Counsel of Customs and the Treasury Department; (d) Information contained in these files may also be used internally by the Regional Counsel or members of his staff insofar as it relates to precedent or guidelines for handling subsequent cases.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal file cabinet.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who initiated the litigation against the Government, agency, officer or employee or by the name of the person against whom the Government initiated the litigation. In addition each case file is similarly identified on the alphabetical file folder within the metal file cabinet.

**Safeguards:** The metal file cabinet described above is maintained within the area assigned to the Regional Counsel at 211 Main Street, San Francisco. During non-working hours the room in which the metal file cabinet is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal file cabinet, at which time some files may be transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, United States Customs Service, 211 Main Street, San Francisco, Calif. 94105.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with the receipt of a litigation report request from the Department of Justice or an individual United States Attorney which results in a written report to that Department or U.S. Attorney regarding the facts of the particular case. Information in this file is also derived from reports of investigation regarding the enforcement of civil or criminal statutes, administrative proceedings regarding disciplinary action taken against Customs Service employees, equal employment opportunity complaints, denials of tort claims, denials of information requested under the Freedom of Information Act, and the collection of debts due the Government.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.c. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.063**

**System name:** Court Docket Records System—Treasury/Customs.

**System location:** Office of the Regional Counsel, U.S. Customs Service, Region IX, 55 E. Monroe Street, Room 1417, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Persons either suing or being sued by the U.S. Customs Service in civil actions for damages; recovery or enforcement of obligations to U.S. Customs, including duties, tort claims, fines, penalties, forfeitures, seizures; reversal of adverse personnel actions, and any other proceeding in U.S. District Courts and U.S. Circuit Courts of Appeal, involving the U.S. Customs Service and/or officers and employees of the U.S. Customs Service in their official capacity, or persons accused of violation of laws enforced by the United States Customs Service.

**Categories of records in the system:** Court pleadings, litigation report requests and responses thereto, reports of investigations, internal Customs Service memoranda summarizing or relating to the matter in controversy and other background information relating to the subject matter or origin of litigation.

**Authority for maintenance of the system:** 28 U.S.C. 2676, 19 U.S.C. 1603, 28 U.S.C. 2671 et. seq.; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Information contained in this file is provided as a routine use to the Department of Justice to assist that department in representing the interest of the Government, the agency or officer involved in the litigation, or to other agencies involved in the same or similar litigations. Files are often channeled through the Department of the Treasury.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in a file folder which is filed in a lockable drawer within a metal filing cabinet container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the plaintiff in a proceeding against the U.S. Government, Customs Service, and/or employee, or by the name of the defendant in proceedings brought by the government. In addition, each case file is similarly identified on the file folder with the alphabetical name on the file which is placed and located within the metal container.

**Safeguards:** The metal file drawer containing the files described above is maintained within the area assigned to the office of the Regional Counsel, Region IX, at 55 E. Monroe Street, Chicago, Illinois. During non-working hours, the room in which the metal filing drawer is located is locked, the file container itself is locked, and access to the building is controlled at all times by uniformed guards with a check-in system for employees. Only employees of the Regional Counsel's office and authorized building personnel have keys to the building.

**Retention and disposal:** These files are retained indefinitely or until there is no longer space available for them within the metal filing cabinet at which time the oldest files are transferred to the storage area within the confines of the office. The storage area is a large area containing cardboard boxes and metal storage cabinets which are not able to be locked. Files which are closed and not retained for precedent purposes are retired to the Federal Records Center, General Services Administration, 7358 S. Pulaski, Chicago, Illinois 60602, in accordance with the U.S. Customs Service Records Disposal Manual.

**System manager(s) and address:** Regional Counsel of Customs, Room 1417, United States Customs Service, 55 E. Monroe Street, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with the receipt of a litigation report request from the Department of Justice which is channeled through the Treasury Department, or with the receipt of a court pleading from one of the members of the U.S. Customs Service. Information in this file is derived from reports of investigations regarding the enforcement of civil or criminal statutes, administrative proceedings regarding disciplinary action taken against Customs Service employees, equal opportunity complaints, denials of tort claims plus tort claim information, denials of information under the Freedom of Information Act request, and the collection of debts due the Government.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.064**

**System name:** Credit Card File—Treasury/Customs.

**System location:** Logistics Management Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Headquarters Customs Service Employees to whom national gasoline credit cards and Hertz and Avis automobile rental cards have been issued.

**Categories of records in the system:** Credit card numbers, names, and signatures of employees to whom credit cards have been issued, and the date of issuance.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such duties may include: maintaining an inventory of gasoline credit cards and automobile rental cards which are assigned to high level Customs Service officials or which are issued on a one transaction basis to other Customs Service officials or employees for their use in connection with the performance of their official duties; ensuring accountability for the cards issued; and providing a means for collecting issued cards when they are no longer needed by the officers or employees to whom they were issued; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on index cards which are placed in a locked metal file cabinet within one office.

**Retrievability:** A portion of the index cards are identified by the name of the person to whom the credit card was issued in the case of credit cards which have been permanently assigned to higher level Customs Service officers and such index cards are filed alphabetically. The remainder of the index cards relate to credit cards which are issued to Customs Service officers or employees on a one transaction basis, and these index cards are filed by the applicable credit card number.

**Safeguards:** The metal cabinet in which the index cards are placed is locked, and the room in which the metal cabinet is located is locked during non-working hours. The building is guarded by uniformed security police, and only authorized persons are permitted in the building.

**Retention and disposal:** Index cards filed alphabetically by name are retained during the period that the officials named thereon are in possession of the credit cards, and these index cards are disposed of when the officials are no longer in possession of the credit cards. Index cards filed by credit card number are retained until all signature lines have been used, at which time these index cards are discarded.

**System manager(s) and address:** Chief, Headquarters Support Branch, Logistics Management Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system is obtained from Customs Service records and is also furnished by the officers or employees to whom the credit cards have been issued.

**Treasury/Customs 00.272**

**System name:** Currency Declaration File (IRS Form 4790)—Treasury/Customs.

**System location:** One or more offices of District Directors of Customs or suboffices under the District Director's jurisdiction (for addresses of District Directors, see Customs Appendix A).

**Categories of individuals covered by the system:** Individuals departing from or entering the country who filed IRS Form 4790.

**Categories of records in the system:** Name, identifying number, birthdate, address, citizenship, visa date and place, immigration alien number, kinds and amounts of monetary instruments, address in the United States or abroad, passport number and country, and arrival or departure information.

**Authority for maintenance of the system:** 31 U.S.C. 1101; 5 U.S.C. 301; Treasury Department Order No. 165, revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; such duties include referencing and verifying currency declarations filed; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552);

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The Form 4790 is maintained in a file folder or binder in an open storage rack.

**Retrievability:** They are indexed and filed by name in the folder or binder.

**Safeguards:** The office and building are locked during nonworking hours.

**Retention and disposal:** The records are retained from one to five years and then destroyed.

**System manager(s) and address:** District Directors of Customs.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requestor will be notified in writing of the procedures to be followed. Where the request is presented in person, the requestor shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requestor asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requestor will be notified in writing of the procedures to be followed. Where the request is presented in person, the requestor shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requestor asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information on the IRS Form 4790 originates from the individual or Customs agent reporting the bringing in or taking out of currency or monetary instruments exceeding 5,000 dollars.

**Treasury/Customs 00.067**

**System name:** Currency and Monetary Instrument Reporting System (CMIR)—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Enforcement Support, 1301 Constitution Avenue, N.W.; Washington, D.C. 20229.

**Categories of individuals covered by the system:** Listing of Individuals who filed Internal Revenue Service Form 4790 (Currency and Monetary Instrument Report).

**Categories of records in the system:** Name of individuals filing form, name of owner of monetary instrument, amount of currency reported, address, personal identifiers, date of birth, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a

license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (f) Records the fact that the individual of record conveyed the monetary instruments into or out of the United States.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic tapes.

**Retrievability:** By name and other unique identifiers.

**Safeguards:** Procedural and physical safeguards are utilized such as accountability and receipt access, guards patrolling the area, restricted access and alarm protection systems, special communication security, etc.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W.; Washington, D.C. 20229.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.068**

**System name:** Customhouse Brokers Examination Records—Treasury/Customs.

**System location:** Duty Assessment Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Persons who have taken the customhouse brokers' examination.

**Categories of records in the system:** The name of the examinee, the Customs district where the examination was taken, the examination date and the examination grade.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended. 19 U.S.C. 66, 1641; 19 CFR Part 111.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such uses would include informing examinees of examination results, retention for statistical purposes and for general reference for the examinees and Duty Assessment Division employees. (b) Disclosures required in administration of the Freedom of Information Act (U.S.C. 552).

For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The records are kept in a file drawer in the offices of the Duty Assessment Division.

**Retrievability:** The records are maintained on four by six inch index cards and are filed alphabetically.

**Safeguards:** During working hours, employees of the Duty Assessment Division are present in the offices where the records are maintained and the U.S. Customs Service Headquarters building is guarded by security police. During non-working hours the offices are locked and the building is guarded by security police.

**Retention and disposal:** The current policy of the Duty Assessment Division is to retain the records indefinitely.

**System manager(s) and address:** Director, Duty Assessment Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information supplied by examinees on the customhouse brokers' examinations.

**Treasury/Customs 00.069**

**System name:** Customhouse Brokers File, Chief Counsel—Treasury/Customs.

**System location:** Office of the Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Licensed customhouse brokers.

**Categories of records in the system:** Internal Customs Service memoranda and related material regarding proposed administrative disciplinary action against customhouse brokers for violation of the regulations governing the conduct of their business.

**Authority for maintenance of the system:** 19 U.S.C. 1641; 19 CFR Part 111; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552). (c) In order to carry out the authority to discipline customhouse brokers for violation of regulations promulgated pursuant to 19 U.S.C. 1641, information in this file is used to evaluate reported derelictions and to recommend to the Commissioner of Customs that disciplinary action be initiated or to recommend that such action not be taken. In addition, information in these files is used to prepare written reprimands issued to brokers and to prepare proposed charges in connection with recommendations that proceedings be held looking toward the suspension or revocation of

brokers' licenses. Information in these files is also used in connection with administrative proceedings looking toward the suspension or revocation of licenses. (d) In addition, information contained in these files is provided to the Department of Justice for its use in connection with appeals from orders resulting in the suspension or revocation of licenses. (e) The information may be furnished to other Government agencies which have an interest in the situations that led to the disciplinary action, or in the broker.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the customhouse broker and in the alphabetical file folder within the metal container by the name of the customhouse broker.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Chief Counsel within the Customs Service Building. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Customhouse broker files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Record Center.

**System manager(s) and address:** Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates from audits of or investigations into the conduct of customhouse brokers' businesses which include review of customhouse brokers' business records and interviews of Customs Service personnel, private parties, customhouse brokers and employees of customhouse brokers. The audits or investigations result in recommendations from appropriate Customs Service field personnel regarding possible disciplinary action against customhouse brokers which in turn result in the information contained in these files which consists of evaluations of the recommendations and the proposed disposition of the cases.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.070**

**System name:** Customhouse Brokers, Headquarters Records—Treasury/Customs.

**System location:** Entry and Licensing Branch, Entry Procedures and Penalties Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Citizens of the United States, 21 years of age or older, who have been granted individual customhouse brokers' license for specific U.S. Customs Districts and such individuals who have applied for an individual broker's license which has been denied for cause other than failure to pass the qualifying individual customhouse brokers' license examination.

**Categories of records in the system:** The records system contains executed individual customhouse brokers' license application forms, report of investigation concerning individual broker applicants, transmittal letters, and general correspondence corrobative of information disclosed in an individual's license application or report of investigation as to the applicant's character and business integrity. The records system also contains information relating to actual or proposed disciplinary action against licensed customhouse brokers.

**Authority for maintenance of the system:** 19 U.S.C. 1641, 19 CFR Part 111; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) Processing of individual applications for individual customhouse brokers' licenses; processing of corporation, partnership, and association brokers' licenses; approval of use of trade or fictitious brokers' names; maintenance of centralized files on licensed customhouse brokers for verification and updating of names, addresses, place of employment, district where licensed, and compliance with regulatory requirements of duties and obligations of customhouse brokers; determinations that each corporate, association, or partnership licensed as a broker have not less than two officers or members licensed as individual brokers; and the availability of file information to verify licensing of customhouse brokers and to provide data or information upon request to the Federal Maritime Commission, the Civil Aeronautics Board, an appropriate U.S. Attorney's office, or other Federal agency.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each file is kept in an alphabetical file folder in metal file cabinets.

**Retrievability:** Each file is indexed in a file card system by alphabetical name and Customs district where located. Records are retrieved alphabetically by reference to the card file index, or by license certificate number assigned to a broker upon the granting and issuing of a customhouse broker's license. Cancelled brokers' records are maintained in cancelled files arranged alphabetically.

**Safeguards:** Direct access to the files is limited to Customs employees assigned to processing and reviewing Customhouse brokers' license applications. At least one employee of the Entry and Licensing Branch is present in the office at all times during working hours. At all other times the room is locked. The building is guarded by security police on a round-the-clock basis, and only authorized persons are permitted in the building.

**Retention and disposal:** Cancelled Customhouse brokers' records are retained in cancelled files and used for precedent purposes. The records are maintained indefinitely.

**System manager(s) and address:** Director, Entry Procedures and Penalties Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penal-

ties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarterse 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** Information in the records is obtained from the license applications of the individual Customhouse brokers; references as to good character and integrity of the applicant; reports of investigations by Customs regarding applicants for licenses and disciplinary action; responses to posted notices of individual applicants applying for Customhouse brokers' licenses; local credit reporting services; Customs audit reports; court records.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.071**

**System name:** Customhouse Brokers Records—Treasury/Customs.

**System location:** Customs regional, district and port offices. See Customs Appendix A.

**Categories of individuals covered by the system:** Individuals and firms who have applied for or hold status as a licensed customhouse broker and individuals employed by licensed customhouse brokers.

**Categories of records in the system:** License applications, internal Customs memoranda and related materials regarding background investigations, complaints, names, addresses, social security numbers, dates and places of birth, investigative reports, telephone numbers, credit information and other related business data. Information on disciplinary action and legal actions regarding the customhouse broker.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended. 19 U.S.C. 1641; 19 CFR Part 111.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552). (c) In order to carry out the authority to discipline customhouse brokers for violation of regulations promulgated pursuant to 19 U.S.C. 1641, information in this file is used to recommend to the Commissioner of Customs that disciplinary action be initiated or to recommend that it used to prepare written reprimands issued to brokers and to prepare proposed charges in connection with recommendations that proceedings be held looking toward the suspension or revocation of brokers' licenses. Information in these files is also used in connection with administrative proceedings looking toward the suspension or revocation of licenses. (d) In addition, information contained in these files is provided to the Department of Justice for its use in connection with appeals from orders resulting in the suspension or revocation of licenses. (e) The information may be furnished to other Government agencies which have an interest in the situations that led to the disciplinary action, or in the broker.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The records are maintained in file folders in drawers and metal file cabinets.

**Retrievability:** The records are filed either alphabetically or chronologically with a cross index by name.

**Safeguards:** Offices in which the records are maintained are locked during non-working hours. Office buildings are locked and/or patrolled by uniform guards during non-working hours.

**Retention and disposal:** Records are maintained either indefinitely or as long as the customhouse broker retains an active license.

**System manager(s) and address:** Customs Regional commissioners, district directors, and port directors.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** Information contained in the license applications, references as to good character and integrity of the applicant, reports of investigations on applications and disciplinary action, local credit reporting services, Customs audit reports and court records.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.074**

**System name:** Customs Licensing and Identification Program (Proposed)—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Enforcement Support, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Carriers, Bonded Cartmen, Lightermen, Customhouse Brokers, and private citizens applying for U.S. Customs Bonds or Licenses.

**Categories of records in the system:** Individual Records on Carriers, Customhouse Licensed Brokers, Customhouse Cartmen and Lightermen and individuals doing business with the U.S. Customs Service.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued

pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (f) Personal identification of the licensee. (g) Provides basis for granting of Customs license and/or bonds. (h) Provides basis for update investigation every five years.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** (1) Magnetic disc and tape, (2) Microfiche, (3) Hardcopy.

**Retrievability:** Name of individual or company and/or personal or company identifiers.

**Safeguards:** "Need to know" access by investigators and District Directors' staff members with full field background investigations. Procedural and physical safeguards are utilized such as accountability and receipt access, guards patrolling the areas, restricted access and alarm protection system, special communications security, etc.

**Retention and disposal:** Indefinite (Reviewed annually; investigation updated every five years.)

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Classification and Value Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The applicants who apply for a Customs license or bond and Customs Officers investigating cases involving Customs Licenses or Bonds.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.075**

**System name:** Customs Officer Badge Inventory—Treasury/Customs.

**System location:** Logistics Management Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Customs Service officers to whom badges are issued.

**Categories of records in the system:** Signed recipts and officer's name, social security number, and badge number.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such duties may include maintaining administrative control over badges, providing for accountability for badges, and providing a means for collecting badges from officers who are leaving the Customs Service or who no longer have a need for the badge. (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552). (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on index cards within a file box which is placed in a locked metal cabinet within the supply room office. In addition, the information is contained in a Customs Service computer record system.

**Retrievability:** Each index card is identified by the name of the person to whom the badge is issued and these cards are filed in alphabetical order. The computer records are accessed by the badge number.

**Safeguards:** The metal cabinet in which the index cards are placed is locked, and the room in which the metal cabinet is located is locked when the supply clerk is absent from the room and during non-working hours. The building is guarded by uniformed security police, and only authorized persons are permitted in the building. With regard to the computer records, procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling the area, restricted access, and alarm protection systems.

**Retention and disposal:** Each index card and each computer record is maintained during the period in which the officer is in possession of the badge. The index cards are discarded, and the information in the computer is erased when the officer no longer has possession of the badge.

**System manager(s) and address:** Chief, Headquarters Support Branch, Logistics Management Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitutuon Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system is furnished to the Customs Service by the officers to whom the badges are issued.

**Treasury/Customs 00.077**

**System name:** Disciplinary Action and Resulting Grievance or Appeal Case Files—Treasury/Customs.

**System location:** Located in the Personnel Management Division of each Region and Headquarters, and in District, Port, and appropriate post of duty offices. (See Customs Appendix A).

**Categories of individuals covered by the system:** Customs employees on whom disciplinary action is pending or has occurred.

**Categories of records in the system:** Records on such action as leave restriction letters, reprimands, suspension, adverse actions, etc., and resulting grievance or appeal by employee. Copies of correspondence, management requests for assistance, evidentiary materials on which action is contemplated, proposed or taken, regulatory material, examiners' reports, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (f) Used by certain members of the Personnel Management Division or supervisors in justifying action, for maintenance of records in the event of appeals or grievances, for statistical use, for audit and review of actions, for recommendations on decision, for uniform disciplinary actions, for proper handling of potential grievance or appeal, to establish grievance or appeal file.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored in manila folders.

**Retrievability:** Records are indexed by name.

**Safeguards:** Records are maintained in a locked file and stamped "For Official Use Only".

**Retention and disposal:** Records are maintained for five years and then transferred to Federal Records Center where they are maintained for fifteen years and then destroyed.

**System manager(s) and address:** Director, Personnel Management Division, in each region and Headquarters, or appropriate managerial official in employee's district, port, or post of duty. (See Custom Appendix A).

**Record source categories:** Supervisors and supervisory records and notes; evidentiary materials supporting planned, proposed, or accomplished actions; grievance letters submitted by employee, grievance examiner, etc.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.078**

**System name:** Disclosure of Information File—Treasury/Customs.

**System location:** Office of Regional Counsel, Room 125, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Categories of individuals covered by the system:** Persons requesting access to information pursuant to the Freedom of Information Act or any other statute, regulation, directive or policy to disclose such information.

**Categories of records in the system:** Requests, information, records, documents, internal Customs Service memoranda, or memoranda from other agencies and related materials regarding disclosure of the information.

**Authority for maintenance of the system:** 5 U.S.C 552, 31 CFR Part 1, 19 CFR Part 103, 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service

and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Disclosure or denial to the requester of the information sought. (d) Disclosure to the Department of Justice and/or United States Attorney in any litigation arising from any decision regarding the disclosure of information.

For additional routine uses see Apendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in the file folder within the metal container by the name of the person requesting disclosure.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Regional Counsel within the Customhouse. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Customhouse broker files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, Room 125, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses in punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates from the requests for information filed with the Customs Service which may pertain to any information contained in the files of the U.S. Customs Service.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.079**

**System name:** Disclosure of Information File—Treasury/Customs.

**System location:** Office of the Regional Counsel, U.S. Customs Service, Region IX, 55 E. Monroe Street, Room 1417, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Requesters under the Freedom of Information Act.

**Categories of records in the system:** Correspondence containing the individual's name, address, and whatever information deemed necessary to locate record being sought if that record is of a personal nature. Information will also include whatever records relating to that individual are sought and ultimately are gathered for use in denying or granting the Freedom of Information Act request.

**Authority for maintenance of the system:** 5 U.S.C. 552; U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service, the Department of the Treasury, and the Department of Justice who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation of charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (f) Information contained in this file is used by the attorneys in the Regional Counsel's office in determining whether to recommend granting or denial of the request made pursuant to the Freedom of Information Act. Litigation regarding the Freedom of information request will require disclosure of the information to the Department of Justice and the appellate level before this step would require information to be disclosed to the Department of the Treasury. Information disclosed to the Department of Justice is often routed through the Department of the Treasury.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in a file folder which is filed in a lockable drawer within a metal filing cabinet.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who initiated the Freedom of Information Act request. In addition, each case file is similarly identified on the file folder with the alphabetical name on the file which is placed and located within the metal container.

**Safeguards:** The metal filing drawer containing the files described above is maintained within the area assigned to the Office of the Regional Counsel, Region IX at 55 E. Monroe Street, Chicago, Illinois. During non-working hours, the room in which the metal filing drawer is located is locked, the file container itself is locked, and access to the building is controlled at all times by uniformed guards with a check-in system for employees. Only employees of the Regional Counsel's office and authorized building personnel have keys to the building.

**Retention and disposal:** These files are retained indefinitely or until there is no longer space available for them within the metal filing cabinet at which time the oldest files are transferred to the storage area within the confines of the office. The storage area is a large area containing cardboard boxes and metal storage cabinets which are not able to be locked. Files which are closed and not retained for precedent purposes are retired to the Federal Records Center, General Service Administration, 7358 S. Pulaski, Chicago, Illinois 60602, in accordance with the U.S. Customs Service Records Disposal Manual.

**System manager(s) and address:** Regional Counsel of Customs, Room 1417, United States Customs Service, 55 E. Monroe Street, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Custom Appendix A), or to the

Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information in these files can originate from the U.S. Customs Service, any of the agencies of the Treasury Department, or any agency of the Government if the record sought and ultimately placed within the file is within the possession and/or control of the U.S. Customs Service, Region IX. However, the only information placed within these files is that information being sought by the individual making the request and the information supplied by the requester. The information being sought, and therefore within the file, could be from any of the following, given as examples: present or former Customs employees, private parties, corporations, other Government agencies as outlined above, credit bureaus, past employers, official Government or other forms filed by any entity or person, confidential informers, foreign countries or officials thereof, and foreign citizens.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.080**

**System name:** Disclosure of Information Request Files (Region VIII)—Treasury/Customs.

**System location:** Office of the Regional Counsel, 211 Main Street, San Francisco, CA 94105.

**Categories of individuals covered by the system:** Individuals who have submitted requests for disclosure of information contained within files or records of the Customs Service.

**Categories of records in the system:** Letters and other documents submitted by the individual requesting the disclosure and documents relating to the internal review and consideration of the request for disclosure and the decision thereon.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; Reorganization Plan No. 1 of 1965; 31 CFR 1.5 and Appendix C; 5 U.S.C. 552(a)(3); 19 CFR Part 103.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Information contained in the files is used to process requests for disclosure and is made available to the officials within the Customs Service who review recommendations and who make final decisions with respect to them: (d) Information contained in an individual file may be made available to officials within the Customs Service responsible for considering and making a final decision with respect to any appeal from a decision denying disclosure in that case; (e) Information contained in the files may also be used internally by the Regional Counsel and members of his staff insofar as it related to precedent or guide lines for their handling of subsequent cases.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal file cabinet.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the requester and in the alphabetical file folder within the metal file cabinet by the name of the requester.

**Safeguards:** The metal file cabinet described above is maintained within the area assigned to the Office of the Regional Counsel within the Federal Building. During non-working hours the room in which the metal file cabinet is located is locked, and access to the building is controled at all times by uniformed guards.

**Retention and disposal:** Disclosure of information files are retained indefinitely or until there is no longer any space available for them within the metal file cabinet, at which time files may be transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, 211 Main Street, San Francisco, CA. 94105.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** Information contained in these files originates with the individual's request for disclosure of information. Records are searched for the information which is the subject of the request, and advice and recommendations with respect to the information and its disclosure may be elicited and received from offices within Customs, other agencies, or private individuals concerned with the information.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5.U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.081**

**System name:** Dock Passes—Treasury/Customs.

**System location:** District Director's office, U.S. Customs Service, 228 Federal Bldg, 335 Merchant Street, Honolulu, Hawaii.

**Categories of individuals covered by the system:** Consulate staff members, brokers, private individuals, etc.

**Categories of records in the system:** Form lists following information: pass no.; port; date of issue; name of individual; organizational affiliation; expiration date of pass; and vessel name.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Copy of each pass issued is retained for record purpose and a log maintained showing name of holders of annual dock passes. Disclosure to Customs and Treasury officers and employees who have a need for the records in the performance of their duties.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** 3 x 5 card box loose leaf binder.

**Retrievability:** By name.

**Safeguards:** Building locked during non-working hours.

**Retention and disposal:** Retained until expiration.

**System manager(s) and address:** District Director, U.S. Customs Service, 228 Federal Bldg., 335 Merchant Street, Honolulu, Hawaii.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Individual applicants.

**Treasury/Customs 00.277**

**System name:** Drivers License File—Treasury/Customs.

**System location:** Logistics Management Division, U.S. Customs Service 211 Main Street, San Francisco, Ca. 94105.

**Categories of individuals covered by the system:** Present and past employees.

**Categories of records in the system:** Personal information furnished by employee before being issued a government drivers license. It may also include information from National Driver Register Service if they have any information on the individual.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the U.S. Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Provide the proper authority within U.S. Customs Service with sufficient information to make a decision as to whether an employee may be issued a government drivers license. (d) Information from these records furnished to National Driver Register Service to determine whether they have any information on the individual which would concern the employee's suitability for receiving a government drivers license.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on Standard Form 47 (physical fitness inquiry for motor vehicle operators) and Treasury Form 2770 (application for motor vehicle operator's ID card and operator's record) These forms are kept in a desk file.

**Retrievability:** Each set of forms for a particular employee is numbered and those numbers are shown on an index sheet as pertaining to the particular employee.

**Safeguards:** The desk in which the records are kept is within an office which is locked during non-working hours.

**Retention and disposal:** Active forms are retained in this system indefinitely. Forms of past employees who were issued drivers licenses are periodically destroyed.

**System manager(s) and address:** Logistics Management Specialist, Logistics Management Division, U.S. Customs Service, 211 Main Street, San Francisco, California 94105.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs at the region in which the Records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W. Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or the the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. Thr requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access Above.

**Record source categories:** The information in this system originates with, and consists solely of, information supplied by the applicants on forms SF-47 and form 2770. There is a possibility that

in the future there will be a response from the National Driver Register Service on a particular applicant. At the present time there are none in this system of records.

**Treasury/Customs 00.082**

**System name:** Duty Assessment By Account (DABA), Interested Persons List—Treasury/Customs.

**System location:** Duty Assessment Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Individuals and firms who have requested that their names be included on the list.

**Categories of records in the system:** The name of the individual or firm, title, and address.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Notifying individuals and firms of new information concerning DABA.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The records are kept in the offices of the Duty Assessment Division at U.S. Customs Service Headquarters.

**Retrievability:** The records are retrievable by the name of the individual or firm.

**Safeguards:** During working hours employees of the Duty Assessment Division are present in the offices where the records are located and the U.S. Customs Service Headquarters building is guarded by security police. During nonworking hours the offices are locked and the building is guarded by security police.

**Retention and disposal:** The listing is to be maintained until the DABA program is fully implemented, after which the listing will be destroyed.

**System manager(s) and address:** Director, Duty Assessment Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access Above.

**Record source categories:** The individual or firm which requests inclusion on the list.

**Treasury/Customs 00.273**

**System name:** Employee Debts—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Employees involved in transfer within the Government for which the Government is pursuing collection for overpayment of travel expenses or overpayment for maintaining uniforms.

**Categories of records in the system:** Records reflecting the documents involved in the overpayment and correspondence with the employee involved and his representative.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) The system is used by the employees of the Payment Section to gather all the data necessary to collect debts due from present or past employees of Customs.

For additional routine uses see Treasury Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored in a file folder located in a file cabinet under the physical security of the Operating Accountant.

**Retrievability:** Records are indexed by name.

**Safeguards:** The file is located within an office that is locked during non-working hours. The building is guarded by uniformed security police and only authorized persons are permitted entry to the building.

**Retention and disposal:** The file is retained until the debt is collected and then destroyed. Unusual cases are retained indefinitely as a reference for similar type cases.

**System manager(s) and address:** Director, Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in

writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requestor will be notified in writing of the procedures to be followed. Where the request is presented in person, the requestor shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requestor asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requestor will be notified of the procedures to be followed. Where the request is presented in person, the requestor shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requestor asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in the system originates from the employee, other Regions of Customs, and the Payment Section of the Financial Management Division.

**Treasury Customs 00.083**

**System name:** Employee Relations Case Files—Treasury/Customs.

**System location:** Director, Personnel Management Division, U.S. Customs Service, Washington, D.C. 20229.

**Categories of individuals covered by the system:** Records maintained on all individuals who have requested assistance in a problem, such as: OFWC, leave, health and life insurance, etc.

**Categories of records in the system:** Copies of correspondence. Copies of initiating correspondence.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Use is in assessing the problem and having the capability to provide timely followup. Used by the employee relations staff only (professional and clerical).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders.

**Retrievability:** Records are indexed by name.

**Safeguards:** Records are maintained in a locked file.

**Retention and disposal:** Maintained for period of time employee remains with Customs. Records destroyed upon separation of employee.

**System manager(s) and address:** Director, Personnel Management Division, U.S. Customs Service, Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not present in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Individuals and offices depending on problem.

**Treasury/Customs 00.085**

**System name:** E.E.O. Complaint File—Treasury/ Customs.

**System location:** Regional Commissioner of Customs, 55 East Monroe Street, Suite 1501, Chicago, Illinois 60603, and District Director's Offices in Chicago, Cleveland and Detroit.

**Categories of individuals covered by the system:** Customs employees and applicants for Customs positions who make allegations of discriminatory job treatment based on sex, religion, race or national origin, color and age.

**Categories of records in the system:** An individual file is opened when an oral or written complaint is received. Eventually, a Civil Service Form 894 and all other pertinent correspondence such as responses from various offices, decisions and appeals are added to the file.

**Authority for maintenance of the system:** Title VII of the 1964 Civil Rights Act, as last amended by Public Law 92-261 effective March 24, 1972.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) The file is used to organize relevant documents within the E.E.O. office. As appropriate, it may also be transferred to such offices as Regional Counsel and Customs Service Headquarters.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Stored in file at Regional Commissioner of Customs, 55 East Monroe Street, Suite 1501, Chicago, Illinois. 60603.

**Retrievability:** Case file by last name of complainant.

**Safeguards:** The file cabinet is locked and only the E.E.O. Specialist has a key. Other keys will be available to additional staff as office expands. The building has limited access and a uniformed patrol in non-working hours.

**Retention and disposal:** Retained indefinitely by E.E.O Specialist. When cases are closed, they are removed from the alphabetical file but still maintained in the same locked cabinet.

**System manager(s) and address:** E.E.O. Specialist. (See location above).

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is supplied by complaining parties originally and supplemented by other interested parties as the case progresses.

**Treasury/Customs 00.088**

**System name:** Equal Opportunity Complaint Processing Records System-Training/Customs

**System location:** Office of Regional Commissioner, Customs Region V, 1440 Canal Street, New Orleans, Louisiana 70112, District Director, 423 Canal Street, New Orleans, La. 70130, District Director, P.O. Box 2748, Mobile, Ala. 36601.

**Categories of individuals covered by the system:** Employees of Customs Region V (New Orleans) who file Equal Opportunity complaints.

**Categories of records in the system:** Notices of efforts by counselors to resolve charges of discriminatory actions or conditions. These records are in the form of lists, memorandums, interview notices, transcripts, and reports.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used to provide the needed information for reports which become part of the formal investigative file if the complaint of discrimination reaches the formal stage.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders in a cabinet.

**Retrievability:** By name.

**Safeguards:** Locked file cabinet.

**Retention and disposal:** In accordance with Records Control Manual.

**System manager(s) and address:** Equal Opportunity Officer, Customs Region V, 1440 Canal Street, New Orleans, La. 70112, Equal Opportunity Counselors, New Orleans District, 600 South Street, New Orleans, La. 70130, Equal Opportunity Counselors, Mobile District, P.O. Box 2748, Mobile Ala. 36601.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W. Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See access above.

**Record source categories:** Individual to whom the record pertains.

**Treasury/Customs 00.276.**

**System name:** Equal Opportunity Informal Discrimination Complaint Files—Treasury/Customs.

**System location:** Equal Opportunity Offices at Customs Headquarters and at each Customs Regional Headquarters and all EO Counselors at those locations (for addresses see Customs Appendix A) and Customs District offices.

**Categories of individuals covered by the system:** Government and private industry employees, including present and former Customs Service employees and applicants for jobs, who have filed informal complaints alleging discrimination on the part of the Customs Service or its officers or employees in violation of Equal Employment Opportunity Act of 1972.

**Categories of records in the system:** Names, addresses, employment, medical histories, reports of investigation, complaints filed, correspondence from members of Congress, attorneys representing the complainants, labor unions, hearing records and transcripts, Government documents regarding the administrative processing of complaints, and merit promotion information.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; Title 5, United States Code; Title 5, Code of Federal Regulations.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system are as follows: (a) Records in this system of records are disclosed to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such duties may include reviewing charges or procedures in complaints, making informal attempts to adjust complaints, preparing documents relating to proposed disposition of cases, preparing documents relating to final decisions in cases, and determining formal hearing status. (b) Records in this system of records are also made available to Civil Service Commission Hearing Examiners and to the Civil Service Commission Appeals and Review Board for use in making decisions on administrative hearings held in connection with the complaints. Records are also provided to the Department of Justice in connection with civil court actions arising in respect of the complaints. (c) Records in this system of records are, on occasion, disclosed in response to requests from members of Congress and are disclosed as required in the administration of the Freedom of Information Act (5 U.S.C. 552). (d) Records in this system of records are disclosed to the complainants and to attorneys, labor unions or other parties representing the interests of the complainants. (e) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The case files are inserted alphabetically in file drawers within locked metal or wooden containers.

**Retrievability:** Each case file is identified on each alphabetical file folder within the metal or wooden container by the complainant's name.

**Safeguards:** The metal or wooden containers in which the file folders are placed are locked during non-working hours, and the room in which the containers are located is locked during non-working hours. The building is guarded by uniformed security police, and only authorized persons are permitted within the building.

**Retention and disposal:** Informal case files are retained during the time period in which the cases remain open informally and thereafter, until there is no longer a specific need for them, or until they are forwarded to the Regional EO Officer or Director, Equal Opportunity Division, at which time they are periodically destroyed.

**System manager(s) and address:** Equal Opportunity Officers and EO Counselors at the above locations.

**Notification procedure:** Request by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the Region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W. Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statment asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5 thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5 thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the Region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requestor will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5 thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5 thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information in this system originated with an informal written or oral complaint to the appropriate equal opportunity counselor. Information in this system is obtained from the claimant through interviews during the informal complaint procedures and through other interviews during the informal complaint procedures. This system also contains information derived from a complaining Customs employee's official personnel file, from Evaluation and Promotion Board work papers relating to the complainant, and from inquires into the complaints which include interviews of supervisors, interested third parties including non-Government persons, and former Customs Service employees. Information in this system is also derived from labor unions or attorneys representing the interests of the complainants and from documentary evidence.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (k)(2) proposes to exempt this system of records from certain requirements of 5 U.S.C 552a. The provision of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.089**

**System name:** Equal Opportunity Discrimination Complaint Case File—Treasury/Customs.

**System location:** Equal Opportunity Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Government and private industry employees, including present and former Customs Service employees, who have filed formal and informal complaints alleging discrimination on the part of the Customs Service or its officers or employees in violation of Equal Employment Opportunity Act of 1972.

**Categories of records in the system:** Names, addresses, employment and medical histories, reports of investigation, complaints filed, correspondence from members of Congress and attorneys representing the complainants and labor unions, hearing records and transcripts, Government documents regarding the administrative processing of complaints, and affidavits and other sworn statements.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; Title 5, United States Code; Title 5, Code of Federal Regulations.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system are as follows: (a) Records in this system of records are disclosed to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such duties may include reviewing charges or procedures in complaints, making informal attempts to adjust complaints, preparing documents relating to proposed disposition of cases, preparing documents relating to final decisions in cases, and determining formal hearing status. (b) Records in this system of records are also made available to Civil Service Commission Hearing Examiners and to the Civil Service Commission Appeals and Review Board for use in making decisions on administrative hearing held in connection with the complaints. Records are also provided to the Department of Justice in connection with civil court actions arising in respect of the complaints. (c) Records in this system of records are, on occasion, disclosed in response to requests from members of Congress and are disclosed as required in the administration of the Freedom of Information Act (5 U.S.C. 552). (d) Records in this system of records are disclosed to the complaints and to attorneys, labor unions or other parties representing the interests of the complaints. (e) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The cases files are inserted alphabetically in file drawers within locked metal containers.

**Retrievability:** Each case file is identified in an alphabetical index card file by the name of the complainant and on each alphabetical file folder within the metal container by the complainant's name.

**Safeguards:** The metal containers in which the file folders are placed are locked during non-working hours, and the room in which the metal containers are located is locked during non-working hours. The building is guarded by uniformed security police, and only authorized persons are permitted within the building.

**Retention and disposal:** Case files are retained during the time period in which the cases remain open and, thereafter, until there is no longer any space available for them within the metal containers, at which time the case files are transferred periodically to the Federal Record Center for storage. Records having no pertinent information are periodically destroyed.

**System manager(s) and address:** Director, Equal Opportunity Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulation that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Wasnington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate indentification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

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Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See access above.

**Record source categories:** The information in this system originates with an informal written or oral complaint to the appropriate equal opportunity counselor and with the filing of a Civil Service Commission Form 894 (Formal Complaint of complaint procedures and through the filing of Civil Service Commission Discrimination in the Federal Government). Information in this system is also obtained from the claimant through interviews during the informal and formal complaint procedures and through the filing of Civil Service Commission Form 171 (Personal Qualification Statement). This system also contains information derived from a complaining Customs Service employee's official personnel file, from Evaluation and Promotion Board work papers relating to the complainant, and from investigations into the complaints which include interviews of supervisors, interested third parties including non-Government persons, and former Customs Service employees. Information in this system is also derived from labor unions or attorneys representing the interests of the complainants and from documentary evidence or testimony adduced at administrative hearings held in connection with the complaints.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.090**

**System name:** Equipment Record File—Treasury/Customs.

**System location:** Office of the District Director, United States Customs Service, 103 South Gay Street, Baltimore, Maryland 21202.

**Categories of individuals covered by the system:** Customs employees in the Baltimore District to whom equipment is assigned.

**Categories of records in the system:** Names of individuals and type and identifying numbers of equipment signed out (including non-expendable property, weapons etc.).

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevent enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevent to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cards and folders located in metal containers.

**Retrievability:** Cards are filed alphabetically by names of those to whom equipment is assigned.

**Safeguards:** File cards and folders are located in unlocked metal containers. The building is guarded by uniformed security police who control access to the building.

**Retention and disposal:** Records are retained indefinitely.

**System manager(s) and address:** Office of the District Director of Customs, 103 South Gay Street, Baltimore, Maryland 21202.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notrarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See access above.

**Record source categories:** Property Officer and personnel to whom equipment is assigned.

**Treasury/Customs 00.091**

**System name:** Equipment Record File—Treasury/Customs.

**System location:** Patrol Office, Room 807, 103 South Gay Street, Baltimore, Maryland 21202. (After August, Room 15, 40 South Gay Street, Baltimore, Maryland 21202).

**Categories of individuals covered by the system:** Customs employees in the Baltimore District to whom equipment is assigned.

**Categories of records in the system:** Names of individuals and type and identifying numbers of equipment signed out (including non-expendable property, weapons etc.).

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclousures required in administration of the Freedom of Information Act (5 U.S.C 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant therto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforecemnt information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cards and folders located in metal containers.

**Retrievability:** Cards are filed alphabetically by names of those to whom equipment is assigned.

**Safeguards:** File cards and folders are located in unlocked metal containers. The building is guarded by uniformed security police who control access to the building.

**Retention and disposal:** Records are retained indefinitely.

**System manager(s) and address:** Office of the District Director of Customs, 103 South Gay Street, Baltimore, Maryland 21202.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adeuqate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfull; seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See access above.

**Record source categories:** Property Officer and personnel to whom equipment is assigned.

**Treasury/Customs 00.092**

**System name:** Exit Interview—Treasury/Customs.

**System location:** Personnel Management Division, in each Region and Headquarters. See Customs Appendix A.

**Categories of individuals covered by the system:** Employees terminating from the Customs Service.

**Categories of records in the system:** Individual's name, position, time in grade and position, time with Customs, organization designation, supervisor's name and answers to various questions about employment with Customs.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used by Personnel Management Specialists and managers to monitor employee morale and for statistical purposes.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Forms are kept in manila folders.

**Retrievability:** By organization or by name.

**Safeguards:** Locked office.

**Retention and disposal:** Retained indefinitely.

**System manager(s) and address:** Director, Personnel Management Division. See location above.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information obtained from departing employee and Employee's supervisor.

**Treasury/Customs 00.093**

**System name:** Federal & New York State licenses for commercial importation of alcoholic beverages—Treasury/Customs

**System location:** Area Director, N.Y. Seaport Area, 6 World Trade Center, New York, N.Y. 10048.

**Categories of individuals covered by the system:** All companies and individuals who have filed import licenses for alcoholic beverages with this office.

**Categories of records in the system:** Licenses.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) to verify that importers of alcoholic beverages have the required permit.

For additional routine use see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cabinets.

**Retrievability:** Alphabetical listing.

**Safeguards:** Office locked at end of day.

**Retention and disposal:** Permanent.

**System manager(s) and address:** Regional Commissioner (Area Director, New York Seaport Area).

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Individuals who have applied for an alcoholic beverage license.

**Treasury/Customs 00.267**

**System name:** Federal Tort Claims Act File—Treasury/Customs.

**System location:** Office of Regional Counsel, Suite 1220, 500 Dallas Street, Houston, Texas 77002.

**Categories of individuals covered by the system:** Private persons filing claims under the Federal Tort Claims Act.

**Categories of records in the system:** Reports of Investigation regarding claims filed, documents relating to the administrative handling of the claim and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 28 U.S.C. 2672, et seq; 28 CFR 14.1 et seq; 31 CFR 3.1 et seq; Treasury Department Administrative Circular No. 131, August 19, 1965; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the U.S. Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) The information contained in this file is used to administratively process claims filed under the Federal Tort Claims Act and is made available to those officials within the Customs Service who review recommendations and who make final decisions on such claims. In addition, information contained in this file is made available to the Department of Justice to assist that Department in preparing the Government's case when suit is filed in court based on an administrative denial of the claim or based on a failure to administratively process the claim within the prescribed time period.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in the alphabetical file folder within the metal container by the name of the person who filed the claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the office of the Regional Counsel on the 12th Floor of 500 Dallas Street. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled by uniformed security guards maintained by the lessor.

**Retention and disposal:** Tort claim files are retained until closed at which time the closed files are transferred to the Regional Director, Internal Affairs, Houston, Texas. Ultimately, the files are sent to the Federal Record Center.

**System manager(s) and address:** Regional Counsel, Suite 1220, United States Customs Service, 500 Dallas Street, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with a Standard Form 95, Claim for Damage or Injury, which is completed and filed with the Customs Service by the claimant. Using these forms as a basis, investigations are conducted by authorized Customs Service investigation personnel in order to determine the facts surrounding the claims. During these investigations information may be elicited from Customs Service employees, private persons, or any other parties who may have information regarding the facts surrounding the claims.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.094**

**System name:** Federal Tort Claims Act File—Treasury/Customs.

**System location:** Office of the Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Private persons filing claims under the Federal Tort Claims Act.

**Categories of records in the system:** Reports of investigations regarding claims filed, documents relating to the administrative handling of the claims and documents submitted by the claimants in support of the claims.

**Authority for maintenance of the system:** 28 U.S.C. 2672, et seq; 28 CFR 14.1 et seq; 31 CFR 3.1 et seq; Treasury Department Administrative Circular No. 131, August 19, 1965; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such duties may include preparing and reviewing recommendations for decisions on claims, and making final decisions on claims. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) Disclosure to the Department of Justice to assist that Department in preparing the Government's case when suit is filed in court based on an administrative denial of the claim or based on a failure to administratively process the claim within the prescribed time period.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who filed the claim and in the alphabetical file folder within the metal container by the name of the person who filed the claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Chief Counsel within the Customs Service Building. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Tort claim files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Record Center.

**System manager(s) and address:** Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with a Standard Form 95, Claim for Damage or Injury, which is completed and filed with the Customs Service by the claimant. Using these forms as a basis, investigations are conducted by authorized Customs Service investigative personnel in order to determine the facts surrounding the claims. During these investigations, information may be elicited from Customs Service employees, private persons, or any other parties who may have information regarding the facts surrounding the claims.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.096**

**System name:** Fines, Penalties and Forfeiture Control and Information Retrieval System—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Enforcement Support, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Individuals and/or businesses who have been fined, penalized or have forfeited merchandise because of violations of Customs and/or related laws or breaches of bond conditions.

**Categories of records in the system:** Individual and business names, address, personal identifying numbers, date and type of violation, parties entitled to legal notice or who are legally liable, case information, bond and petition information, and actions (administrative) taken by U.S. Customs. Also included are actions taken by violator prior to the disposition of the penalty or liquidated damage case.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to these officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Control Customs district caseload and report each action taken by Customs and violator. (d) Provides management information regarding most frequent types of violations, penalty/liquidated damages case timeliness, budget allocation, violation history of individual and firms for investigative purposes, etc.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** (1) Magnetic disc and tape, (2) Hard copy Customs Form 5955a (Notice of Liquidated Damages Incurred and Demand for Payment) and Customs Form 151 Search/Arrest/Seizure Report.

**Retrievability:** Individual's name or case number.

**Safeguards:** All inquiries are made by officers with a full field background investigation on a "need to know" basis only. Procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling the area, restricted access and alarm protection systems, special communications security, etc.

**Retention and disposal:** A maximum of 10 years. Erasure of disc/tapes and shredding and/or burning of hard copy Customs Form 5955a.

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penal-

ties Division, Office of Regulations and Rulings, U.S. Customs Service Headquartersr 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Customs Form 5955a (Notice of Penalty or Liquidated Damages Incurred and Demand for Payment) and CF 151 (Search/Arrest/Seizure Report) prepared by Customs Employees at the time and place where the violation has occurred.

**Treasury/Customs 00.097**

**System name:** Fines, Penalties, and Forfeitures (Supplemental Petitions)—Treasury/Customs.

**System location:** Office of the Regional Counsel, Room 7422, New Federal Building, 300 N. Los Angeles St., Los Angeles, California 90053.

**Categories of individuals covered by the system:** Any person requesting further relief from the Regional Commissioner after having his Petition acted on by the District Director from any fine, penalty, forfeiture or claim for liquidated damages incurred under the provisions of any law administered by the Customs Service.

**Categories of records in the system:** Case file including copies of the notice of penalty, seizure or claim for liquidated damages, search, arrest and seizure forms, investigative reports, documents relating to any importation having to do with the penalty, forfeiture or claim, documents relating to the administrative handling of the case and documents submitted by the Petitioner in support of his Petition and Supplemental Petition.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The information contained in this file is used to administratively process Supplemental Petitions for relief from any fine, penalty, forfeiture or claim for liquidated damages incurred under the provisions of any law administered by Customs. The information is made available to the officials within the Customs Service who review recommendations and who make final decisions on such petitions. In addition, information contained in this file is made available to the Department of Justice to assist that Department in preparing the government case if the case is referred to them for filing of a suit based on an administrative denial of the Petition or removal to the District Court by action on the part of the Petitioner under the provisions of section 1608 of title 19. Information in these files may also be made available to persons working for the governmental agencies who are empowered to review and make recommendations concerning the granting of relief for violations of law administered by such agencies but enforced by Customs.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is labeled with the name of the person who filed the claim and filed in alphabetical order in the metal file cabinet marked Supplemental Petitions. In addition a chronological record is kept in a separate book, kept by the office secretary, of each case received, with district case number, decision, name of the Petitioner, law violated and ultimate decision of the Regional Commissioner.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Regional Counsel within the New Federal Building. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** Regional Counsel, Room 7422, United States Customs Service, 300 N. Los Angeles St., Los Angeles, California 90053.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs, 300 N. Los Angeles St., Los Angeles, California 90053, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with the filing of a Supplemental Petition as prescribed by section 171.33 and 172.33 of the Customs Regulations with the District Director of the District in which the fine, penalty, forfeiture or claim for liquidated damages issued. The Petition along with all supporting documents or documents relating to the case are forwarded to the office of the Regional Commissioner who refers the case to the office of the Regional Counsel for review and recommendation. During this period of review further information may be elicited from Customs Service employees, private persons, or any other parties who may have information regarding the facts surrounding the case.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.098**

**System name:** Fines, Penalties and Forfeiture Records—Treasury/Customs

**System location:** Customs district offices. (See Customs Appendix A).

**Categories of individuals covered by the system:** Individuals and firms who have been administratively charged with violations of Customs laws and regulations and other laws and regulations enforced by the Customs Service.

**Categories of records in the system:** Entry documentation, notices, investigative reports, memoranda, petitions, recommendations, referrals and dispositions of fines, penalties and forfeiture cases.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended. 19 U.S.C. 66, 1618, 1624; 19 CFR Parts 171 and 172.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such uses would include reference to the files for information as to prior violations and ongoing investigations and cases. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. Such uses would include referring records to the Environmental Protection Agency, the Department of Transportation, the appropriate U.S. Attorney and other Federal agencies for recommendations and enforcement of fines, penalties and forfeiture cases.

For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The records are maintained in folders in file cabinets and safes.

**Retrievability:** The records are filed either by the name of the individual or chronologically with a cross reference index by the name of the individual.

**Safeguards:** During non-working hours, the records are maintained in locked rooms, locked buildings and buildings guarded by uniform guards.

**Retention and disposal:** The records are retained for three to five years after which they are either destroyed or forwarded to the Federal Records Center.

**System manager(s) and address:** District Directors of Customs (See Customs Appendix A).

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** Information and representations supplied by importers, brokers and other agents pursuant to the entry and processing of merchandise or in the clearing of individuals or baggage through Customs. Information also includes information gathered pursuant to Customs investigations of suspected of actual violations of Customs and related laws and regulations and recommendations and information supplied by other agencies.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.099**

**System name:** Fines, Penalties, and Forfeiture Files (Supplemental Petitions)—Treasury/Customs

**System location:** Office of the Regional Counsel, 211 Main Street, San Francisco, CA 94105.

**Categories of individuals covered by the system:** Individuals who have filed supplemental petitions for relief from fines, penalties and forfeitures assessed for violations of the laws and regulations administered by Customs.

**Categories of records in the system:** Petitions and supplemental petitions and other documents filed by the individual; reports of investigation concerning the fine, penalty or forfeiture; and documents relating to the internal review and consideration of the request for relief and decision thereon.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; Reorganization Plan No. 1 of 1965. 19 U.S.C. 1618; 19 CFR Parts 171 and 172.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Information contained in the files is used to process requests for relief from fines, penalties and forfeitures and is made available to the officials within the Customs Service who review recommendations and who make final decisions with respect to them; (d) Information contained in the files may be made available to the Department of Justice or an individual United States Attorney to assist that Department or United States Attorney when suit is filed by the Government in civil prosecution of the fine, penalty or forfeiture; (e) Information contained in the files may also be used internally by the Regional Counsel or members of his staff insofar as it relates to precedent or guidelines for their handling of subsequent cases.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal file cabinet.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the petitioner and in the alphabetical file folder within the metal file cabinet by the name of the petitioner.

**Safeguards:** The metal file cabinet described above is maintained within the area assigned to the Office of the Regional Counsel within the Federal Building. During non-working hours the room in which the metal file cabinet is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Supplemental petition files are retained indefinitely or until there is no longer any space available for them within the metal file cabinet, at which time the oldest files may be transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, 211 Main Street, San Francisco, CA 94105.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the

request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** Information contained in these files is obtained from the individual petitioning for relief and from the District Director of Customs within whose jurisdiction the fine, penalty or forfeiture action lies.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.100**

**System name:** Fines, Penalties and Forfeiture Records (Headquarters)—Treasury/Customs.

**System location:** Penalties Branch, Entry Procedures and Penalties Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Records are maintained on persons who have been administratively charged with violating Customs and related laws and regulations and on persons who have applied for awards of compensation for providing information regarding such violations.

**Categories of records in the system:** Entry documentation, notices, investigative and other reports, memoranda of information received, petitions, recommendations, referrals and dispositions of fines, penalties and forfeiture cases and applications for awards of compensation.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended. 19 U.S.C. 66, 1618, 1624; 19 CFR Parts 171 and 172.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such uses include the processing and disposition of fines, penalties and forfeiture cases pursuant to 19 CFR Parts 171 and 172 and reference to the records for information as to prior violations and ongoing investigations. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. Such uses would include referring records to the Environmental Protection Agency, the Department of Transportation and other Federal agencies for recommendations on the administration of fines, penalties and forfeiture cases. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The records are kept in file cabinets in the central file room of the Entry Procedures and Penalties Division at U.S. Customs Service Headquarters.

**Retrievability:** The records are filed chronologically with a case number given to each file. The records are retrievable by means of an alphabetical card index system by names of individuals charged with a violation.

**Safeguards:** The records are maintained in the U.S. Customs Service Headquarters building which is guarded by security police. During non-working hours, the central file room is locked and the building is guarded by security police.

**Retention and disposal:** The records are generally retained for five years after the close of the case. The records are then forwarded to the Federal Records Center.

**System manager(s) and address:** Chief, Penalties Branch, Entry Procedures and Penalties Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** Information and representations supplied by importers, brokers and other agents pursuant to the entry and processing of merchandise or in the clearing of individuals or baggage through Customs. Information also includes information gathered pursuant to Customs investigations of suspected or actual violations of Customs and related laws and regulations and recommendations and information supplied by other agencies.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.101**

**System name:** Fines, Penalty, and Forfeiture (FP&F) Records System—Treasury/Customs.

**System location:** Office of the Regional Counsel, U.S. Customs Service, Region IX, 55 E. Monroe Street, Room 1417, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Persons seeking relief from fines, penalties, and forfeitures incurred for alleged violations of the laws enforced by the United States Customs Service, and/or restoration of proceeds from the sale of seized and forfeited property.

**Categories of records in the system:** Statement from individual explaining circumstances justifying relief sought and history of the fine, penalty, forfeiture or seizure involved.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; 19 CFR part 171 and 172.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service, the Department of the Treasury and the Department of Justice, who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (f) Information contained in these files is routinely used by the attorneys in the Regional Counsel's office in determining and resolving legal issues, in denying or granting the petition and possibly in litigation. Litigation will require disclosure of the information to the Department of Justice, and the information is often channeled through the Department of Treasury.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in a file folder which is filed in a lockable drawer within a metal filing cabinet container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who initiated the petition for relief. In addition, each case file is similarly identified on the file folder with the alphabetical name on the file which is placed and located within the metal container.

**Safeguards:** The metal filing drawer containing the files described above is maintained within the area assigned to the office of the Regional Counsel, Region IX, at 55 E. Monroe Street, Chicago, Illinois. During non-working hours, the room in which the metal filing drawer is located is locked, the file container itself is locked, and access to the building is controlled at all times by uniformed guards with a check-in system for employees. Only employees of the Regional Counsel's office and authorized building personnel have keys to the building.

**Retention and disposal:** These files are retained indefinitely or until there is no longer space available for them within the metal filing cabinet at which time the oldest files are transferred to the storage area within the confines of the office. The storage area is a large area containing cardboard boxes with metal storage cabinets which are not able to be locked. Files which are closed and not retained for precedent purposes are retired to the Federal Records Center, General Services Administration, 7358 S. Pulaski, Chicago, Illinois 60602 in accordance with the U.S. Customs Service Records Disposal Manual.

**System manager(s) and address:** Regional Counsel of Customs, Room 1417, United States Customs Service, 55 E. Monroe Street, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs, 55 E. Monroe Street, Chicago, Illinois 60603 or the Entry Procedures and Penalties Division, Customs Headquarters, Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates either with the receipt of any correspondence indicating that relief is desired or any notice from within the Customs Service that a fine or penalty is to be assessed. Further information in this file is derived from investigatory files and other information submitted by the petitioner and will include information from: informers, Customs employees, private parties, corporations, other Governmental agencies, state, local and Federal, credit bureaus, Seizure Reports (Customs Form 5955A, Customs Form 151) foreign countries, officials of foreign countries, citizens of foreign countries.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.102**

**System name:** Firearms Qualification Certificate Record—Treasury/Customs

**System location:** Office of the Chief Inspector, U.S. Customhouse, Rm. 102, 2nd & Chestnut Streets, Philadelphia, Pa. 19106.

**Categories of individuals covered by the system:** All Customs Inspectors under the jurisdiction of the Philadelphia District who have qualified on the firing range within a previous 6-month period.

**Categories of records in the system:** The date of actual qualification, firing scores, and the category of marksmanship into which the individual's score places him or her.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each qualification certificate, on 8 1/2 x 11 inch bond paper, is inserted in a file folder which is then placed in a file drawer.

**Retrievability:** Certificates are identified by the name of the individual and in alphabetical order within the folder.

**Safeguards:** The records folder is stored in a file cabinet drawer which is locked during non-working hours. Access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Firearms qualification certificates are retained for 1 year and then destroyed.

**System manager(s) and address:** District Director of Customs, U.S. Customhouse, 2nd & Chestnut Streets, Philadelphia, Pa. 19106.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, NW, Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, NW, Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates from reports submitted by the District Range Officer upon completion of the individual's qualification with a firearm.

**Treasury/Customs 00.103**

**System name:** Firearms Qualification Records—Treasury/Customs.

**System location:** Office of the Assistant Regional Commissioner (Operations), Region IX, Chicago, Illinois and Offices of District Directors, Region IX, Chicago, Illinois. (See Customs Appendix A).

**Categories of individuals covered by the system:** Customs Inspectors receiving firearms training.

**Categories of records in the system:** Records include date of firing, qualification status, date of qualification, card issuance.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Locked file cabinet in the office of the Assistant Regional Commissioner (Operations) of Region IX, Chicago, Illinois.

**Retrievability:** Folders identified by individual's name.

**Safeguards:** The file described is maintained in the office of the Assistant Regional Commissioner (Operations) in Region IX, Chicago, Illinois. During non-working hours the room/building in which the file is located is locked. Access is limited to authorized Customs personnel.

**Retention and disposal:** Until employee separates/transfers. Transfer to National Personnel Records Center (NPRC), (CPR), St. Louis, Missouri, 30 days after employee is separated.

**System manager(s) and address:** Assistant Regional Commissioner (Operations).

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files results from firing scores recorded on targets used during the course of firearm qualification firings.

**Treasury/Customs 00.104**

**System name:** Florida Boat Registration File—Treasury/Customs.

**System location:** U.S. Customs Air Support Branch, PM-TUM, Homestead Air Force Base, Homestead, Florida 33030.

**Categories of individuals covered by the system:** Persons, partnerships; or corporations who are registered owners of record of boats or vessels bearing Florida registration numbers.

**Categories of records in the system:** This file contains the name and address of the registered owner of the vessel; a description of the vessel; and an indication of whether or not the vessel is of record with the Treasury Enforcement Communications Systems (TECS).

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charges with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information files are numerically filed in a wooden box within a security area.

**Retrievability:** The information is in the form of Micro-film and is retrieved by means of Alpha-numerical code identifier.

**Safeguards:** The information files are located within an office which is locked during non-working hours. The building is guarded by U.S. Air Force Military Police and only authorized persons are permitted in the building.

**Retention and disposal:** These files are maintained for a period of three months at which time they are replaced with current information. The old files are then destroyed under Customs supervision.

**System manager(s) and address:** Chief, Air Support Branch, U.S. Customs Service, PM-TUM, Homestead Air Force Base, Homestead, Florida 33030.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.105**

**System name:** Former Employees—Treasury/Customs.

**System location:** Laboratory Division, Room 1508, 630 Sansome Street, San Francisco, California, 94111.

**Categories of individuals covered by the system:** All past employees of the Customs Laboratory.

**Categories of records in the system:** Contains copies of personnel action notices.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders and stored in a metal file cabinet.

**Retrievability:** The record is filed alphabetically by name.

**Safeguards:** The file is stored in a metal file cabinet in a private inner office of a government building protected by 24 hour guard service with limited access. The file is only used on a need to know basis and only by the laboratory employees.

**Retention and disposal:** Files are maintained for reference purposes only. The file is permanent to office.

**System manager(s) and address:** Director, Laboratory Division, U.S. Customs Service, 630 Sansome Street, Room 1508, San Francisco, California, 94111.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information contained in personnel action files:

**Treasury/Customs 00.107**

**System name:** Full-Field Investigation—Active and Completed Log—Treasury/Customs.

**System location:** Personnel Management Division of Region VIII (See Customs Appendix A).

**Categories of individuals covered by the system:** Persons on whom full-field investigation has been conducted.

**Categories of records in the system:** System is a log of names and dates Full-Field request forwarded to Headquarters and Internal Affairs (if requested) and date Full-Field completed.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To identify in-

dividuals who are under Full-Field Investigation, and completion date to permit permanent promotion, or arrange an entrance on duty date. (2) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (3) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Looseleaf Binder.

**Retrievability:** By name.

**Safeguards:** Limited access.

**Retention and disposal:** Destroyed at end of two years.

**System manager(s) and address:** Director, Personnel Management Division, Region VIII.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Personnel Management Division, Region VIII, 211 Main Street, San Francisco, California 94105 or Director, Entry Procedures and Penalties Division, Customs Headquarters, Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Personnel Management Division, Region VIII, 211 Main Street, San Francisco, California 94105 or the Director, Entry Procedures and Penalties Division, Customs Headquarters, Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information recorded from Full-Field Request, Standard Form 86.

**Treasury/Customs 00.109**

**System name:** Handicapped Employee File—Treasury/Customs.

**System location:** Personnel Management Division, Regional Commissioner of Customs, 55 East Monroe Street, Suite 1501, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** All employees identified as handicapped.

**Categories of records in the system:** Indicates employee's home and organizational location and various physical and mental handicaps, infirmities and conditions. Also shows veteran's preference.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used to assure that employees are not placed in positions that they cannot physically perform. Also, for reporting and statistical purposes.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** List.

**Retrievability:** Lists employees alphabetically by district.

**Safeguards:** None at present and none required.

**Retention and disposal:** Employee's name removed from list at time of termination.

**System manager(s) and address:** Director, Personnel Management Division. (See Customs Appendix A).

**Notification procedure:** Requests by an indivual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Data furnished by employee and employee's physician.

**Treasury/Customs 00.111**

**System name:** I.D. Cards—Treasury/Customs.

**System location:** District Director's office, U.S. Customs Service, 228 Federal Bldg., 335 Merchant Street, Honolulu, Hawaii.

**Categories of individuals covered by the system:** All employees to whom I.D. card, CF 3135, OF 55, Red-bordered cards, have been issued.

**Categories of records in the system:** The register lists the following information: name; I.D. card no.; and date issued.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Provides information of name, date and number of I.D. card issued to district employees. Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Kardex file card.

**Retrievability:** By name.

**Safeguards:** Locked Kardex file.

**Retention and disposal:** Information is kept current until employee is terminated and I.D. cards are cancelled.

**System manager(s) and address:** District Director, 228 Federal Bldg., Merchant Street, Honolulu, Hawaii.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Data obtained from employees.

**Treasury/Customs 00.112**

**System name:** Immediate Delivery Violation Record—Treasury/Customs.

**System location:** Fines, Penalties and Forfeiture Section, Room 102, United States Customhouse, 2nd & Chestnut Street, Philadelphia, Pa. 19106.

**Categories of individuals covered by the system:** Persons qualified to obtain release of imported merchandise under the immediate delivery privilege.

**Categories of records in the system:** The record reveals the individuals' or Customhouse broker's name, case number assigned and date, amount of penalty incurred, mitigated sum or remission and date closed. The record results in a summary of repetitive violations by any one individual, firm, or Customhouse broker and disciplinary action toward reduction or elimination of violations.

**Authority for maintenance of the system:** 5 U.S.C. 301: Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Immediate Delivery Record Cards are filed alphabetically in an unlocked metal file cabinet.

**Retrievability:** Each record card is filed alphabetically within the metal cabinet.

**Safeguards:** The metal cabinet described above is maintained within the area assigned to the Fine, Penalties and Forfeiture section in Room 102 of the Customhouse, Philadelphia; during nonworking hours, access to the building and area of storage is controlled by uniformed guards.

**Retention and disposal:** Immediate Delivery Record cards are retained at location 3 years; then destroyed.

**System manager(s) and address:** District Director of Customs, Room 102, U.S. Customhouse, 2nd & Chestnut Street, Philadelphia, Pa. 19106.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Custom Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the record may be made where the records contain the necessary signature.

**Record access procedures:** Request by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester

will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained on these cards originates from liquidated damage cases instituted for failure to timely file entries and pay duty.

**Treasury/Customs 00.274.**

**System name:** Importer, Brokers, Carriers, Individuals and Sureties Master Files-Treasury/Customs.

**System location:** Financial Management Division, 99 S.E. 5th Street, Miami, Florida 33131.

**Categories of individuals covered by the system:** Brokers, Importers, Individuals, Carriers, and Sureties.

**Categories of records in the system:** Copies of correspondence—incoming and outgoing, copies of bonds, entries, bills, data center listings.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used by Revenue technicians to retain in one place all correspondence with a debtor. Bonds, entries and bills when available are included in the file.

For additional routine uses see Treasury Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Files are maintained in an unlocked drawer within a metal file cabinet.

**Retrievability:** Alphabetical by name appearing on correspondence.

**Safeguards:** The metal container described above is maintained within the area assigned to the Financial Management Division within the Customs Service Building. During non-working hours the room in which the metal container is located is locked.

**Retention and disposal:** These files are retained until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Director of Financial Management, 99 S.E. 5th Street, Miami, Florida 33131.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A). The requestor will be notified in writing of the procedures to be followed. Where the request is presented in person, the requestor shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requestor asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A). The requestor will be notified in writing of the procedures to be followed. Where the request is presented in person, the requestor shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requestor asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access, above.

**Record source categories:** Correspondence, Customs Service Data Center, Districts and Ports.

**Treasury/Customs 00.265**

**System name:** Importer Name and Address Record System—Treasury/Customs.

**System location:** Office of the Special Agent in Charge, U.S. Customs Service, 200 East Bay Street, Charleston, S.C. 29401.

**Categories of individuals covered by the system:** Importers who have immediate delivery bonds.

**Categories of records in the system:** Names, addresses, and employee identification numbers.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; 19 U.S.C. 1509; 19 U.S.C. 1511; 26 U.S.C. 7607.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The records are maintained on microfiche and stored in a metal security cabinet. The cabinet is kept in a room that is locked after normal business hours.

**Retrievability:** The records are maintained in alphabetical order and cross indexed by Internal Revenue Employee Identification Number.

**Safeguards:** In addition to being stored in a metal container with a lock, the metal container is located in a locked room, the keys of which are controlled and issued to the office staff. The office staff who maintain and have access to the files are selected for their experience and afforded access only after having been cleared by a full field background investigation and granted appropriate security clearances for critical sensitive positions. Those departmental officials who may occasionally be granted access consistent with their positions to employ and concur in the granting of security clearances have also been investigated prior to filling critical-sensitive positions.

**Retention and disposal:** This file is retained until an updated file is received. The obsolete file is then destroyed by burning or shredding.

**System manager(s) and address:** Special Agent in Charge, Charleston, S.C. (See Appendix A.)

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Ave., N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Ave., N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in this system is furnished to the Customs Service by the importers contained in the file.

**Treasury/Customs 00.113**

**System name:** Import specialist activities—investigation referrals—Treasury/Customs.

**System location:** Office of the Regional Commissioner, U.S. Customs Service, 55 East Monroe, Suite 1501, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Import specialist.

**Categories of records in the system:** A monthly report of the number of referrals made to the Office of Investigations in connection with 220 visits.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties.(b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) To keep track of the referrals made by each import specialist to the Office of Investigation.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information is listed by name and located on a wall chart in the training room.

**Retrievability:** Indexed by name and location of the import specialist.

**Safeguards:** Area is provided for Customs employees only and other persons using the area must be accompanied by a Customs employee.

**Retention and disposal:** The information is erased after two years.

**System manager(s) and address:** Director, Classification and Value Division, 55 East Monroe, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Obtained from Regional Form IX-RC-220 prepared by the import specialist.

**Treasury/Customs 00.114**

**System name:** Import specialist activities—laboratory samples—Treasury/Customs.

**System location:** Office of the Regional Commissioner, U.S. Customs Service, 55 East Monroe, Suite 1501, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Import specialist team.

**Categories of records in the system:** Monthly report of the number of laboratory samples processed by the import specialist teams.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) Used as an administrative tool to keep track of laboratory samples processed by import specialists.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information is listed by team number and located on a wall chart in the training room.

**Retrievability:** Indexed by name and team number of the import specialist.

**Safeguards:** Area is provided for Customs employees only and other persons using the area must be accompanied by a Customs employee.

**Retention and disposal:** Information is erased after two years.

**System manager(s) and address:** Assistant Regional Commissioner (Operations), 55 East Monroe, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** A monthly report submitted by the Director of the Laboratory Division.

**Treasury/Customs 00.115**

**System name:** Import Specialist Activities—Seminars—Treasury/Customs.

**System location:** Classification & Value Division, U.S. Customs Service, 55 East Monroe, Suite 1501, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Import specialist.

**Categories of records in the system:** A monthly report of the number of seminars the import specialist has attended.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) Used by the Classification and Value Division to keep track of special training given to import specialists.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information is listed by name and located on a wall chart in the training room.

**Retrievability:** Indexed by name and location of the import specialist.

**Safeguards:** Area is provided for Customs employees only and other persons using the area must be accompanied by a Customs employee.

**Retention and disposal:** Information is erased after two years.

**System manager(s) and address:** Director, Classification & Value Division, U.S. Customs Service, 55 East Monroe, Suite 1501, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notifjed in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses in punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person

under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access Above.

**Record source categories:** The records of the seminar.

**Treasury/Customs 00.116**

**System name:** Import specialist activities—220 visits, Region IX—Treasury/Customs.

**System location:** Office of the Regional Commissioner, U.S. Customs Service, 55 East Monroe, Suite 1501, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Import specialist.

**Categories of records in the system:** A record of importer premises visits performed by the import specialist including the time, cost, and number of visits listed monthly.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) To keep an account of the visits made by import specialists to importers' premises.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information is listed by name and located on a wall chart in the training room.

**Retrievability:** Indexed by name and location of the import specialist.

**Safeguards:** Area is provided for Customs employees only and other persons using the area must be accompanied by a Customs employee.

**Retention and disposal:** Information is erased after two years.

**System manager(s) and address:** Director, Classification and Value Division, 55 East Monroe, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Reports submitted by import specialists on Regional Form IX-RC-220.

**Treasury/Customs 00.117**

**System name:** Information and Investigative Reports from other Federal Agencies—Treasury/Customs.

**System location:** Office of the Director, District Patrol, 600 South Street, New Orleans, Louisiana 70130. Dir., District Patrol Division, Rm. 213, International Trade Center 250 N. Water Street, Mobile, AL 36602.

**Categories of individuals covered by the system:** Individuals on whom information has been received indicating unlawful or suspicious activity.

**Categories of records in the system:** Name, address, phone number, place of business, associates, vessels or aircraft identified with; make, year, license number and registration of vehicles, area of activity, method of operation and other relevant and necessary information on individuals suspected of activity contrary to law. All information received from other federal agencies' investigative reports.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records maintained in standard Customs file folders in locked metal cabinets.

**Retrievability:** System indexed by identifying file number and manually retrieved.

**Safeguards:** File maintained in locked, metal file cabinet, the keys of which are controlled by the custodian of the files. Those departmental officials who may occasionally be granted access, consistent with their positions, have been cleared by a full field background

investigation and granted appropriate security clearance for critical sensitive positions. During nonworking hours, the room housing the metal cabinets is locked.

**Retention and disposal:** Memoranda of Information Received are normally destroyed after 3 years. On active cases or individuals, files could presumably be retained for duration of interest in individual. Disposal is by means of shredding. The same procedure is followed for Investigative Reports from other Federal agencies.

**System manager(s) and address:** Director, District Patrol Division, 600 South Street, New Orleans, La. 70130.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.118**

**System name:** Information Received File—Treasury/Customs.

**System location:** U.S. Customs Air Support Branch, Patrol Division PM-TUM, Homestead Air Force Base, Homestead, Florida 33030.

**Categories of individuals covered by the system:** Persons who are believed to be involved in activities which constitute, or may develop into, possible violation of Customs and related laws.

**Categories of records in the system:** Internal Customs Service memoranda and related materials regarding the activities of individuals, vessels, or aircraft believed to be involved in acts which are contrary to Customs and related laws.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information files are inserted in alphabetical and chronological file folders which are filed within a metal container.

**Retrievability:** A manual, master card index is maintained for the entire system. This index includes name and/or numerical identifier.

**Safeguards:** The information files and master card index are located within an office which is locked during non-working hours. The building is guarded by U.S. Air Force Military Police and only authorized persons are permitted in the building.*

**Retention and disposal:** These files are retained indefinitely or until such time that it has been determined that there is no longer a need for their existence, at which time the oldest files are destroyed under Customs supervision.

**System manager(s) and address:** Chief, Air Support Branch, U.S. Customs, Patrol Division, PM-TUM, Homestead Air Force Base, Homestead, Florida 33030.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.119**

**System name:** Information Received File (Patrol Division—New Orleans, LA)—Treasury/Customs.

**System location:** Office of the Director, Regional Patrol, 600 South Street, New Orleans, LA 70130.

**Categories of individuals covered by the system:** Individuals on whom information has been received indicating unlawful or suspicious activity.

**Categories of records in the system:** Name, file number, location, and date information received on individuals suspected of unlawful activity.

**Authority for maintenance of the system:** 5 USC 301; Treasury Department Order No. 165, Revised as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** System maintained on filed 4 x 6 index cards.

**Retrievability:** System indexed alphabetically by name and manually retrieved.

**Safeguards:** Cards maintained in index file holder stored in secure combination safe, with the combination thereto restricted to four employees. Those departmental officials who may occasionally be granted access consistent with their position have been cleared by a full field background investigation and granted appropriate security clearance for critical sensitive positions. During non-working hours the room housing the safe is locked.

**Retention and disposal:** Index cards are retained for duration of interest in individual named there on. Disposal is by means of shredding.

**System manager(s) and address:** Director, Regional Patrol, 600 South Street, New Orleans, LA 70130.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from

which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.120**

**System name:** Information Received File (Patrol Division—New Orleans, LA)—Treasury/Customs.

**System location:** Office of the Director, Regional Patrol, 600 South Street, New Orleans, LA 70130.

**Categories of individuals covered by the system:** Individuals on whom information has been received indicating unlawful or suspicious activity.

**Categories of records in the system:** Name, address, phone number, place of business, associates, vessels or aircraft identified with; make, year, license number and registration of vehicles, area of activity, method of operation, and other relevant and necessary information on individuals suspected of activity contrary to law.

**Authority for maintenance of the system:** 5 USC 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records maintained in standard Custom file folders in locked, metal cabinets.

**Retrievability:** System indexed by identifying file number and manually retrieved.

**Safeguards:** File maintained in locked, metal file cabinet the keys of which are controlled by the custodian of the files. Those departmental officials who may occasionally be granted access consistent with their positions have been cleared by a full field background investigation and granted appropriate security clearance for critical sensitive positions. During non-working hours the room housing the metal cabinets is locked.

**Retention and disposal:** Memoranda of Information Received are normally destroyed after three years. On active cases or individuals, files could presumably be retained for duration of interest in individual. Disposal is by means of shredding.

**System manager(s) and address:** Director, Regional Patrol, 600 South Street, New Orleans, LA 70130.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.121**

**System name:** Information Received (Moir) File—Treasury/Customs.

**System location:** Located in the Office of the District Director, San Diego, Calif.; Offices of the Port Directors, San Ysidro, Calif; Tecate, Calif; Calexico, Calif; Andrade, Calif; San Diego Barge Office; and the Offices of the Customs Patrol Division, San Diego, Calif; San Ysidro, Calif; Calexico, Calif; Tecate, Calif. Los Angeles region. See Customs Appendix A.

**Categories of individuals covered by the system:** All Persons who have been found or suspected of being in violation of Customs or other Governmental Agency regulations or laws.

**Categories of records in the system:** Name, physical description, DOB, driver's license information and informing individual if suspect of being involved.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. To alert all Customs personnel or interested Agencies of possible violations or whereabouts of individuals.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Stored on CF 4621 in file cabinet.

**Retrievability:** Cross-indexed by name and file number.

**Safeguards:** Locked office after duty hours.

**Retention and disposal:** Indefinitely.

**System manager(s) and address:** District Director, Port Directors, and Division Directors within the San Diego Customs District. See Customs Appendix A.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.122**

**System name:** Information Received File—Treasury/Customs.

**System location:** District Patrol Division, Room 200, United States Customhouse, La Marina, Old San Juan, P.R. 00901.

**Categories of individuals covered by the system:** Persons in whom Customs and/or other government agencies are interested from a law-enforcement and/or security point of view.

**Categories of records in the system:** Name, alias, date of birth or age, personal data, addresses, home and business telephone number, occupation, background information, associations, license number and registration number of vehicle, vessel and/or aircraft, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their official duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) When routine background investigation develops evidence of violations of law, case is referred to Investigative Branch; (d) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each memorandum, or group of memoranda, is placed in a folder which is filed in a numerical order according to the assigned case file number. These files are kept in a locked metal cabinet.

**Retrievability:** The above-mentioned case file numbers are cross-indexed by name to such numbers, and cards are filed alphabetically within a metal file box.

**Safeguards:** The metal file cabinet and the metal file box are located within an office that is locked during non-working hours. The building is guarded by uniformed Customs guards, and only authorized persons are permitted in the building.

**Retention and disposal:** These memoranda are retained for a period of three years after which they are destroyed together with related index cards.

**System manager(s) and address:** Director, District Patrol Division, United States Custom Service, Room 200, La Marina, Old San Juan, P.R. 00901.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.123**

**System name:** Injury Notice—Treasury/Customs.

**System location:** Each Logistics Management Division in each regional HQ Office (see Customs Appendix A for addresses) and all offices of the District Director, Region IX, Chicago, Ill.

**Categories of individuals covered by the system:** Individuals who sustain an injury in performance of duty as an employee of U.S. Customs.

**Categories of records in the system:** Name, date of birth, home address, organization, place of injury, date and hour of injury, dependants, occupation, cause of injury, nature of injury, statement of witness, supervisor's report of injury.

**Authority for maintenance of the system:** Sec. 19 and 24 of the Occupational Safety and Health Act of 1970, 84 Stat. 1609, 1614, 29 U.S.C. 668, 673 and the provisions of Executive Order 11807.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Disclosure to the Department of Labor for that agency's official use.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on CA forms. The CA forms are filed in a loose leaf, alphabetical binder and placed in a metal file container.

**Retrievability:** Each CA form is identified by the name of the injured employee and filed alphabetically in a binder.

**Safeguards:** The binder is placed within a metal file container located within an office that is locked during non-working hours. The building is guarded by uniformed security personnel and only authorized persons are permitted in the building.

**Retention and disposal:** Notice of injury reports are maintained in the employee's OPF indefinitely. Copies maintained by the systems manager are maintained at location for two years and then destroyed.

**System manager(s) and address:** Each Director, Logistics Management Division, in each Customs Regional Headquarters (see Appendix A for address), each District Safety Officer, Region IX, Chicago, Ill. (see Customs Appendix A for addresses of District Directors).

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system originates with and consists solely of information supplied by the injured employee, his supervisor, appropriate witness and attending physician on CA forms.

**Treasury/Customs 00.124**

**System name:** Inspector Training Quarterly Checklist Forms and Inspector Correspondence Course Enrollment Forms (CF-66)—Treasury/Customs.

**System location:** Regional Office, Personnel Management, Career and Staff Development, U.S. Customs, 300 N. Los Angeles Street, Los Angeles, California 90012.

**Categories of individuals covered by the system:** All Inspectors in training status in Region VII.

**Categories of records in the system:** Progress records of on-the-job Inspector training and enrollment forms for the correspondence course.

**Authority for maintenance of the system:** U.S. Customs Headquarters Training Manual, 5 USC 301; Treasury Dept. Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) To determine if trainee Inspectors have satisfactorily completed their standard training requirements so that they are eligible for promotion at the end of their first year.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Loose leaf binder.

**Retrievability:** By name.

**Safeguards:** Locked office.

**Retention and disposal:** Until employee completes his training.

**System manager(s) and address:** Regional Training Officer, Personnel Management, Career Development Branch, U.S. Customs Service, 300 N. Los Angeles Street, Los Angeles, California 90012.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The inspectors' supervisors originate both the training progress checklists and the Correspondence Course Enrollment forms.

**Treasury/Customs 00.125**

**System name:** Intelligence Log—Treasury/Customs.

**System location:** U.S. Customs Air Support Branch, Patrol Division, PM-TUM, Homestead Air Force Base, Homestead, Florida 33030.

**Categories of individuals covered by the system:** Persons who are believed to be involved in activities which constitute, or may develop into, possible violation of Customs and related laws.

**Categories of records in the system:** Internal Customs Service memoranda and related materials regarding the activities of individuals, vessels, or aircraft believed to be involved in acts which are contrary to Customs and related laws.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the

reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The intelligence log is a chronological file which is maintained within a security area.

**Retrievability:** A manual, master card index is maintained for the entire system. This index includes name and/or numerical identifier.

**Safeguards:** The information files and master card index are located within an office which is locked during non-working hours. The building is guarded by U.S. Air Force Military Police and only authorized persons are permitted in the building.

**Retention and disposal:** These files are retained indefinitely or until such time that it has been determined that there is no longer a need for their existence, at which time the oldest files are destroyed under Customs supervision.

**System manager(s) and address:** Chief, Air Support Branch, Patrol Division, U.S. Customs, PM-TUM, Homestead Air Force Base, Homestead, Florida 33030.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.126**

**System name:** Internal Security File—Treasury/Customs.

**System location:** Area Director, New York Seaport Area, 6 World Trade Center, New York, New York 10048.

**Categories of individuals covered by the system:** Commercial and non-commercial importers.

**Categories of records in the system:** Correspondence from importing public concerning parcels received through mail without being processed through Customs and Voluntary Tenders submitted in conjunction with same.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Use by Customs Officers in enforcing laws and regulations and use as background information.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records maintained in a file drawer.

**Retrievability:** Listed alphabetically by name.

**Safeguards:** The office is locked at the end of the day.

**Retention and disposal:** Files destroyed after two years.

**System manager(s) and address:** Area Director, New York Seaport Area, 6 World Trade Center, New York, New York 10048.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information submitted by individuals.

**Treasury/Customs 00.127**

**System name:** Internal Security Records System—Treasury/Customs.

**System location:** Internal Security Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. Tort Claim Investigation Files and index card files at each Regional Director (Internal Affairs) Office. See Customs Appendix A.

**Categories of individuals covered by the system:** Present and past employees, applicants for positions that require an investigation, and others that are the subject of an investigation.

**Categories of records in the system:** Security clearance records; background, tort claim, special inquiry, conduct, and equal employment opportunity investigations and other Customs related investigations including individuals involved in accidents under investigation.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Provide the proper authority within the Department of the Treasury with sufficient information to make a decision as to whether or not an applicant or employee is suitable for employment in a sensitive position, and to make a determination regarding a subject's loyalty; (d) When routine background investigation develops evidence of violations of law, case is referred to Investigative Branch; (e) Serves as a basis for granting access to classified information and material. When necessary, advise Government agencies and private industry of employees having security clearances; (f) To provide basis for disciplinary action, criminal prosecution establishing guilt or innocence, identifying procedural weaknesses, establishing liability in tort claim investigations, give information to Equal Employment Opportunity Division in EEO cases, provide information to appropriate officials, management and Congressmen; (g) In the event that this system of records includes information which indicates a violation or potential violation

of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (h) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal or other relevant information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (i) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record contained in this system of records may be disclosed as a routine use to possible sources of information in connection with civil or criminal investigations or inquiries under circumstances where it is necessary to disclose certain information in order to pose a question to those sources.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Investigative records are maintained on microfiche and in file folders and stored in metal security cabinets secured by government approved three-position, combination locks. Security clearance records are stored on magnetic tape with a manual back-up system.

**Retrievability:** A manual, master card index is maintained for the entire system. This index includes name and/or numerical identifier.

**Safeguards:** In addition to being stored in secure metal containers with government approved, combination locks, the metal containers are located in locked rooms, the keys of which are controlled and issued to the custodians of the files. The security specialists and administrative personnel who maintain the files are selected for their experience and afforded access only after having been cleared by a full-field background investigation and granted appropriate security clearances for critical sensitive positions. Those departmental officials who may occasionally be granted access consistent with their positions to employ and concur in the granting of security clearances have also been investigated prior to filling critical-sensitive positions.

**Retention and disposal:** With exception of tort claim investigations, the file records are maintained as long as the subject of the investigation is employed by the U.S. Customs Service and for 1 year after the subject terminates employment. The files are then transferred to the Federal Records Center.

Tort Claim investigations are retained for 5 years after the close of the investigation and then destroyed. Once files are transferred, they are retained for the following periods of time by the Federal Records Center and then destroyed: Background investigations—25 years, Conduct and special inquiry investigations—15 years, Equal Employment Opportunity investigations—10 years.

**System manager(s) and address:** Director, Internal Security Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Record source categories:** Sources of information for background investigations are: employers; educational institutions; police; government agencies; credit bureaus; references; neighborhood checks; medical sources; personal interviews; military, financial, citizenship, birth and tax records; and the applicants or employee's personal history and application forms.

**Treasury/Customs 00.128**

**System name:** Investigations Program Analysis—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Investigations, Region V. RDI, 1440 Canal Street, New Orleans, La. 70112; SAC, P.O. Box 1704, Mobile, Ala. 36601; RA, 1719 West End Building, Rm. 303, Nashville, Tenn. 37203.

**Categories of individuals covered by the system:** Special Agents assigned to office.

**Categories of records in the system:** Record of cases assigned to individual agent showing date assigned, status, date closed, time spent on case, arrests, dispositions of arrests, seizures, penalties, and recoveries, if any. An inventory of types of cases handled by an agent.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used administratively as an inventory of investigative cases; measurement of the results of investigative efforts; and an account of man hours devoted to investigative categories.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Information is contained in a printout.

**Retrievability:** Information is retrieved from the printout by case number, name of agent, and date by month and year.

**Safeguards:** During non-working hours the room in which the above described printouts are located is locked.

**Retention and disposal:** Indefinitely.

**System manager(s) and address:** Regional Director, Investigations, U.S. Customs Service, Office of Investigations, 1440 Canal Street, New Orleans, La. 70112; Special Agent in Charge, U.S. Customs Service, Office of Investigations, P.O. Box 1704, Mobile, Ala., 36601; Resident Agent, U.S. Customs Service, Office of Investigations, 1719 West End Building, Rm. 303, Nashville, Tenn. 37203.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information furnished by Customs Special Agents.

**Treasury/Customs 00.129**

**System name:** Investigations Record System—Treasury/Customs.

**System location:** All Office of Investigations offices located within each Customs Service Region in the United States and within each Office of Investigations office located in a foreign country. (See Customs Appendix A).

**Categories of individuals covered by the system:** Records are maintained on individuals who may bear some necessary relevance to investigations conducted within the scope of authority of the Office of Investigations, United States Customs Service. The categories include but are not limited to: (1) Known violators of U.S. Customs laws. (2) Convicted violators of U.S. Customs and/or drug laws in the U.S. and foreign countries. (3) Fugitives with outstanding warrants, Federal or State. (4) Suspect violators of U.S. Customs or other related laws. (5) Victims of violations of the U.S. Customs or related laws.

**Categories of records in the system:** The subject records may contain any identifying or other relevant information on subject individuals which might relate to the following categories of investigations:

Smuggling Investigations Branch: Smuggling, Diamonds & Jewelry; Smuggling, Liquor; Smuggling, Narcotics; Smuggling, All Other; Prohibited Importations; Navigation, Airplane and Vehicle Violations; Neutrality Violations; Illegal Exports.

Regulatory Investigations Branch: Baggage Declaration Violations; Customhouse Brokers and Customs Attorneys; Applications for Licenses; Theft, Loss, Damage and Shortage; Irregular Deliveries; All Other Criminal Cases; Currency Violations.

Special Investigations Branch: Organized Crime; Personnel Derelictions; Other Departments, Bureaus and Agencies; Federal Tort Claims; Personnel Background Investigations.

Technical Investigations Branch: Undervaluation and False Invoicing; Petitions for Relief.

Verification Investigations Branch: Drawback; Marking of Merchandise; Customs Bonds; Customs Procedures; Collections of Duties and Penalties; Trademarks and Copyrights; Foreign Repairs to Vessels and Aircraft.

Foreign Investigations Branch: Classification; Market Value; Dumping; Countervailing Duties.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; 19 U.S.C. 2072; Title 19, United States Code; Title 18, United States Code.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of Treasury who have a need for the records in the performance of their duties which may include the administration, investigation, enforcement and prosecution of civil and criminal Customs and related laws; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Disclosure may be made to any civil or criminal law enforcement authorities, whether Federal, state, local or foreign; (d) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (e) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (f) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

A record contained in this system of records may be disclosed as a routine use to possible sources of information in connection with civil or criminal investigations or inquiries under circumstances where it is necessary to disclose certain information in order to pose a question to those sources.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in both hard copy files and on microfiche which are placed in locked metal containers.

**Retrievability:** The record system is indexed on 3 x 5 file cards by the individual's name and/or identification number and by the investigative case numbers to which the information relates. The hard copy and microfiche records are retrieved by means of the investigative case numbers.

**Safeguards:** All records are held in steel cabinets and are maintained according to the requirements of the United States Customs Records Manual and the United States Customs Security Manual. Access is limited by visual controls and/or a lock system. During normal working hours, files are either attended by responsible Office of Investigations employees or the file area is restricted. The office in which the records are located is locked during non-working hours and the building is patrolled by uniformed security guards.

**Retention and disposal:** The index cards are retained indefinitely. The hard copy and microfiche records are retained for one year or more depending on the subject matter to which they relate and are then either destroyed or transferred to the appropriate Federal Record Center, all in accordance with standard Customs Service record retention and disposal procedures.

**System manager(s) and address:** Assistant Commissioner, Office of Investigations, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C., 20229.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.130**

**System name:** Investigative Program Analysis—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Enforcement Support, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** United States Customs Special Agents and Operations Officers.

**Categories of records in the system:** Case assignment information such as case number, case hours, court hours, case description and disposition, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pur-

suant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Provide management information such as caseload, budget, manpower, performance and experience, etc.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** (1) Magnetic tape. (2) Manual files maintained by the Office of Investigations field officer.

**Retrievability:** By name and Social Security Number of subject Customs Officer.

**Safeguards:** On a need-to-know basis to the Office of Investigations personnel only. Procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling the area, restricted access and alarm protection systems, special communication security, etc.

**Retention and disposal:** Indefinite; None.

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stupulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Supervisory Customs Special Agents when making case assignments to Special Agents or Operations Officers on foreign assignments.

**Treasury/Customs 00.132**

**System name:** Justice Court Case File—Treasury/Customs.

**System location:** Office of the Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Persons who are parties in litigation with the United States Government or agencies or employees or officers thereof, in matters which affect or involve the Customs Service.

**Categories of records in the system:** Litigation report requests and responses thereto, reports of investigations, internal Customs Service memoranda summarizing or relating to the matter in controversy and other background information relating to the subject matter or origin of the litigation, including any information on individuals which has relevance to the matter in litigation.

**Authority for maintenance of the system:** 28 U.S.C. 507; 19 U.S.C. 1603; E.O. 6166; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Information contained in this file is provided as a routine use to the Department of Justice to assist that Department in representing the interests of the Government, the agency or officer or employee involved in the litigation, and may be provided to other agencies involved in same or similar litigation.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who initiated the litigation against the Government, agency, officer or employee or by the name of the person against whom the Government initiated the litigation. In addition, each case file is similarly identified on the alphabetical file folder within the metal container.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Chief Counsel within the Customs Service building. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Record Center.

**System manager(s) and address:** Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the

records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with the receipt of a litigation report request from the Department of Justice which results in a written report to that Department regarding the facts of the particular case. Information in this file may also be derived from reports of investigation regarding the enforcement of civil or criminal statutes, administrative proceedings regarding disciplinary action taken against Customs Service employees, equal opportunity complaints, denials of tort claims, denials of information requested under the Freedom of Information Act, and the collection of debts due the Government.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.133**

**System name:** Justice Department Case File—Treasury/Customs.

**System location:** Office of the Regional Counsel, Room 125, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Categories of individuals covered by the system:** Persons who are parties in litigation with the United States Government or subunits or employees or officers thereof, in matters which affect or involve the United States Customs Service.

**Categories of records in the system:** Litigation report requests and responses thereto, reports of investigations, internal Customs Service memoranda summarizing or relating to the matter in controversy and other background information relating to the subject matter or origin of the litigation.

**Authority for maintenance of the system:** 28 U.S.C. 2676; 19 U.S.C. 1603; E.O. 6166; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Information contained in this file is routinely provided to the Department of Justice or directly to United States Attorneys upon request to assist in representing the interests of the Government, the agency or officer or employee involved in the litigation, or to other agencies involved in the same or similar litigation; (d) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in the file folder within the metal container by the name of the customhouse broker.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Regional Counsel within the Customhouse. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Customhouse broker files are retained idefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, Room 125, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with the request from the Department of Justice or directly from a United States Attorney or other Government agency or officer which results in a communication regarding the particular case. Information in this file is also derived from reports of investigation regarding the enforcement of civil or criminal statutes or regulations, administrative proceedings or any matter affecting or involving the United States Customs Service or its officers or employees.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.135**

**System name:** Legal Case Inventory System—Treasury/Customs.

**System location:** Classification and Value Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Customs employees to whom legal cases are assigned for initial review at Customs Headquarters.

**Categories of records in the system:** Name of Customs employees to whom legal cases are assigned for initial review, name of inquirer, date of correspondence, description of request, control number, and status.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) To maintain a log system of all requests received in the Office; be able to locate each request, obtain present status, and to whom assigned. Obtain statistical information indicating the number of requests received per month for budget purposes.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic tape and hard copy print-out.

**Retrievability:** A weekly print-out for each division in the Office of Regulations and Rulings by the name of the employee assigned to the case is prepared. Retrieval of information by employee is accomplished by a manual search of the print-out.

**Safeguards:** The weekly printout is used only by division personnel to locate a specific case. Each branch in the division receives a copy of the printout for their use. During non-working hours the room is locked and the building is guarded by security police. Only authorized persons are permitted in the building.

**Retention and disposal:** An inquirer's name will remain in the computer until 90 days after a reply has been made to afford the inquirer ample time for resubmission of a request for consideration. Thereafter, his name is expunged by erasure of the tape. The print-out is disposed of as paper trash when a new print-out is received.

**System manager(s) and address:** Director, Classification and Value Division, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Branch Chief or delegate at the time the protest case is assigned to an individual for initial review.

**Treasury/Customs 00.136**

**System name:** Liquidated Damage Cases; Prior Violators—Treasury/Customs.

**System location:** Office of the District Director, Fines and Penalties Office, U.S. Customs Service, 2 India Street, Boston, Massachusetts 02109, and Office of the District Director, Fines and Penalties Office, U.S. Customs Service, P.O. Box 111, St. Albans, Vermont, 05478.

**Categories of individuals covered by the system:** Prior violators of Customs Laws: e.g. Customhouse brokers, individual T/B violators, liquidated damage cases only.

**Categories of records in the system:** Name, address, Social Security number, type of violation and frequency of past violations.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used to determine those persons who are repeatedly assessed liquidated damages so appropriate administrative action may be taken.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Stored on 3 x 5 index cards and in file folders.

**Retrievability:** Alphabetically; by name.

**Safeguards:** In locked file cabinet when not in use.

**Retention and disposal:** Boston District files are kept for two years and then destroyed on site. St. Albans District files are kept for five years and then destroyed.

**System manager(s) and address:** Fines and Penalties Officer, U.S. Customhouse, Bonton, Massachusetts 02109. Fines and Penalties Officer, Post Office and Customhouse Building, St. Albans, Vermont 05478.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedure to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is received from the individual at the time the violation occurs and from penalty notices which are issued in the Penalties section. Also, the office of Investigations provides any information developed during its investigation.

**Treasury/Customs 00.137**

**System name:** List of Vessel Agents Employees—Treasury/U.S. Customs.

**System location:** Offices of District Directors, Region IX, Chicago, Illinois. See Customs Appendix A.

**Categories of individuals covered by the system:** Persons employed by Vessel agents.

**Categories of records in the system:** Names, addresses, Social Security numbers, and dates and places of birth of persons employed.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Open file.

**Retrievability:** Alphabetical listing of employees by vessel agent name.

**Safeguards:** The file described is maintained in the Offices of the District Directors in Region IX, Chicago, Illinois. During non-working hours the room/building in which the file is located is locked. Access limited to authorized Customs personnel.

**Retention and disposal:** Employee name retained for period of employment with vessel agent agency.

**System manager(s) and address:** District Director, as appropriate, in Region IX, Chicago, Illinois. See Location above.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Submission of data by importing carrier or his agent.

**Treasury/Customs 00.138**

**System name:** Litigation Issue Files—Treasury/Customs.

**System location:** Office of Assistant Chief Counsel, Customs Court Litigation, Second Floor, 26 Federal Plaza, New York, New York, 10007.

**Categories of individuals covered by the system:** Parties in litigation before the United States Customs Court (or subunits or employees or officers thereof), and other individuals with knowledge of the issues in controversy, e.g., trade witnesses, foreign or domestic manufacturers, etc.

**Categories of records in the system:** Litigation report requests and responses thereto, reports of investigations, internal Customs Service memoranda summarizing or relating to the matter in controversy and other background information relating to the subject matter or origin of the litigation.

**Authority for maintenance of the system:** 19 U.S.C. 1514—1516; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Information contained in these files is routinely provided to the Department of Justice upon request to assist that Department in representing the interests of the Government, or agency involved in the litigation.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each issue file is inserted in a numerical file folder (according to issue) which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each issue filed is cross-indexed in the following card files: (a) by name of party-plaintiff; (b) by issue; and, (c) by titles of decided cases.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Assistant Chief Counsel within the Federal Building. At all times the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Record Center.

**System manager(s) and address:** Assistant Chief Counsel, Customs Court Litigation, Second Floor, 26 Federal Plaza, New York, New York, 10007.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with the receipt of protest reports (based on information supplied by the subject individuals or by their authorized agents or attorneys) from the various Districts and/or litigation report requests from the Department of Justice which result in a written report to that Department regarding the facts of the particular case.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.140**

**System name:** Lookout Notice—Treasury/Customs.

**System location:** Lookout files are maintained in Offices of the District and Port Directors and the District and Local offices of the Patrol Division. See Customs Appendix A.

**Categories of individuals covered by the system:** Suspected violators of laws enforced by Customs.

**Categories of records in the system:** Name, address, height, weight, and any other information available on the individual at the time the notice is instituted.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) The lookout notices are used by Customs to identify persons suspected of violating laws and to keep them under active review.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The notice is printed on regular paper and then copied and stored within a file box.

**Retrievability:** Alphabetically, by name.

**Safeguards:** Stored in locked filing cabinet and access is limited to administrative personnel.

**Retention and disposal:** Retained for two years and then destroyed on site.

**System manager(s) and address:** Regional Commissioner of Customs, Regional Director of Investigations, Regional Patrol Director at appropriate Region. See Customs Appendix A.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.142**

**System name:** Mail Entry Protest—Treasury/Customs.

**System location:** District Director of Customs, 3180 Bladensburg Road, N.E., Washington, D.C. 20018.

**Categories of individuals covered by the system:** Individual member of armed forces, commercial importers, commercial exporters and private importers.

**Categories of records in the system:** Name, home address, and action by customers for which relief is sought.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information is placed in alphabetical file folder and placed within a metal file cabinet.

**Retrievability:** Each letter of protest is filed in alphabetical order by last name first.

**Safeguards:** The metal cabinet is located within an office that is locked during non-working hours.

**Retention and disposal:** The records are maintained in the files for a complete fiscal year. Records are removed to inactive files and held for three years prior to destruction.

**System manager(s) and address:** District Director of Customs, 3180 Bladensburg Road, N.E., Washington, D.C. 20018.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, NW, Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identify, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to made a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information of this office originated with and consists solely of information supplied by the protestor or requester.

**Treasury/Customs 00.143**

**System name:** Mail Protest—Treasury/Customs.

**System location:** District: Anchorage, 204 E. 5th Ave., Anchorage, Alaska; Great Falls, 215 1st Ave, No., Great Falls, Montana; Honolulu, 335 Merchant, Honolulu; Portland, 511 N.W. Broadway, Portland, Oregon; San Francisco, 555 Battery St., San Francisco, California; Seattle, First & Marion Sts., Seattle, Washington.

**Categories of individuals covered by the system:** Individual protesting duty assessed.

**Categories of records in the system:** Correspondence relating to individual.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in folders and stored in metal file cabinet.

**Retrievability:** The office and building are locked during nonworking hours.

**Safeguards:** Protest number.

**Retention and disposal:** Records are maintained and disposed of in accordance with Records Disposal Manual.

**System manager(s) and address:** District Director, See Location above for addresses.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person; the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Individual and Customs employees involved with case.

**Treasury/Customs 00.144**

**System name:** Mail Protest File—Treasury/Customs.

**System location:** Foreign Mail Section, District Office, 444 Brickell Ave., Miami, Fla.

**Categories of individuals covered by the system:** Individuals who have filed formal protest of the amount of duty assessed against mail parcels.

**Categories of records in the system:** Letters, invoices, and other pertinent documents pertaining to protests.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Customs Personnel processing mail protests; (d) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (e) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licences, if necessary to obtain information relevant

to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (f) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored in the Foreign Mail Section of the District Office, 444 Brickell Ave., Miami, Fla.

**Retrievability:** Records are retrievable by name or protest number.

**Safeguards:** Access is limited to appropriate personnel and office is locked during non-working hours.

**Retention and disposal:** Records are kept until 3 years after the protest is decided.

**System manager(s) and address:** District Director of Customs, 444 Brickell Ave., Miami, Fla.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Source information is from the sender, the addressee, the Customs value records, and the manufacturer of the item.

**Treasury/Customs 00.148**

**System name:** Military Personnel and Civilian Employees' Claims Act File—Treasury/Customs.

**System location:** Office of the Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Persons filing claims under the Military Personnel and Civilian Employees' Claims Act of 1964.

**Categories of records in the system:** Documents relating to the administrative handling of the claim and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 31 U.S.C. 240-243; 31 CFR Part 4; Treasury Department Administrative Circular No. 131, August 19, 1965; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such duties may include making recommendations for decisions on claims and making final decisions on claims; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted alphabetically in a file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who filed the claim and alphabetically in the file folder within the metal container by the name of the person who filed the claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Chief Counsel within the Customs Service Building. During nonworking hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W.,

Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates with a Treasury Department Form No. 3079, Civilian Employee Claim For Loss or Damage to Personal Property, which is completed and filed with the Customs Service by the claimant. Additional information contained in these files may be separately provided by the claimant or by the claimant's supervisor.

**Treasury/Customs 00.149**

**System name:** Military Personnel and Civilian Employees' Claims Act File—Treasury/Customs.

**System location:** Office of the Regional Counsel, Room 125, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Categories of individuals covered by the system:** Current or former Customs employees filing claims under the Military Personnel and Civilian Employees' Claim Act of 1964 for damage to or loss of personal property incident to their service.

**Categories of records in the system:** Documents relating to the administrative handling of the claim and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 31 U.S.C. 240-243; 31 CRF Part 4; Treasury Department Administrative Circular No. 131, August 19, 1965; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in the file folder within the metal container by the name of the person who filed the claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Regional Counsel within the Customhouse. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, Room 125, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses in punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requestor asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates with a Treasury Department Form NO. 3079, Civilian Employee Claim For Loss or Damage to Personal Property, which is completed and filed with the Customs Service by the claimant. Additional information contained in these files may be separately provided by the claimant, the claimant's supervisor, or other reviewing Customs officers.

**Treasury/Customs 00.150**

**System name:** Military Personnel and Civilian Employees' Claims Act File—Treasury/Customs.

**System location:** Regional Counsel, U.S. Customs Service, 6 World Trade Center, New York, N.Y. 10048.

**Categories of individuals covered by the system:** Current or former Customs employees filing claims under the Military Personnel and Civilian Employees' Claims Act of 1964 for damage to or loss of personnal property incident to their service.

**Categories of records in the system:** Documents relating to the administrative handling of the claim and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 31 U.S.C. 240-243; 31 CFR Part 4; Treasury Department Administrative Circular No. 1331, August 19, 1965.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) The information contained in this file is utilized to formulate recommendations, and is made available, to the officials within the Customs Service who make final decisions on claims submitted pursuant to the Military Personnel and Civilian Employees' Claims Act of 1964; (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted alphabetically in a file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who filed the claim and alphabetically in the file folder within the metal container by the name of the person who filed the claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Chief Counsel within the Customs Service Building. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, U.S. Customs Service, 6 World Trade Center, New York, N.Y. 10048.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates with a Treasury Department Form No. 3079, Civilian Employee Claim For Loss or Damage to Personnel Property, which is completed and filed with the Customs Service by the claimant. Additional information contained in these files may be separately provided by the claimant or by the claimant's supervisor.

**Treasury/Customs 00.268**

**System name:** Military Personnel and Civilian Employees' Claims Act File—Treasury/Customs.

**System location:** Office of the Regional Counsel, Suite 1220, 500 Dallas Street, Houston, Texas 77002.

**Categories of individuals covered by the system:** Current or former Customs employees filing claims under the Military Personnel and Civilian Employees' Claims Act of 1964.

**Categories of records in the system:** Documents relating to the administrative handling of the claim and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 31 U.S.C. 240-243; 31 CFR Part 4; Treasury Department Administrative Circular No. 131, August 19, 1965; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the U.S. Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) The information contained in this file is utilized to formulate recommendations, and is made available, to the officials within the Customs Service to make final decisions on claims submitted pursuant to the Military Personnel and Civilian Employees' Claims Act of 1964.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted alphabetically in a file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified alphabetically in the file folder within the metal container by the name of the person who filed the claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Regional Counsel on the 12th Floor of 500 Dallas Street, Houston, Texas. During nonworking hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed security guards provided by the lessor.

**Retention and disposal:** These files are retained until closed at which time the closed files are transferred to the Director, Logistics Management Division, Office of the Regional Commissioner, Houston, Texas for ultimate transportation to the Federal Record Center.

**System manager(s) and address:** Regional Counsel, Suite 1220, United States Customs Service, 500 Dallas Street, Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaing access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified of how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its con-

tent shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates with a Treasury Department Form No. 3079, Civilian Employee Claim For Loss or Damage to Personal Property, which is completed and filed with the Customs Service by the claimant. Additional information contained in these files may be separately provided by the claimant or by the claimant's supervisor.

**Treasury/Customs 00.151**

**System name:** Motor Vehicle Accident Reports—Treasury/Customs.

**System location:** Each Logistics Management Division, in each Customs Regional Headquarters (see Customs Appendix A).

**Categories of individuals covered by the system:** U.S. Customs Employee involved in an automobile accident while on official duty.

**Categories of records in the system:** Name, Social Security Number, home address, telephone number, age, title, date of accident, place of accident, make, year, license number of vehicles, description of accident, information on driver of other vehicle.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Administrative Circular No. 131, dated August 19, 1965 as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer in a metal file cabinet.

**Retrievability:** Each case file is identified in a file folder identified by the name of the Customs employee involved in the automobile accident.

**Safeguards:** The metal file cabinet described above is maintained within the area assigned to the Regional Safety Coordinator within the office of the Regional Commissioner of Customs. Access to the building during nonworking hours is controlled.

**Retention and disposal:** Files are maintained at location for 2 years and then transferred to the Federal Records Center where they are retained for four years.

**System manager(s) and address:** Each Director, Logistics Management Division in each Regional Headquarters (see Customs Appendix A for addresses).

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

When the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in these files originates from the employee involved in the automobile accidents, police report and report of investigation conducted by the Office of Internal Affairs.

**Treasury/Customs 00.152**

**System name:** Motor Vehicle Operator's Identification Card—Treasury/Customs.

**System location:** District Director, 600 South Street, New Orleans, Louisiana 70130; District Director, P.O. Box 2748, Mobile, Alabama 36601; Regional Commissioner, 1440 Canal Street, New Orleans, Louisiana 70112.

**Categories of individuals covered by the system:** All Customs employees in Region V whose official duties require the use and operation of an agency-owned vehicle or a government-owned vehicle leased from General Service Motor Vehicle Pool.

**Categories of records in the system:** Records on file contain the follwoing information: Name, address, place and date of birth, statement of physical fitness, results of examination on driving capability, summary of past driving record, record of summonses, arrests, and accidents during past five years, record of safe driving awards.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law,

whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contact, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** On SF-47 and Treasury Department Form 2770 in appropriate file.

**Retrievability:** By name.

**Safeguards:** Unlocked file cabinet in locked office.

**Retention and disposal:** Forms are maintained for the period in which the individual is employed in the Customs Service, or until revoked. Upon separation or revocation, forms are removed from active file and placed in an inactive file for a period of three years, after which time the cards are disposed of as provided in GSA's General Records Schedule.

**System manager(s) and address:** District Director, 600 South Street, New Orleans, Louisiana 70130; District Director, P.O. Box 2748, Mobile, Alabama 36601; District, Logistics Management Division, 1440 Canal Street, New Orleans, LA 70112.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system or records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See access above.

**Record source categories:** All information contained on SF-47 and TD Form 2770 is obtained directly from employee.

**Treasury/Customs 00.153**

**System name:** Motor Vehicle Operators I.D. Card and Record—Treasury/Customs.

**System location:** Room 102, Federal Building, 511 N.W. Broadway, Portland, Oregon 97209.

**Categories of individuals covered by the system:** Employees of Portland District authorized to drive government vehicles.

**Categories of records in the system:** Name, position, driving record of employee.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To account for those employees to whom driver's licences have been issued and to maintain information concerning their driving record.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in index card file. Stored in unlocked metal cabinet.

**Retrievability:** Information is on cards, indexed alphabetically by name of individual.

**Safeguards:** The office and building are locked during non-working hours.

**Retention and disposal:** Retained 2 years, then destroyed.

**System manager(s) and address:** District Director, Federal Building Room 198, 511 N.W. Broadway, Portland, Oregon 97209.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301

Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information furnished by employee and his supervisors. Accident reports.

**Treasury/Customs 00.155**

**System name:** Narcotics Suspect File—Treasury/Customs.

**System location:** Customs Patrol Office, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Categories of individuals covered by the system:** Known violators of Federal narcotics laws. Suspected violators of Federal narcotics laws. Associates of known and suspected violators. Informants and other persons of interest to patrol officers in the performance of their duties.

**Categories of records in the system:** Criminal and civil case files; information of possible violators, informant files, known suspect files, and files of information of interest to patrol officers.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used by patrol officers to determine an individual's previous record when determining the proper recommendations for criminal and civil penalties; (d) Used by patrol officers to determine patterns of violations and assist in the more efficient performance of their duties; (e) Used by officers and employees of the Customs Service and the Department of the Treasury to compile statistics and determine patterns of violators; (f) In the event that this system of records includes information which indicates a violation or possible violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (g) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (h) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders and stored in metal file cabinets which are located in locked or occupied offices which are located in locked and guarded Federal Buildings.

**Retrievability:** A manual master card index is maintained for the entire system. This index includes name and/or numerical identifier.

**Safeguards:** In addition to being stored in secure metal containers, the containers are maintained in offices which are either occupied or locked at all times. These offices are located in locked Federal buildings.

**Retention and disposal:** The file records are maintained indefinitely.

**System manager(s) and address:** Director, Baltimore Patrol Division, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system or records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.156**

**System name:** Narcotic Violator File—Treasury/Customs.

**System location:** Fines, Penalties and Forfeitures Office, District Director of Customs, Room 603, U.S. Federal Building, 111 West Huron Street, Buffalo, New York 14202.

**Categories of individuals covered by the system:** Persons who have been found in possession of any controlled substance within the Buffalo District.

**Categories of records in the system:** Alphabetized cross reference of violators names and the associated case numbers assigned to these individuals.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of the law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Open card file (3 x 5) is kept in metal flip file.

**Retrievability:** Narcotic violator case files are cross-referenced by a 3 x 5 alphabetized card which contains both name and case number.

**Safeguards:** Open card file is kept in the Fines, Penalties and Forfeitures Office which is locked after working hours. During working hours, a staff person is always in the office. The building is under 24-hour guard.

**Retention and disposal:** File system has a purge date of two years after which cross reference cards are destroyed and case numbered file is no longer accessible by name of the individual.

**System manager(s) and address:** District Director, United States Customs Service, Room 603, 111 West Huron Street, Buffalo, New York 14202.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willingly seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See access above.

**Record source categories:** The information in these files is obtained from Search/Arrest and Seizure Reports transmitted to the Fines, Penalties and Forfeitures Office by ports and stations within the district.

**Treasury/Customs 00.159**

**System name:** Notification of Personnel Management Division when an employee is placed under investigation by the Office of Internal Affairs—Treasury/Customs.

**System location:** Personnel Management Division, 500 Dallas Street, Houston, Texas 77002.

**Categories of individuals covered by the system:** Customs employees who are suspected of misconduct.

**Categories of records in the system:** A written or telephonic notification made by the Office of Internal Affairs that an investigation has been opened on an individual employee.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Notification serves to notify certain Personnel Management Division employees of the investigation to assure compliance with Chapter 751 of the Customs Personnel Manual which precludes the processing of certain personnel actions while employees are under investigation. Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation, or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Notifications provided by the Office of Internal Affairs are maintained in a file folder and stored in a metal security cabinet equipped with a lock.

**Retrievability:** The file contains the name of the employee; therefore retrievability is by the individual's name.

**Safeguards:** A metal container, described above, is maintained within the area assigned to Personnel Management in the One Allen Center Building. During non-working hours, the room in which the metal container is kept is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** The name file is retained until notification has been received that the investigation has been cancelled or on receipt of a report of investigation from the Office of Internal Affairs.

**System manager(s) and address:** Director, Personnel Management Division, 500 Dallas Street, Houston, Texas 77002.

**Record source categories:** The only source of notification that an employee has been placed under investigation is the Regional Director, Internal Affairs.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.160**

**System name:** Operations Officer's (Classification and Value) Work Accomplishments—Treasury/U.S. Customs.

**System location:** Office of the Regional Commissioner, U.S. Customs Service, Classification and Value Division, 55 East Monroe Street, Suite 1501, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Operations Officers in the Classification and Value Division.

**Categories of records in the system:** Travel File—Names, dates, purpose and locations travelled. Assignments Folder—Correspondence of specific assignments filed by name.

Reading File—Copies of all originally written documents filed by name.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552). (c) Historic record of work accomplishments in one file by name. (d) It is used as a file index to locate the master file record.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folder under secretarial control.

**Retrievability:** Manual file system.

**Safeguards:** Stored in the division area away from unescorted public.

**Retention and disposal:** Filed for five years then destroyed.

**System manager(s) and address:** Regional Commissioner, U.S. Customs Service, 55 East Monroe, Suite 1501, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

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Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The sources are from the Operations Officers and a copy of typewritten work.

**Treasury/Customs 00.161**

**System name:** Optional Retirement List—Treasury/Customs.

**System location:** Personnel Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** All employees who are eligible for optional retirement.

**Categories of records in the system:** Name, date of mandatory retirement, and service computation date.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) In the event that this system of records includes information which indicates a violation or potential violation of law whether civil, criminal, or regulatory in nature and whether arising by general statute or particular program statute or by regulation, rule, or order issued pursuant thereto the relevant records in the system of records may be referred, as a routine use, to the appropriate agency whether Federal, state, local, or foreign charged with the responsibility of investigating or prosecuting the statute or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee; the issuance of a security clearance; the letting of a contract; or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency in response to its request in connection with the hiring or retention of an employee; the issuance of a security clearance; the reporting of an investigation of an employee; the letting of a contract; or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in a locked file cabinet.

**Retrievability:** By name.

**Safeguards:** Accessible only to the Personnel Officer. The area in which these records are stored is locked during non-working hours, and the building is guarded by uniformed security police.

**Retention and disposal:** Records are retained for two years then destroyed.

**System manager(s) and address:** Director, Personnel Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, DC 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting

identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, DC 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information is obtained from the Employees Service Record Report.

**Treasury/Customs 00.162**

**System name:** Organization (Customs) and Automated Position Management System (COAPMS)—Treasury/Customs.

**System location:** Personnel Management Division, U.S. Customs Service, Washington, D.C. 20229.

**Categories of individuals covered by the system:** All Customs employees by organizational entity.

**Categories of records in the system:** Position control number and other personnel data such as social security number, date of birth, name, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 522); (c) Used by managers and planners at all levels for position control purposes.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored on Mag-tape.

**Retrievability:** Records are indexed by organizational segment, code, position control number, and name.

**Safeguards:** Limited access.

**Retention and disposal:** Records are maintained on mag-tapes indefinitely or until employee separation.

**System manager(s) and address:** Director, Personnel Management Division, U.S. Customs Service, Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** COAPMS is composed of four basic inputs: CF-105-Position Change Form—presently prepared by the Headquarters Personnel Branch and operating offices, Post of Duty Codes—established by the Accounting Division, Ceilings—established by the Budget Division, CF-112—a Request for PPBS Code and Standard Abbreviation of Position.

In addition to these four sources, the IRS payroll tape has many inputs—1150, 1125, 50, 52, union dues, etc., and Accounting tape K from IRS.

**Treasury/Customs 00.163**

**System name:** Outside Employment Requests—Treasury/Customs.

**System location:** Located in the Personnel Management Division of each Region and Headquarters and/or appropriate District, Port, or post of duty office of employee making request.

**Categories of individuals covered by the system:** All employees engaged in outside employment.

**Categories of records in the system:** Outside employment request.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552). (c) Used to ensure the Customs employees are not engaged in other employment that would create a conflict of interest with Customs Service or Treasury Department.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** CF-3031 kept in manila folder.

**Retrievability:** By employee name.

**Safeguards:** Locked file cabinet or limited access offices.

**Retention and disposal:** Until disengagement from outside employment or employee separation.

**System manager(s) and address:** Director, Personnel Management Division in each regional office and Headquarters and/or appropriate managerial official in each port or district of employee.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

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Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Employee submission of form CF-3031.

**Treasury/Customs 00.164**

**System name:** Overtime Earnings—Treasury/Customs.

**System location:** Office of the Regional Commissioner, Region IX, Inspection and Control Division, 55 East Monroe Street, Suite 1501, Chicago, Illinois 60603 and each District Director's office in Region IX.

**Categories of individuals covered by the system:** U.S. Customs inspectional and warehouse personnel engaged in performance of overtime and reimbursable work assignments in Region IX.

**Categories of records in the system:** Summary of total overtime earnings for individual employees participating in overtime assignments in Region IX.

**Authority for maintenance of the system:** Sec. 19 and 24 of the Occupational Safety and Health Act of 1970, 84 Stat. 1609, 1614, 29 U.S.C. 668, 673 and the provisions of Executive Order 11807.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) Review of overtime earnings to insure required equalization of overtime is maintained in each port in Region IX.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Kept in loose leaf binder in alphabetical listing by individual name and kept in the office of the Director, Inspection and Control Division, Region IX.

**Retrievability:** By individual name in alphabetical order.

**Safeguards:** Locked in the desk of Director, Inspection and Control Division and made available only to authorized U.S. Customs personnel.

**Retention and disposal:** Retained for two years then destroyed.

**System manager(s) and address:** Director, Inspection and Control Division, Region IX, 55 East Monroe, Suite 1501, Chicago, Illinois 60603 and respective District Directors.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Record is compiled from information supplied by employee on Customs Form 6082 (Work Ticket) that is completed for each overtime assignment worked.

**Treasury/Customs 00.165**

**System name:** Overtime Earnings—Treasury/Customs.

**System location:** Inspection and Control Division, San Francisco District, 555 Battery Street, Room 111, San Francisco, CA 94126.

**Categories of individuals covered by the system:** Inspection and Control employees participating in overtime assignments within the district of San Francisco.

**Categories of records in the system:** Name and the total current monetary earnings computed to the nearest dollar.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) To maintain records of extra compensation earnings on a yearly basis for each employee in each participating group, i.e., Customs Inspectors, Supervisory Customs Inspectors, Inspectional Aids, etc. (b) A report of the monetary earnings from each overtime participant is given to each station supervisor every two weeks. (c) The report is available to all employees.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information is kept on a visible chart board and the information on earnings is constantly changing.

**Retrievability:** The individual's name appears alphabetically according to their geographical location within the Port.

**Safeguards:** The room wherein the visible chart is kept, is locked at other than regular working hours.

**Retention and disposal:** The information on each employee constantly changes and is maintained as long as the employee is working in the inspection overtime system.

**System manager(s) and address:** Supervisory Customs Inspector, Station 1, U.S. Customs Service, 555 Battery Street, Room 111, San Francisco, California 94126.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is obtained from actual overtime earnings made by each employee in the system.

**Treasury/Customs 00.166**

**System name:** Overtime Earnings Daily Log Book—Treasury/Customs.

**System location:** Chief Inspector, 1001 N. American Way, Miami, Fla., Port Director of Customs, Port Everglades, Fla., Port Director of Customs, West Palm Beach, Fla., Director Airport Operations, Miami International Airport.

**Categories of individuals covered by the system:** All participants in overtime.

**Categories of records in the system:** Monetary amount of overtime earned.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Supervisors and participants in overtime earnings; (d) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (e) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (f) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Record is kept in file folders at assignment offices listed under location.

**Retrievability:** Records are retrievable by name of participant.

**Safeguards:** Record is kept in non-public portions of listed offices.

**Retention and disposal:** Records are kept on a calendar year basis and are disposed of after computer printouts are received.

**System manager(s) and address:** District Director of Customs, 444 Brickell Ave., Miami, Fla. 33131.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Con-

stitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information for this record is obtained from the overtime work tickets.

**Treasury/Customs 00.167**

**System name:** Overtime Earnings Record—Customs Warehouse Officers—Treasury/Customs.

**System location:** Office of the Supervisory Warehouse Officer, U.S. Customhouse, Room 103, 2nd & Chestnut Streets, Philadelphia, Pa. 19106.

**Categories of individuals covered by the system:** Customs Warehouse Officers under the supervision of the Philadelphia District who participate in 1911 Overtime earnings.

**Categories of records in the system:** Bi-monthly postings of participating employees' actual 1911 Overtime earnings.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each posting is made manually on a 5 inch by 8 inch index card which is filed in the Supervisory Warehouse Officer's desk.

**Retrievability:** Each card is identified by the name of the Warehouse Officer and his grade.

**Safeguards:** The records are kept in a closed desk drawer; during working hours, only the Supervisory Warehouse Officer has access to the desk. During non-working hours, the building is either locked or controlled by uniformed guards.

**Retention and disposal:** Overtime earnings records of Customs Warehouse Officers are kept for one year and then destroyed.

**System manager(s) and address:** District Director of Customs, U.S. Customhouse, 2nd & Chestnut Streets, Philadelphia, Pa. 19106.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, NW, Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identify and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates from a bi-monthly data center print-out, number RCS-AA66-10, for the Port of Philadelphia.

**Treasury/Customs 00.169**

**System name:** Overtime Log—Treasury/Customs.

**System location:** U.S. Customs Service, Honolulu International Airport, Honolulu, Hawaii 96819.

**Categories of individuals covered by the system:** Employees of U.S. Customs Service participating in overtime under the Act of Feb. 13s 1911.

**Categories of records in the system:** Name, overtime rate, overtime amount earned by date, overtime earned on holiday or Sunday or during any other night, and running total of earnings.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) To keep a record of overtime earnings worked by each individual participant. (b) To keep a record of overtime earnings by different participating groups; i.e., Inspectors, Supervisory Customs Inspectors, Warehouse officers, etc. (c) Used to make a daily list of overtime participants by earnings.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on loose leaf folder paper in a black binder. This binder is located adjacent to the documents examiner's desk.

**Retrievability:** Each loose leaf folder paper is identified by name and is filed according to current overtime earnings and participating groups.

**Safeguards:** The documents examiner's desk is located next to the manifest desk in the U.S. Customs Service office. The manifest desk is manned 24 hours a day, seven days a week by Customs personnel.

**Retention and disposal:** The files are kept in the binder for one calendar year then placed in a folder, boxed, sealed, labeled and placed in our locked storeroom. The files are destroyed after five years.

**System manager(s) and address:** District Director of Customs, U.S. Customs Service, Honolulu, Hawaii 96819.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional.Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notifed in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Overtime records are compiled by Customs personnel responsible for accounting for overtime.

**Treasury/Customs 00.170**

**System name:** Overtime Reports—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Investigations, Region V. RDI, 1440 Canal Street, New Orleans, La. 70112; SAC, P.O. Box 1704, Mobile, Ala. 36601; RA, 1719 West End Building, Rm. 303, Nashville, Tenn., 37203.

**Categories of individuals covered by the system:** All Special Agents in region certified to receive premium compensation.

**Categories of records in the system:** Numbers of hours worked by Special Agents over and above the normal 40 hour week.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Record of number of unscheduled overtime hours worked by each Special Agent.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These forms are maintained in file folders in a locked filing cabinet.

**Retrievability:** Files are kept in alphabetical order.

**Safeguards:** During non-working hours the rooms in which the above described containers are located are locked.

**Retention and disposal:** These files are maintained on Special Agents and are destroyed three years after agent leaves agency or office.

**System manager(s) and address:** Regional Director, Investigations, U.S. Customs Service, Office of Investigations, 1440 Canal Street, New Orleans, La. 70112; Special Agent in Charge, U.S. Customs Service, Office of Investigations, P.O. Box 1704, Mobile, Ala., 36601; Resident Agent, U.S. Customs Service, Office of Investigations, 1719 West End Building, Rm. 303, Nashville, Tenn., 37203.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service, Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates with, and consists solely of information supplied by employees.

**Treasury/Customs 00.171**

**System name:** Parking Permit File—Treasury/Customs.

**System location:** Logistics Management Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, C.C. 20229.

**Categories of individuals covered by the system:** Individuals and members of car pools to whom vehicle parking permits have been issued.

**Categories of records in the system:** Name, home phone number, home address, organization, office telephone number, years of service, and make, year, license number and registration number of vehicle.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used administratively by Customs Service Headquarters to evaluate applications and to assign and monitor available parking spaces. (d) Disclosure to the General Services Administration for that agency's official use.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on GSA Forms 7415 (Parking Permit Applications) which consist of index card applications. The index card applications are placed within a file box which is located in a metal file container.

**Retrievability:** Each index card is identified by the name of the applicant, and the cards are filed alphabetically within the file box.

**Safeguards:** The card file box is placed within a metal cabinet which is located within an office that is locked during non-working hours. The building is guarded by uniformed security police, and only authorized persons are permitted in the building.

**Retention and disposal:** Active index cards are retained in this system indefinitely. However, the information in this sytem is reviewed every six months, and outdated index cards are discarded.

**System manager(s) and address:** Chief, Headquarters Support Branch, Logistics Management Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system originates with, and consists solely of, information supplied by the applicant(s) on GSA Form 7415 (Parking Permit Application).

**Treasury/Customs 00.172.**

**System name:** Parking Permits File (N.Y. Region)—Treasury/Customs.

**System location:** U.S. Customs Service, Assistant Regional Commissioner (Administration), 6 World Trade Center, New York, N.Y. 10048.

**Categories of individuals covered by the system:** Organizational units and persons holding parking permits.

**Categories of records in the system:** Name of person issued parking permit, and number of parking spot assigned.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) To keep track of permits issued and to identify the holder of the permit if violations occur or problems develop (i.e. car lights left on).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper files.

**Retrievability:** By name.

**Safeguards:** Office locked at night.

**Retention and disposal:** Retained until changed.

**System manager(s) and address:** Regional Commissioner of Customs, U.S. Customs Service, 6 World Trade Center, New York, N.Y. 10048.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is compiled when parking permit is assigned.

**Treasury/Customs 00.175**

**System name:** Patrol Division Daily Activity Report—Treasury/Customs.

**System location:** Offices of the Patrol Division, Chicago District, Detroit District and Pembina District, Region IX, Chicago, Illinois. See Customs Appendix A.

**Categories of individuals covered by the system:** Individuals employed as Customs Patrol Officers.

**Categories of records in the system:** Internal Patrol Division folder maintained by Director, Patrol, by name to record work performance on a daily basis of each individual Patrol Officer. Also, individual record of scheduled overtime, sick or annual leave hours.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used to maintain evaluation rating on employees of Patrol Division;

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Individual activity records are maintained in file folders stored in a locked metal file cabinet.

**Retrievability:** Each folder is filed alphabetically by an individual's name.

**Safeguards:** File folders are kept in a locked metal file cabinet which is located in an office that is locked during non-working hours.

**Retention and disposal:** Folders are maintained for the duration of an employee's service with the Patrol Division and then destroyed.

**System manager(s) and address:** Supervisory Customs Patrol Officers, Chicago District, Detroit District and Pembina District, Region IX, Chicago, Illinois. See Customs Appendix A.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in this record system originates from reports of Customs Patrol Officers involving records of their daily patrol activities.

**Treasury/Customs 00.176**

**System name:** Patrol Information Data System—Treasury/Customs.

**System location:** Office of Director, District Patrol Division, U.S. Customs Service, Room 1400 Customhouse, Boston, Massachusetts 02109.

**Categories of individuals covered by the system:** Customs violators, suspects, known narcotic violators; business names; suspect vessels, aircraft and vehicles.

**Categories of records in the system:** Name, address and numerical file reference number and date.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the record contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used as an aid to investigating suspected law violations. Used to alert patrol officers of persons to watch for;

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** 3 x 5 index card with name, address and related number filed in metal index file drawer.

**Retrievability:** By name.

**Safeguards:** The metal index file is maintained within the office of Director, District Patrol Division. The room is locked during non-working hours.

**Retention and disposal:** These files are retained for a period of three years and then destroyed.

**System manager(s) and address:** District Director of Customs, U.S. Customshouse, 2 India Street, Boston, Massachusetts 02109.

**Notification procedure:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Record access procedures:** Same as Notification above.

**Contesting record procedures:** Same as Notification above.

**Record source categories:** Same as Notification above.

**Systems exempted from certain provisions of the act:** Same as Notification above.

**Treasury/Customs 00.177**

**System name:** Patrol Officer Activity Listing—Treasury/Customs.

**System location:** Regional Patrol Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Mass. 02110.

**Categories of individuals covered by the system:** Employees of the Regional Patrol Division, Boston, Massachusetts.

**Categories of records in the system:** Ledger listing of arrests, seizures and other job-related activities.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used as an administrative tool to keep track of the activities performed by each patrol officer;

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Ledger.

**Retrievability:** Alphabetical by name.

**Safeguards:** Locked file.

**Retention and disposal:** Individual record retained while employee is assigned to the Regional Patrol Division. Upon separation of employee, individual record is destroyed.

**System manager(s) and address:** Director, Regional Patrol Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service, Headquarters, 301 Constitution Avenue, N.W., Washington, DC 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is obtained from reports prepared by the Patrol Officers.

**Treasury/Customs 00.178**

**System name:** Payroll Administration/Problems—Treasury/Customs.

**System location:** Personnel Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Any individual employed by Region I who has a payroll problem.

**Categories of records in the system:** Name, social security number, office location, type of problem and background.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service

and Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter;

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Stored in locked cabinet.

**Retrievability:** By District and name.

**Safeguards:** Records are accessible to employees of Personnel Management Division whose duties require them to use these records. In addition to being stored in a locked cabinet, the area in which the records are located is locked during non-working hours and the building is guarded by uniformed security police.

**Retention and disposal:** Records are destroyed three months after resolution of the problem.

**System manager(s) and address:** Director, Personnel Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington DC 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, DC 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is supplied by the employee who has the problem.

**Treasury/Customs 00.180**

**System name:** Payroll Record of Employees Not Covered By The Automated System—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Records of various types of earnings and taxes withheld from employees who are not covered by the automated payroll system.

**Categories of records in the system:** Recorded detail of earnings and taxes.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) The system is used as a record for reporting and paying payroll taxes;

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is placed in a file folder maintained in an unlocked file cabinet located within the Payment Section work area.

**Retrievability:** Each file is identified by the name of the individual.

**Safeguards:** The file is located within an office that is locked during non-working hours. The building is guarded by uniformed security police and only authorized persons are permitted entry to the building.

**Retention and disposal:** The files are retained for two years on the premises and then sent to the Federal Records Center where they are retained for three years and then destroyed.

**System manager(s) and address:** Director, Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request in presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in the system originates from the individual's preparation of his travel voucher and compensation forms.

**Treasury/Customs 00.182**

**System name:** Penalty Case File—Treasury/Customs.

**System location:** Office of Regional Commissioner of Customs, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Individuals who have submitted supplemental petitions in relation to penalties, claims for liquidated damages or forfeitures of property which are being processed by the U.S. Customs Service, Region I and which have been referred to the Regional Commissioner of Customs, Region I.

**Categories of records in the system:** (a) Reports relative to the circumstances of an alleged violation (including any Customs forms or documents relating to the incident, agents' investigative reports, seizure reports); (b) Reports relative to an individual's economic interest in a penalty case; (c) Investigative reports relative to claims made in petitions for relief; (d) Recommendations made by other Government agencies that have an interest in the case.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter;

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders.

**Retrievability:** Records are indexed by name of alleged violator.

**Safeguards:** Open case files maintained in file cabinets with access by Regional Counsel and his staff only; closed case files maintained in locked file cabinet with keys retained by Regional Counsel and his staff only.

**Retention and disposal:** Retained indefinitely or until there is no longer any space available within metal cabinets, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Commissioner of Customs, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Exemption below.

**Record source categories:** The information contained in these files is received from U.S. Customs employees, reports of investigation, petitions for relief, other Government agencies with an interest in the case and members of the general public who have pertinent information.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a(j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.183**

**System name:** Personal Search (Negative)—Treasury/ Customs.

**System location:** All ports, Region IX, Chicago, Illinois.

**Categories of individuals covered by the system:** All individuals subject to U.S. Customs inspection.

**Categories of records in the system:** Records contain date, time and place of search in addition to reason for and result of search, names of Customs officers conducting and authorizing search, name and address and date of birth of parties searched.

**Authority for maintenance of the system:** 19 U.S.C. 482; 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552);

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Files are located in Port Office.

**Retrievability:** Records kept in alphabetical order.

**Safeguards:** The cabinet described above is maintained within the area assigned in the Customs office. During non-working hours the room and/or building in which the cabinet is located is locked.

**Retention and disposal:** Files are retained in Port Office for five years after which they are destroyed.

**System manager(s) and address:** District Directors/Port Directors as applicable, in Region IX, Chicago, Illinois.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request in not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Form is prepared by Customs offices performing the personal search and is the sole source of information.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.184**

**System name:** Personal Search N.Y. District (Negative results)—Treasury/Customs.

**System location:** District Director, U.S. Customhouse, 127 North Water Street, Ogdensburg, NY 13699.

**Categories of individuals covered by the system:** Any person who an inspector at any port or station in the district has deemed should be searched because of his appearance, associations, or other valid reason.

**Categories of records in the system:** Name, address, date of birth, social security number, place of birth, occupation, driver's license number, and other identification number..

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Means of determining number of personal searches being performed (to see authority is not abused). Establishes a record in case of complaint; (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (d) In the event that this system of records includes information which indicates a violation or potential violation of law whether civil, criminal, or regulatory in nature and whether arising by general statute or particular program statute or by regulation, rule, or order issued pursuant thereto the relevant records in the system of records may be referred, as a routine use, to the appropriate agency whether Federal, state, local, or foreign charged with the responsibility of investigating or prosecuting the statute or rule, regulation, or order issued pursuant thereto; (e) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee; the issuance of a security clearance; the letting of a contract; or the issuance of a license, grant, or other benefit; (f) A record from this system of records may be disclosed to a Federal agency in response to its request in connection with the hiring or retention of an employee; the issuance of a security clearance; the reporting of an investigation of an employee; the letting of a contract; or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter;

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** In file jackets in steel file cabinet.

**Retrievability:** By name.

**Safeguards:** Available to the District Director and authorized personnel of his staff only.

**Retention and disposal:** Retained for five years then destroyed by burning or shredding.

**System manager(s) and address:** District Director, U.S. Customhouse, 127 North Water Street, Ogdensburg, N.Y. 13699.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** From inspectors throughout the district.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.185**

**System name:** Personal Search—Negative (District Director—Mobile, Alabama)—Treasury/Customs.

**System location:** District Director of Customs, Room 218, International Trade Center, 250 North Water Street, Mobile, Alabama 36602.

**Categories of individuals covered by the system:** Individuals who have been subjected to search by Customs Officers in which no arrest or seizure is made.

**Categories of records in the system:** CF 151-Search/Arrest/Seizure Report: Used to record any occasion when a Customs Officer is involved or participates in a personal search, an arrest, or a seizure of merchandise or contraband articles. CF 5211-Record Log of Fines, Penalties and Forfeitures-Record, by case number, of all CF 151's issued; reflects name and address of person searched, name of searching officer, reason for search, and brief summary of the situation which resulted in the search.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552);

For additonal routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders.

**Retrievability:** Violator name and/or penalty case number.

**Safeguards:** In file cabinets in secure office area which is locked when not occupied, in building with 24-hour guard service.

**Retention and disposal:** Maintained with penalty case files for five years and after clearance by Security and Audit, shredded on site. CF 5211-(Record Group 217) Retained for 10 yrs. and 3 months and destroyed by shredding after clearance by Security and Audit.

**System manager(s) and address:** District Director of Customs, P.O. Box 2748, Mobile, Alabama 36601.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs, Region V, Room T-13210-V, Postal Service Building, New Orleans, La. 70113, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity,and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If any individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of Customs, Region V, Room T-13210-B, Postal Service Building, New Orleans, La. 70113, or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquaters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signatures and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Individual involved. Arrest and violation records from Federal, state and local police. Customs Officers. TECS Query and NCIC Query—These systems provide data by name, license numbers and other numerical identifiers on prior records of violations.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.186**

**System name:** Personal Search—Negative (District Patrol—New Orleans, La. and Mobile, Al.)—Treasury/Customs.

**System location:** Office of the Director, District Patrol, 600 South Street, New Orleans, Louisiana 70130; Director, District Patrol Division, Room 213, International Trade Center, 250 International Trade Center, 250 N. Water Street, Mobile, Al. 36602.

**Categories of individuals covered by the system:** Individuals indicating unlawful or suspicious activity that might result in a Customs violation.

**Categories of records in the system:** Name, address, phone number, place of business, physical description, associates, vessel, automobile, or aircraft identified with, make, year, license number and registration of vehicles, area of activity, method of operation and other relevant and necessary information on individuals suspected of activity contrary to law.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statue or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employeee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter;

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records maintained in standard Customs file folders in locked metal cabinets.

**Retrievability:** System indexed by identifying file number and manually retrieved.

**Safeguards:** File maintained in locked metal file cabinet, the keys of which are controlled by the custodian of the files. Those departmental officials who may occasionally be granted access, consistant with their positions, have been cleared by a full field background investigation and granted appropriate security clearance for critical sensitive positions. During non-working hours, the room housing the metal cabinets is locked.

**Retention and disposal:** Negative Search Reports are destroyed after a five year period. Method of disposal is shredding.

**System manager(s) and address:** Director, District Patrol Division, 600 South Street, New Orleans, Louisiana 70130.

**Notification procedure:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A.), or to the Director, Entry Procedure and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Hradquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person; it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** See Notification above.

**Contesting record procedures:** See Notification above.

**Record source categories:** The information in this sytem originates with, and consists soely of, information supplied by the individual being searched and the patrol officer doing the search.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.187**

**System name:** Personal Search File—Treasury/Customs.

**System location:** U.S. Customs Service, Honolulu International Airport, Honolulu, Hawaii 96819.

**Categories of individuals covered by the system:** Passengers, arriving from foreign countries, the Customs Service found necessary to search.

**Categories of records in the system:** Name, address, date, time, date of bith, region, port, race, sex, carrier, (airline and flight number), description, passport number, birth place, social security number, marital status, citizenship, reasons for search, searching officer, witness, result of search, search authorized by, and extent or type of search.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system are as follows: (a) All three forms used in this system are kept so as to have a clear and concise record of all searches conducted by the U.S. Customs Service; (b) The files are used to answer all inquiries into any aspect of any personal searches conducted at this station; (c) The current CF 151 file is used as the primary input document for the Customs Law Enforcement Activity Reporting (CLEAR) system which provides, in turn, accurate and timely statistical reporting; (d) Disclosure to officers and employees of the Customs Service and the Department of the Treasury who have a need for records in the performance of their duties; (e) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on Region Form VIII-RC-51-BNF, CF 43, CF 151. These forms are found in binders on the reference shelves in the Customs office.

**Retrievability:** Each form is identified by name and is filed alphabetically. The files are further broken down by form number and calendar year.

**Safeguards:** The files are located in the Customs office. This office is manned 24 hours a day, 7 days a week by Customs personnel.

**Retention and disposal:** Active file forms are kept for five years. After five years the files are destroyed.

**System manager(s) and address:** District Director of Customs, U.S. Customs Service, Honolulu, Hawaii 96819.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identitiy, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identitiy and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files originates from personal searches conducted on passengers arriving from foreign destinations.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in Federal Register.

**Treasury/Customs 00.188**

**System name:** Personel Search Report—Treasury/Customs.

**System location:** Ports of enry, —Nogales, Arizona District.

**Categories of individuals covered by the system:** Persons on whom personnel searches are performed at the various ports of entry.

**Categories of records in the system:** Customs Form 151 containing personal information on individual searched and reasons for search.

**Authority for maintenance of the system:** 19 U.S.C. 1467, 5 U.S.C. 301; Treasury Department, Order No. 165 Revised as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Retained as record to answer inquires into any aspects of personal searches conducted by the Customs Service. Disclosed to Treasury Department Personnel as necessary for performance of duties. Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each CF 151 covering personal searches is maintained in alphabetical order at the various ports of entry.

**Retrievability:** By name of person searched.

**Safeguards:** Records are retained in file cabinets (lockable) and buildings are locked during other than office hours.

**Retention and disposal:** Records are retained for 5 years and destroyed by burning.

**System manager(s) and address:** Port Directors at the various ports of entry in the Nogales, Arizona District.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedure to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information contained herein originates with the Inspector and contains personal information obtained from the individual searched and reasons for performing the search.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain require-

ments of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.189**

**System name:** Personnel Action Records System—Treasury/Customs.

**System location:** Office of the Regional Counsel, U.S. Customs Service, Region IX, 55 E. Monroe Street, Room 1417, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Persons employed by the Treasury Department, Customs Service who either initiate a grievance, discrimination complaint, an unfair labor practice complaint against the U.S. Customs Service and officer or employee therof, or have a disciplinary or other adverse action initiated against him or her by the U.S. Customs Serivce in Region IX.

**Categories of records in the system:** The Personnel Action Records System contains information regarding employment history, i.e. basic personnel data, age, birth, marital status, address, phone number, general health, details of the incident leading to the grievance, discrimination complaint, disciplinary action, adverse action, or unfair labor practice complaint.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Personnel Action Records System of the United States Customs Service are as follows: (a) Disclosure to those officers and employees of the Customs Service, the Department of the Treasury, the Civil Service Commission, and the Department of Justice who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Information contained in these files is routinely used by the attorneys in the Regional Counsel's office in determining and resolving legal issues related to the personnel action involved, in preparing for, and representing management in, administrative hearings and administrative appeals, and providing information and assistance to U.S. Attorneys and the Department of Justice in litigation. Potential litigation or litigation will require disclosure of the information to the Department of Justice, and this information is often channeled through the Department of the Treasury.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in a file folder which is filed in a lockable drawer within a metal filing cabinet container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who initiated the action against the Customs Service, or against whom it was initiated. In addition, each case file is similarly identified on the file folder with the alphabetical name on the file which is placed and located within the metal container.

**Safeguards:** The metal filing drawer containing the files described above is maintained within the area assigned to the office of the Regional Counsel, Region IX at 55 E. Monroe Street, Chicago, Illinois. During non-working hours, the room in which the metal filing drawer is located is locked, the file container itself is locked, and access to the building is controlled at all times by uniformed guards with a check-in system for employees. Only employees of the Regional Counsel's office and authorized building personnel have keys to the building.

**Retention and disposal:** These files are retained indefinitely or until there is no longer space available for them within the metal filing cabinet at which time the oldest files are transferred to the storage area within the confines of the office. The storage area is a large area containing cardboard boxes and metal storage cabinets which are not able to be locked. Files which are closed and not retained for precedent purposes are retired to the Federal Records Center, General Service Administration, 7358 S. Pulaski, Chicago, Illinois 60602 in accordance with the U.S. Customs Service Record Disposal Manual.

**System manager(s) and address:** Regional Counsel of Customs, Room 1417, United States Customs Service, 55 E. Monroe Street, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowinly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with the initiation of any personnel action either by or against an employee. The information submitted by the employee is in the file as will be the information submitted by the employer if the action is initiated by the employer. Further information in this file is derived from both employee and employer information of an investigation made by the Office of Internal Affairs, investigation reports by the Office of Investigations, memoranda from the Civil Service Commission and possibly other agencies having employed the individual. Information could also be obtained form Customs employees, former Customs employees, private parties, corporations, confidential informers, credit bureaus, foreign countries or officials thereof, foreign citizens and any other source with information pertinent to the Personnel Action.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.190**

**System name:** Personnel Case File—Treasury/Customs.

**System location:** Office of the Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Current or former Customs Service employees against whom disciplinary action has been proposed or taken, who have filed grievances, and who have filed complaints under the Equal Opportunity (EO) Program, in most cases where administrative proceedings have been instituted.

**Categories of records in the system:** Reports of investigation into alleged employee misconduct, internal Customs Service memoranda recommending displinary action, documents relating to the institution or conduct of disciplinary proceedings, documents relating to the filing and administrative disposition of formal and informal grievances and documents relating to the filing and administrative disposition of EO complaints.

**Authority for maintenance of the system:** Title 5, United States Code; Title 5, Code of Federal Regulations; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such duties may include evaluating proposed disciplinary actions, grievances and EO complaints, recommending action to be taken in such cases, preparing necessary decisional documents in such cases, preparing proposed charges where appropriate, preparing for administrative hearings held in regard to these matters and making the records a part of the record at such hearings; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Disclosure to the Civil Service Commission in connection with administrative hearings and to the Department of Justice in connection with court proceedings resulting from appeals from decisions rendered at the administrative level. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted alphabetically in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person, and each case file is similarly identified in alphabetical order within the metal container.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Chief Counsel within the Customs Service Building. During nonworking hours, the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Record Center.

**System manager(s) and address:** Chief Counsel, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files results from investigations into alleged misconduct on the part of Customs Service employees, recommendations from appropriate Customs Service field personnel that disciplinary proceedings be instituted against Customs Service employees, the filing of grievances by Customs Service employees, the filing of EO complaints by Customs Service employees, the statements of Customs Service employees including the employees who are directly affected by the administrative proceedings, and statements or other information provided by private nongovernmental individuals.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.191**

**System name:** Personnel Case File—Treasury/Customs.

**System location:** Regional Counsel of Customs, 6 World Trade Center, New York, N.Y 10048.

**Categories of individuals covered by the system:** Current or former Customs Service employees against whom disciplinary action has been proposed or taken, who have filed grievances, and who have filed complaints under the Equal Opportunity (EO) Program, in most cases where administrative proceedings have been instituted.

**Categories of records in the system:** Reports of investigation into alleged employee misconduct, internal Customs Service memoranda recommending disciplinary action, documents relating to the institution or conduct of disciplinary proceedings, documents relating to the filing and administrative disposition of formal and informal grievances and documents relating to the filing and administrative disposition of EO complaints.

**Authority for maintenance of the system:** Title 5, United States Code; Title 5, Code of Federal Regulations; 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) The information contained in this file is used administratively to evaluate proposed disciplinary actions, grievances and EO complaints, to recommend action to be taken in such cases, to prepare necessary decisional documents in such cases, and to prepare proposed charges where appropriate. The information contained in this file is used to prepare for administrative hearings held in regard to these matters and is routinely made a part of the record at such hearings. Information contained in this file is also made available to the Civil Service Commission in connection with such hearings and may be made available to the Department of Justice in connection with court proceedings resulting from appeals from decisions rendered at the administrative level; (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosures required in administration of the Freedom of Inforamtion Act (5 U.S.C. 552);

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted alphabetically in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person, and each case file is similarly identified in alphabetical order within the metal container.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Chief Counsel within the Customs Service Building. During non-working hours, the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel of Customs, New York, N.Y. 10048.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stupulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files results from investigations into alleged misconduct on the part of Customs Service employees, recommendations from appropriate Customs Service field personnel that disciplinary proceedings be instituted against Customs Service employees, the filing of grievances by Customs Service employees, the filing of EO complaints by Customs Service employees, the statements of Customs Service employees including the employees who are directly affected by the administrative proceedings, and statements or other information provided by private non-governmental individuals.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.192**

**System name:** Personnel Case Files (Region VIII)—Treasury/Customs.

**System location:** Office of the Regional Counsel, 211 Main Street, San Francisco, Calif. 94105.

**Categories of individuals covered by the system:** Current or former Customs Service employees against whom disciplinary action has been proposed or taken, who have filed grievances, and who have filed complaints under the Equal Opportunity (EO) Program, in most cases where administrative proceedings have been instituted.

**Categories of records in the system:** Reports of investigation into alleged employee misconduct, internal Customs Service memoranda recommending disciplinary action, documents relating to the institution or conduct of disciplinary proceedings, documents relating to the filing and administrative disposition of formal and informal grievances and documents relating to the filing and administrative disposition of EO complaints.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended; Reorganization Plan No. 1 of 1965. Title 5, United States Code; Title 5, Code of Federal Regulations.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) The information contained in this file is used administratively to evaluate proposed disciplinary actions, grievances and EO complaints, to recommend action to be taken in such cases, and to prepare necessary decisional documents in such cases, and to prepare proposed charges where appropriate. The information contained in this file is used to prepare for administrative hearings held in regard to these matters and is routinely made a part of the record at such hearings. Information contained in this file is also made available to the Civil Service Commission in connection with such hearings and may be made available to the Department of Justice in connection with court proceedings resulting from appeals from decisions rendered at the administrative level.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted alphabetically in an unlocked drawer within a metal file cabinet.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person, and each case file is similarly identified in alphabetical order within the metal file cabinet.

**Safeguards:** The metal file cabinet described above is maintained within the area assigned to the Office of the Regional Counsel within the Federal Building. During non-working hours, the metal file cabinet and the room in which the metal file cabinet is located are locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal file cabinet, at which time the oldest files may be transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, 211 Main Street, San Francisco, Calif. 94105.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files results from investigations into alleged misconduct on the part of Customs Service employees, recommendations from appropriate Customs Service field personnel that disciplinary proceedings be instituted against Customs Service employees, the filing of grievances by Customs Service employees, the filing of EO complaints by Customs Service employees, the statements of Customs Service employees including the employees who are directly affected by the administrative proceedings, and statements or other information provided by private non-governmental individuals.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.193**

**System name:** Personnel Files of Customs Employees—Treasury/Customs.

**System location:** Files are located in Headquarters, Regional, District, Port and other post of duty offices throughout the Customs Service depending upon post of duty of employee. See Customs Appendix A.

**Categories of individuals covered by the system:** Customs employees, present.

**Categories of records in the system:** In addition to the appropriate Personnel offices, records are also maintained by district, port, or other post of duty management on personnel matters such as, but not limited to name, Social Security number, awards, letters of appreciation, promotions, step increases, memoranda, forms and materials related to hiring, address, pay, transfer and separation, service time, salary, phone, education, society memberships, publications, skills, chronological work history, position descriptions, reports of discussions held with employee regarding performance, copies of letters written to employee concerning performance, overtime hours, senority status, leave, overtime earnings, productivity, locator card information, and related employment records.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552);(c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regultion, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) For supervisors and appropriate managers in making job-related determinations about employees(g) For employment and salary verification upon request from public.

For additonal routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders, and/or on index cards, and/or ledgers.

**Retrievability:** Records are indexed by name, or social security number.

**Safeguards:** Records are located in lockable metal file cabinets or in secured rooms with limited access.

**Retention and disposal:** When the employee leaves the Customs Service through transfer or other separation, the file will immediately be forwarded to the office maintaining the Official Personnel Folder. There it will be screened to insure that it contains no documents that should be permanently filed in the Official Personnel Folder other than exact duplicates of papers already so filed. The file and its contents will then be destroyed.

**System manager(s) and address:** Director, Personnel Management Division in each Region or Headquarters, or managerial official in appropriate posts of duty of employee. See Customs Appendix A.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regualtions and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompained by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information in this system of records comes from employee, from personnel actions as noted in official personnel folders, and from supervisor.

**Treasury/Customs 00.194**

**System name:** Personnel/Payroll System—Treasury/Customs.

**System location:** Located in Personnel and Financial Management Divisions of each region and headquarters. Computerized through a Servicing Data Processing Center. See Customs Appendix A.

**Categories of individuals covered by the system:** All Customs employees, present and former.

**Categories of records in the system:** These records contain Personnel data maintained primarily in the Official Personnel Folder and Payroll information such as name, social security number, grade, series, step, organizational codes, tax withholding information, bond purchase and issuance, emergency salaries, overtime and holiday pay, optional payroll deductions, other deductions, and all payroll information. Also in this system are records of time and attendance and leave.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision conerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the

requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Records are used for payroll processing, reports on payroll information such as Employee Service Record report (IRS Form 3695), Comprehensive Payroll listing (IRS Form 2979), Payroll Journal Detail Listing (IRS Form 3124) and others.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders and on mag-tape and computer printout.

**Retrievability:** Records are indexed by name or social security number.

**Safeguards:** Records are maintained in locked files, secured rooms, or limited access.

**Retention and disposal:** Individual records are not in system after separation; Official Personnel Records of separated employees either are sent to new agency or to Records Center. Time and attendance records are maintained three years or until after audit; then destroyed.

**System manager(s) and address:** Directors, Personnel and Financial Management Division in each region and headquarters.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is obtained from Official Personnel Folders employee management, Time and attendance and leave records.

**Treasury/Customs 00.196**

**System name:** Preclearance Costs—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, Region 1, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** All Customs Inspectors and Foreign Service employees of Region I, Boston who are stationed at Toronto and Montreal Canada.

**Categories of records in the system:** Salaries, living allowances and benefits paid to employees who are stationed at Toronto and Montreal, Canada.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) The system is used by the Budget Section of the Financial Management Office to accumulate costs which are used for the preparation of quarterly reporting to Headquarters. These costs are used by Headquarters as the basis of assessment of charges to airline carriers for the use of Customs facilities outside of the United States.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored in a file folder within two metal file cabinets in the work area of the Budget Section.

**Retrievability:** The file is identified as the "Pre-clearance Record" which contains the names of all employees listed in alphabetical order with corresponding costs associated with each employee.

**Safeguards:** The file is located within an office that is locked during non-working hours. The building is guarded by uniformed security police and only authorized persons are permitted entry to the building.

**Retention and disposal:** The files are kept for 3 years and then destroyed.

**System manager(s) and address:** Director, Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present

adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in the system is obtained from the Bi-weekly Comprehensive Payroll Listing, Treasury Form 2979, supplied by the Payroll Data Center.

**Treasury/Customs 00.197**

**System name:** Private Aircraft Inspection Reporting System (PAIRS)—Treasury/Customs.

**System location:** Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Names of pilots and yacht masters arriving in the United States.

**Categories of records in the system:** Names and personal identifiers of pilots with appropriate registration numbers and characteristics, and arrival dates at port of entry.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Used by Customs Officers for documenting the arrival of aircraft form foreign countries and in the enforcing of Customs and related laws; (b) Used for Customs management functions such as measuring workload of Customs officers performing aircraft arrival inspections; (c) Used as an intelligence gathering source; (d) Used by Department of Justice in prosecuting court cases; (e) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (f) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic disc and tape storage; microfiche.

**Retrievability:** By individual name and aircraft/yacht registration number.

**Safeguards:** All inquiries are made by officers with full field background investigation on a "need to know" basis only. Procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling the area, restricted access and alarm protection systems, special communications security, etc.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Proposed Customs Form 178 (Private Aircraft Inspection Report) which will be prepared by arriving pilots and other Federal agencies and confidential informers.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a(k)(z) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.198**

**System name:** Private Yacht Inspection Reporting System—Treasury/Customs.

**System location:** Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Names of private yacht masters arriving in the United States.

**Categories of records in the system:** Names and personal identifiers of yacht masters with appropriate private yacht registration numbers and characteristics, and arrival dates at port of entry.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used by Customs Officers for documenting the arrival of private yachts from foreign areas and in the enforcing of Customs and related laws; (d) Used for Customs management functions such as measuring workload of Customs offices performing private yacht inspections; (e) Used as an intelligence gathering source.

For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** (a) Magnetic disc and tape storage; (b) Microfiche.

**Retrievability:** By vessel name, private yacht registration number, and name of yacht master.

**Safeguards:** All inquiries are made by officers with full field backgound investigations on a "need to know" basis only. Procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling the area, restricted access and alarm protection systems, special communications security, etc.

**Retention and disposal:** Indefinite, then destroyed.

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in the writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Yacht masters who report their arrival to a United States port of entry, other Federal agencies and confidential informers.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a(k)(z) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.199**

**System name:** Property Assigned to Employee—Treasury/Customs.

**System location:** District Director's Office, Entry Control Section, U.S. Customs Service, 228 Federal Bldg., 335 Merchant Street, Honolulu, Hawaii 96813.

**Categories of individuals covered by the system:** Customs employees.

**Categories of records in the system:** Individual assignment of Customs badges, listing name, Social Security number and duty phone. Signed by Custodian and Property Officer.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Local Property Officer to determine individual badge assignments.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Kept in alphabetical order in an unlocked filing cabinet in the Entry Control Section.

**Retrievability:** By name.

**Safeguards:** The office where the records are located is locked during non-working hours and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** The records are maintained for the duration of the property assignment. Outdated records are destroyed after 3 years.

**System manager(s) and address:** Local Property Officer, Room 228, federal Building, Entry Control Section. See location above.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understans that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is provided by the property officer and the person to whom the property is assigned.

**Treasury/Customs 00.200**

**System name:** Property File—Treasury/Customs.

**System location:** Logistics Management Division, Region IV, U.S. Customs Service, 99 S.E. 5th Street, Miami, Florida 33131.

**Categories of individuals covered by the system:** Any Customs employee who is designated as the official custodian of a serially numbered badge, weapon, or transportation request forms.

**Categories of records in the system:** Name, geographical location and number of item assigned.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used administratively by Customs Service employees to record names of individuals designated as custodians of accountable property.

For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is stored, in printout form, in files organized by District. The file folders are stored in an unlocked drawer in a metal file cabinet.

**Retrievability:** Each folder is filed by District.

**Safeguards:** The files are stored in a metal cabinet located within an office that is locked during non-working hours.

**Retention and disposal:** Records have been retained since the inception of the system, three years. No policy exists for disposal.

**System manager(s) and address:** Director, Logistics Management Division, U.S. Customs Service, Region IV, 99 S.E. 5th Street, Miami, Florida 33131.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The source document for this record is the Customs form 35.

**Treasury/Customs 00.201**

**System name:** Property File—Non-Expendable-Treasury/Customs.

**System location:** Offices of District Directors, Region IX, Chicago, Illinois (see Customs Appendix A).

**Categories of individuals covered by the system:** Employees issued non-expendable property.

**Categories of records in the system:** Receipts for badges, cap insignias, bonded warehouse keys, identification cards, Government driver's licenses, firearms and other non-expendable property.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Locked file cabinet in the offices of the District Directors in Region IX, Chicago, Illinois.

**Retrievability:** Folders identified by individual's name.

**Safeguards:** The file described is maintained in the offices of the District Directors in Region IX, Chicago, Illinois. During non-working hours the room/building in which the file is located is locked. Access limited to authorized Customs personnel.

**Retention and disposal:** Until employee separates/transfers. Transfer to National Personnel Records Center (NPRC), (CPR), St. Louis, Missouri, 30 days after employee is separated.

**System manager(s) and address:** District Directors in Region IX, Chicago, Illinois.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting

identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting indentity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above

**Record source categories:** The information in this system consists of receipts of employees receiving non-expendable property.

**Treasury/Customs 00.203**

**System name:** Receipt for Property Assigned—Treasury/Customs.

**System location:** Federal Building, Room 198, 511 N.W. Broadway, Portland, Oregon 97209.

**Categories of individuals covered by the system:** Employees of Portland District to whom property has been assigned.

**Categories of records in the system:** Name, address, Social Security number, and listing of articles assigned.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To make accountable those employees to whom property has been assigned.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in wooden index card file on desk of property clerk.

**Retrievability:** Cards are filed alphabetically by name of individual.

**Safeguards:** The office and building are locked during non-working hours.

**Retention and disposal:** Retained 2 years after transfer or separation, then destroyed.

**System manager(s) and address:** District Director, Federal Building, Room 198, 511 N.W. Broadway, Portland, Oregon 97209.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Cards filled out by property clerk when property is issued.

**Treasury/Customs 00.204**

**System name:** Receipt for Property Assignment—Treasury/Customs.

**System location:** Office of District Director, Administrative Officer, U.S. Customs Service, 555 Battery Street, Room 318, San Francisco, California 94126.

**Categories of individuals covered by the system:** Employees of Customs to whom Government property is issued—such as badges, cap insignia, guns, etc.

**Categories of records in the system:** Name, home address, District number, Port, social security number, signature of person receiving property, phone number, date.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. (b) Used administratively to account and control Government property issued to Customs employees.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on Customs Form 35. These forms are kept in a metal Index File Box.

**Retrievability:** Each receipt is filed by the name of the employee to which property has been assigned.

**Safeguards:** The metal Index File Box is stored in an office under constant supervision during regular working hours, and the office is locked during other than regular working hours.

**Retention and disposal:** These records forms are retained until the property is surrendered and/or the employee leaves Customs.

**System manager(s) and address:** Administrative Officer, U.S. Customs Service, 555 Battery Street, Room 318, San Francisco, California 94126.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system originates with and consists of information developed when property is given to employees.

**Treasury/Customs 00.205**

**System name:** Reclassification Requests—Treasury/Customs.

**System location:** Located in the Position Classification and Management Branch, Personnel Management Division, 500 Dallas St., Houston, Texas 77002.

**Categories of individuals covered by the system:** Any employee whose position is to be reviewed and/or evaluated for possible reclassification.

**Categories of records in the system:** All correspondence prepared by, or directed to, the employee, supervisor or manager, and classification staff.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Maintained as a ready reference file for any inquiry related to the case and for historical purposes. See Appendix AA. (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (c) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (d) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, or local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation, or order issued pursuant thereto. (e) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (f) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Requests are maintained in a file folder and retained in a metal file cabinet.

**Retrievability:** By employee name.

**Safeguards:** A metal container is maintained within the area assigned to Personnel Management in the One Allen Center Building. During non-working hours, the room in which the metal container is kept is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** When reviews are made and a classification decision is reached, the case is considered closed and all related papers are disposed of in accordance with Records Disposition Schedule (3 years).

**System manager(s) and address:** Director, Personnel Management Division, 500 Dallas St., Houston, Texas 77002.

**Notification procedure:** Requests by an individual to be notified if the system of records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Pemalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting

identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information to pursue requests for reclassification are obtained from concerned employees, supervisors, and knowledgeable managerial officials. Other information is obtained from appropriate Civil Service classification publications.

**Treasury/Customs 00.206**

**System name:** Regulatory Audits of Customhouse Brokers—Treasury/Customs.

**System location:** Division of Regulatory Audit, United States Customs Service Headquarters, 1301 Constitution Avenue, NW., Washington, D.C. 20229, and at each of the nine regional offices of Regulatory Audit (see Customs Appendix A for addresses).

**Categories of individuals covered by the system:** Persons licensed to conduct customhouse brokerage business pursuant to 19 U.S.C. 1641.

**Categories of records in the system:** Audit reports of customhouse broker accounts and records; correspondence regarding such reports; Congressional inquiries concerning customhouse broker and disposition made of such inquiries; names of officers of customhouse brokerage firms, license numbers and dates issued and district covered.

**Authority for maintenance of the system:** 19 U.S.C. 1641; 19 CFR Part III. 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552). (c) The information may be furnished to other government agencies which may have an interest in the broker. (d) Copies of broker audit reports will be retained in the office that performed the audit and at the headquarter's office. These reports will serve as a permanent file providing such essential information as the names and broker license number of company officers and other licensed employees. The reports will create a historical record of broker performance. The headquarter's file will also provide a means of evaluating the effectiveness of audits conducted by the regional audit staffs.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each customhouse broker file is inserted in alphabetical order by name of the firm in one of nine regional file folders which are filed in an unlocked drawer within a metal file cabinet. Duplicate copies are maintained at Customs Service Headquarters.

**Retrievability:** Each broker file is identified on alphabetical file locator cards which contain the name and address of the broker, the region and district in which he operates, and the number of the file drawer. In addition each regional office maintains their own alphabetical file, containing the above information, for broker activities within their region.

**Safeguards:** The files described above are maintained within the area assigned to the Regulatory Audit Division within the Customs Service Building. During non-working hours, the room in which the files are located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Customhouse broker files are retained indefinitely, or until there is no longer any space available for them at which time the oldest files are destroyed by burning or shredding.

**System manager(s) and address:** Director, Regulatory Audit Division, United States Customs Service Headquarters, 1301 Constitution Avenue, NW., Washington, D.C. 20229. Regional Director, Regulatory Audit Division at each of the nine regional offices (see Customs Appendix A for addresses).

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signatue and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates from audits conducted by the regional Regulatory Audit staff, of customhouse brokers' businesses. The audits may be supplemented with information furnished by the Office of the Chief Counsel, Office of Investigations, and the Office of Regulations and Rulings. These audits include examinations of brokers business records, including all financial books of accounts, check books, and financial statements. In the event that the broker is engaged in various business enterprises such as freight forwarding and insurance, and these financial records are commingled with those financial records relating to the brokerage business, it would be necessary to examine the other business records to complete the audit.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.207**

**System name:** Reimbursable Assignment System—Treasury/Customs.

**System location:** U.S. Customs Service Data Center, William Building, 7923 Eastern Avenue, Silver Spring, Maryland 20910.

**Categories of individuals covered by the system:** Customs Service employees who perform reimbursable services and parties in interest for whom reimbursable services are performed.

**Categories of records in the system:** Name, address, social security number or importer of record number assigned by the Customs Service, listings of reimbursable overtime assignments of Customs employees, bills and refund checks issued to parties in interest, travel expenses incurred by Customs employees in connection with the reimbursable services.

**Authority for maintenance of the system:** 19 U.S.C. 261, 267, and 1451; 19 CFR 24.16 and 24.17; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties which may include monitoring reimbursable assignments, editing items of information that have been rejected because of erroneous coding, and equalizing Customs overtime assignments at ports of entry. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) Disclosure to the Bureau of the Mint at San Francisco, California, for the purpose of including overtime earnings in salary checks issued to Customs Service employees who performed reimbursable services.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained in a computerized system utilizing magnetic tape storage techniques.

**Retrievability:** The information in this system is retrieved by the individual's social security number or by the individual's importer of record number.

**Safeguards:** Procedural and physical safeguards are utilized such as accountability and receipt access, guards patrolling the area, restricted access and alarm systems.

**Retention and disposal:** The records in this system are retained for an indefinite period of time. There are no established procedures for disposal of the subject records.

**System manager(s) and address:** Director, Accounting Division, U.S. Customs Service Headquarters, 1301 Constitution Ave, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Custom Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall by accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Custom Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system originates with the receipt of a request, for reimbursable services from the party in interest. In addition, information in this system is derived from Customs Form 5106 (Notification of Importer's Number/Application for Importer's Number) which is filed with the Customs Service by the importer, and from Customs Form 6082 (Work Ticket) which is filed by the Customs Inspector who performed the reimbursable services.

**Treasury/Customs 00.208**

**System name:** Restoration of Forfeited Annual Leave Cases—Treasury/Customs.

**System location:** Located in the Personnel Management Division of each region and Headquarters according to list in CustomsAppendix A.

**Categories of individuals covered by the system:** Employees of the U.S. Customs Service who have applied for restoration of forfeited annual leave.

**Categories of records in the system:** Employee applications for restoration of leave. Management decisions on employee applications for restoration of leave. Applicable regulations.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (f) Certain employees of the Personnel Management Division and supervisors. Justification of action, respond to inquiries, post-audit of action, statistics, reports to Treasury and Civil Service Commission.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored in manila folders.

**Retrievability:** Records are indexed by name.

**Safeguards:** Records are maintained in locked files.

**Retention and disposal:** Records are retained idefinitely or until Treasury issues instructions.

**System manager(s) and address:** Director, Personnel Management Division, in each region and Headquarters.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or will-

fully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparision of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Evidential materials supporting employee applications for restoration of forfeited annual leave. Evidential materials supporting management decisions.

**Treasury/Customs 00.209**

**System name:** Resumes of Professional Artists—Treasury/Customs.

**System location:** Area Director, N.Y. Seaport Area, 6 World Trade Center, New York, N.Y. 10048.

**Categories of individuals covered by the system:** Professional Artists.

**Categories of records in the system:** Artist's name and professional art background.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) To classify imported works of art.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper.

**Retrievability:** Alphabetical listing.

**Safeguards:** Filing cabinet, office locked at end of day.

**Retention and disposal:** Permanent.

**System manager(s) and address:** Area Director N.Y. Seaport Area, 6 World Trade Center, New York, N.Y. 10048.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Resume information provided by artist.

**Treasury/Customs 00.210**

**System name:** Revocation of I.D. Privileges and "Cash Basis Only" for Reimbursable Services List—Treasury/Customs.

**System location:** Financial Management Division—Districts and Ports, 99 S.E. 5th Street, Miami, Florida 33131.

**Categories of individuals covered by the system:** Corporate and Individual Brokers, Importers, Carriers, and Private Individuals.

**Categories of records in the system:** Corporations and individuals in financial difficulty.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) This is a monthly list originated in the Region informing all Districts and Ports of debtors for which no credit may be extended.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Files are maintained in an unlocked drawer within a metal file cabinet.

**Retrievability:** Alpha File in Manila Folder by Month.

**Safeguards:** The metal container described above is maintained within the area assigned to the Financial Management Division within the Customs Service Building. During non-working hours the room in which the metal container is located is locked.

**Retention and disposal:** These files are retained as prescribed by GAD Regulations or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Director of Financial Management, 99 S.E. 5th Street, Miami, Florida 33131.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in

writing and directed to the Director, Financial Management Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229 or Regional Commissioner, Region IV. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229 or Regional Commissioner, Region IV. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Generated in house by Accounting Personnel from delinquent bill listings and open file of outstanding bills. Additionally, feedback from Districts and Ports on bankrupt firms and from Regulatory Audit Division on firms in Financial difficulty or under investigation.

**Treasury/Customs 00.211**

**System name:** Sanction List Treasury/Customs.

**System location:** Regional Commissioner of Customs, Suite 1501, 55 East Monroe Street, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Persons who are indebted to the United States Government for bills that are unpaid and past due.

**Categories of records in the system:** Listing is issued monthly showing individual's name and address plus number and amount of unpaid and past due bills.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each sanction list is stored in a file drawer in an unlocked file cabinet.

**Retrievability:** Each sanction list is identified by month and year of issuance.

**Safeguards:** The file cabinet described above is maintained within the area assigned in the Customs Office. During non-working hours the room and/or building in which the file cabinet is located is locked.

**Retention and disposal:** Retained in Customs Office for minimum of one year. Disposal in accordance with Records Control Manual.

**System manager(s) and address:** Regional Commissioner of Customs, Suite 1501, 55 East Monroe Street, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obraining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this listing is secured from CF 6084 and 6084A, Miscellaneous Bill Form issued to each individual and correspondence files maintained for individuals.

**Treasury/Customs 00.212**

**System name:** Search/Arrest/Seizure Report—Treasury/Customs.

**System location:** Patrol Division Offices of the U.S. Customs Service. See Customs Appendix A.

**Categories of individuals covered by the system:** Persons who have or may have violated a law of the United States.

**Categories of records in the system:** Name, alias, date of birth, age, personal data, addresses, home and business telephone numbers, occupation, background information, associations, license number and registration number of vehicle, vessel and/or aircraft, mode of entry of individual or contraband, fingerprints, pictures, declaration forms, cash receipts, receipt for seized goods, all other forms pertinent to the case, such as Notice to Master, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their official duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used as an aid to law enforcement and to identify persons suspected of violating the law; (d) Cases are referred to Investigative Branch since same are evident of violations of law; (e) Since this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case is placed in a folder which is filed in a numerical order according to the assigned case file number. These files are kept in a locked metal cabinet.

**Retrievability:** The above-mentioned case file numbers are cross-indexed by name to such numbers, and cards are filed alphabetically within a metal file box.

**Safeguards:** The metal file cabinet and the metal file box are located within an office that is locked during non-working hours. The building is guarded by uniformed customs guards, and only authorized persons are permitted in the building.

**Retention and disposal:** These cases are retained for a period of three years after which they are destroyed together with related index cards.

**System manager(s) and address:** Director, District Patrol Division. See Customs Appendix A.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.213**

**System name:** Search, Arrest and Seizure Reporting System—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Enforcement Support, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Violators of Customs and related laws apprehended by U.S. Customs Officers.

**Categories of records in the system:** Name, address, date of birth, date of violation, seizure number, identifying numbers, and characteristics, details and circumstances of search, arrest or seizure.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) To determine violation trends and develop enforcement techniques and lookout information for use in the enforcement of Customs and related laws; (g) To provide management information such as the number and types of seizures, arrests and searches associated with arrests or seizures.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** (1) Magnetic disc and tape storage; (2) Hardcopy; (3) Microfiche.

**Retrievability:** By individual's name, seizure number, unique identifiers, system identification number.

**Safeguards:** All inquiries are made by officers with full field background investigations on a "need to know" basis only. Procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling the area, restricted access and alarm protection systems, special communications security, etc.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.214**

**System name:** Seizure File—Treasury/Customs.

**System location:** Patrol Division, U.S. Customs Service, 6 World Trade Center, New York, N.Y. 10048.

**Categories of individuals covered by the system:** Ships Masters, Ships Crew Members, Longshoremen, Vessels, Private Aircraft, Private Vessels, Individuals from whom seizures have been made, or upon whom Memoranda of information have been received.

**Categories of records in the system:** Memoranda of Information Received, which are reports from law enforcement agencies of suspects or arrests. Reports of Seizures by Customs, other information indicating violators or suspected violators.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Reference file for identifying violators or suspected violators.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Manila files within metal file cabinets.

**Retrievability:** Alphabetical; for aircraft or car by number; by seizure number; by name of individual.

**Safeguards:** Room has a 24-hour guard and is locked.

**Retention and disposal:** Seizure files are maintained for three years after final disposition. Memoranda of information received: not determined how long they will be retained at present.

**System manager(s) and address:** Director, Patrol Division, U.S. Customs Service, 6 World Trade Center, New York, N.Y. 10048.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.215**

**System name:** Seizure Report File—Treasury/Customs.

**System location:** U.S. Customs Mail Facility, 1675—7th Street, Oakland, California 94615.

**Categories of individuals covered by the system:** Individuals to whom prohibited merchandise is addressed.

**Categories of records in the system:** Name, address, property description, estimated foreign value, duty, domestic value, circumstances of seizure, sender, section of law violated, delivery to San Francisco seizure clerk.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used administratively by the Mail Facility to record seizures and their disposal.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on Customs Form 5955 Seizure Reports, Customs Form 6043—Delivery Ticket, and Customs Form 151—Search/Arrest/Seizure Report. These forms are placed within file folders which are located in a metal file cabinet.

**Retrievability:** Each Seizure Report and Delivery Ticket (stapled together) are identified by the name of the person to which the seized items are addressed and the names are filed alphabetically by fiscal year.

**Safeguards:** The file folders are placed within a metal cabinet which is located within an office that is locked during non-working hours. The building is guarded by uniformed security police and only authorized persons are permitted in the building.

**Retention and disposal:** Last three fiscal years records are kept in a file cabinet in the office. Three fiscal years prior are kept in boxes in the detention area.

**System manager(s) and address:** Head, Surface Mail Section. See location above.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system originates with and consists of information obtained from mail shipments.

**Treasury/Customs 00.217**

**System name:** Set Off Files—Treasury/Customs.

**System location:** Financial Management Division, 99 S.E. 5th Street, Miami, Florida 33131.

**Categories of individuals covered by the system:** Importer of Record, Customhouse Broker, Parties In Interest.

**Categories of records in the system:** Name, address, identification number, copies of refund checks and copies of set off bills.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Document files identifying debtors for whom refunds are withheld and amounts applied against delinquent bills.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Files are maintained in an unlocked drawer within a metal file cabinet.

**Retrievability:** File folders with individual's name annotated with set off.

**Safeguards:** The metal container described above is maintained within the area assigned to the Financial Management Division within the Customs Service Building. During non-working hours the room in which the metal container is located is locked.

**Retention and disposal:** These files are retained as prescribed by GAD Regulations or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Director of Financial Management, 99 S.E. 5th Street, Miami, Florida 33131.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229 or Regional Commissioner, Region IV. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Financial Management Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229 or Regional Commissioner, Region IV. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** District Directors, Port Directors, Import Control Officers, External Auditors and Other Customs Employees.

**Treasury/Customs 00.219**

**System name:** Skills Inventory Records—Treasury/Customs.

**System location:** Personnel Management Division, U.S. Customs Service, Washington, D.C. 20229.

**Categories of individuals covered by the system:** Records are maintained in this system on Customs personnel in grades GS-13 and above.

**Categories of records in the system:** Data elements to provide a complete skills profile of the employee.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) To identify potential candidates for managerial positions. Used by members of the Evaluation Boards.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on a Customs Form 121 and Mag-tape.

**Retrievability:** Records are indexed by name.

**Safeguards:** Records are maintained in locked file and limited access to computer system.

**Retention and disposal:** Records are maintained until separation of an employee from the Customs Service.

**System manager(s) and address:** Director, Personnel Management Division, U.S. Customs Service, Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is preseated in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A) or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** CF-121 which is prepared by the employee.

**Treasury/Customs 00.220**

**System name:** Employee Record (SF-7B)—Treasury/Customs.

**System location:** Records are located with the immediate supervisor or at the immediate supervisor's operating office. See Customs Appendix A.

**Categories of individuals covered by the system:** Customs employees.

**Categories of records in the system:** SF-7B card contains identical information to that contained on SF-7 card; in addition it can have attached or separately-maintained supervisory notes concerning an employee's performance on-the-job, conduct, counseling sessions, training recommended or taken, awards granted, emergency contact information, job assignments, to be used for administration resource purposes in recommending or authorizing discipline, recognition, assignment of performance rating, training, job assignments, leave requests, and/or similar matters.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising

by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or other issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Used by supervisors as documentation or by certain Personnel Management Division employees helping supervisors to initiate appropriate commendatory, corrective, or disciplinary action.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored in manila folders or special file cabinets.

**Retrievability:** Records are indexed by organizational code and name.

**Safeguards:** Records are stored in lockable metal filing cabinets or in a secured room. Alternative storage facilities may be employed provided they furnish an equivalent or greater degree of physical security.

**Retention and disposal:** Records are retained while employee is employed, and are destroyed upon separation.

**System manager(s) and address:** Director, Personnel Management Division, in each Regional Office and in Headquarters. See Customs Appendix A.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See access above.

**Record source categories:** Form SF-50, Employee and employee's supervisors.

**Treasury/Customs 00.221**

**System name:** Suspect File—Treasury/Customs.

**System location:** Patrol Headquarters, 444 Brickell Avenue, Miami, Fla.

**Categories of individuals covered by the system:** Individuals on whom suspect information is received by Patrol Headquarters.

**Categories of records in the system:** Memoranda of Information, Lookout Notices, Letters re: suspects, other notices of suspected violations.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used by the employees in the Patrol Division for enforcement purposes; (d) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (e) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (f) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored in file cabinets in restricted area of offices.

**Retrievability:** Records are retrievable by name.

**Safeguards:** Records are kept in locked buildings when unattended.

**Retention and disposal:** Records are retained as long as information is pertinent but destroyed immediately after information becomes obsolete.

**System manager(s) and address:** District Director of Customs, 444 Brickell Avenue, Miami, Fla.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain require-

ments of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.223**

**System name:** Suspect File—Treasury/Customs.

**System location:** Office of the Customs Patrol Division, Room 202, U.S. Customhouse, Nogales, Arizona, and at each port: Douglas, San Luis and Lukeville, Arizona.

**Categories of individuals covered by the system:** Persons in whom Customs is interested from a law enforcement point of view.

**Categories of records in the system:** Name, address, file reference number, memoranda of information, lookout notices.

**Authority for maintenance of the system:** Memorandum dated 6/16/74, File ADM-4-01:O:P, from Director of Patrol Division, Headquarters; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To provide rapid and accurate retrieval of information previously recorded to officers of the U.S. Customs Service who have need of such information in the performance of their official duties.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Unlocked metal card file.

**Retrievability:** Alphabetical.

**Safeguards:** Room is locked during non-working hours.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** District Director, Nogales, Arizona. (See above.)

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.224**

**System name:** Suspect Persons Index—Treasury/Customs.

**System location:** U.S. Customs District Officers located at the following addresses: 204 E. 5th Ave., Anchorage, Alaska; 215 1st Ave. No., Great Falls, Montana; 335 Merchant, Honolulu; 511 N.W. Broadway, Portland, Oregon; 555 Battery St., San Francisco, California; First & Marion Sts., Seattle, Washington.

**Categories of individuals covered by the system:** Persons suspected of violation of Customs Laws.

**Categories of records in the system:** Name and related file number.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used to aid in law enforcement and to identify persons suspected of violating the law.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in folders and stored in metal file cabinet.

**Retrievability:** The office and building are locked during non-working hours.

**Safeguards:** Alphabetical by use of cross index.

**Retention and disposal:** Records are maintained and disposed of in accordance with Records Disposal Manual.

**System manager(s) and address:** District Director of Customs. See location above.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.226**

**System name:** Television System—Treasury/Customs.

**System location:** Office of Port Director, San Ysidro, California.

**Categories of individuals covered by the system:** Persons involved in incidents related to search and subsequent disturbance while entering the United States from Mexico.

**Categories of records in the system:** An audio-video cassette recording of persons being escorted into, as well as inside, the business offices of the Customs area of the Port of Entry.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Dept. Order No. 165, Revised, as amended, and the Customs Regulations.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Evidence for use in court, record of disturbances and record of actions involving complaints.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Audio-video cassette.

**Retrievability:** By subject's name, date, and time.

**Safeguards:** Cassettes are under control of Port Director and released only to the courts when subpoenaed or when requested to be reviewed by subject and his attorney.

**Retention and disposal:** All cassettes with incident are retained for six months. Those on which some action may be taken are retained for one year or close of the case. Cassettes are reusable. Therefore, wipeout occurs when new recording takes place.

**System manager(s) and address:** Port Director, San Ysidro, California.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting

identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Audio-vidio recording of persons being escorted into the Customs area.

**Treasury/Customs 00.227**

**System name:** Temporary Importation Under Bond (TIB) Defaulter Control System—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Enforcement Support, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Individuals who have been denied T.I.B. privileges because of failure to pay outstanding liquidated damages.

**Categories of records in the system:** Individual's name, personal identifying numbers and characteristics, address, company and case description, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Used by Customs officers to determine whether an individual is eligible for T.I.B. privileges and to collect appropriate liquidated damages owed by an individual. Provides Customs management information such as total outstanding liquidated damages, etc.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** (1) Magnetic disc and tape storage; (2) Hard Copy; (3) Microfiche files.

**Retrievability:** Indexing is by violator name.

**Safeguards:** All inquiries are made by officers with full field background investigations on a "need to know" basis only. Procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling the area, restricted access and alarm protection systems, special communications security, etc.

**Retention and disposal:** Indefinite, None.

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system or records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly and willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See access above.

**Record source categories:** Customs officers completing Customs Form 164 (TECS—TIB Defaulter Control).

**Treasury/Customs 00.228**

**System name:** Temporary Importation Violation Record—Treasury/Customs.

**System location:** Fines, Penalties and Forfeitures Section, Room 102, U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pennsylvania 19106.

**Categories of individuals covered by the system:** Persons making importations against Temporary Importation Bonds.

**Categories of records in the system:** The record reveals the individual's or Customhouse Broker's name, case number assigned and date, amount of penalty incurred, mitigated sum or remission and date closed. The record results in a summary of repetitive violations by any one individual, firm or Customhouse Broker and disciplinary action toward reduction or elimination of violations.

**Authority for maintenance of the system:** 5 U.S.C. 301: Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Temporary Importation Record Cards are filed alphabetically in an unlocked metal file cabinet.

**Retrievability:** Each record card is filed alphabetically within the metal cabinet.

**Safeguards:** The metal cabinet described above is maintained within the area assigned to the Fines, Penalties and Forfeitures Section in Room 102, of the Customhouse, Philadelphia; during non-working hours, access to the building and area of storage is controlled by uniformed guards.

**Retention and disposal:** Temporary Importation Record Cards are retained at location three years, then destroyed.

**System manager(s) and address:** District Director of Customs, Room 102, U.S. Customhouse, Second and Chestnut Streets, Philadelphia, PA 19106.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the Region in which the records are located (See Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the record may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the Region in which the records are located (See Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the record contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained on the cards originated from liquidated damage cases instituted for failure to comply with T.I.B. provision.

**Treasury/Customs 00.229**

**System name:** Theft Information System (TIS)—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Enforcement Support, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Individuals who are suspected of, or that have been arrested for, thefts from international commerce.

**Categories of records in the system:** Name of individual(s), personal identifying numbers and characteristics, case information such as merchandise and values, methods of theft, seizure, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Used by Customs officers to identify high theft areas, types of cargo being stolen or pilfered, types of cargo most likely to be pilfered or stolen, to connect seemingly unrelated Customs theft cases and to provide management information such as the value and volume of theft from international shipping.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** (1) Magnetic disc and tape storage, hard copy; (2) Customs Form 153 (Theft Information Report); (3) Microfiche.

**Retrievability:** By name, other personal identifying numbers and by cargo location code.

**Safeguards:** All inquiries are made by officers with full field background investigations on a "need to know" basis only. Procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling the area, restricted access and alarm protection systems, special communications security, etc.

**Retention and disposal:** Three years; by burning and/or shredding of Customs Form 153 and magnetic disc and tape erased.

**System manager(s) and address:** Assistant Commissioner, Officer of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.231**

**System name:** Tort Claims Act File-Treasury/Customs.

**System location:** Office of the Regional Counsel, Room 125, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Categories of individuals covered by the system:** Private persons filing claims under the Federal Tort Claims Act for property damage or personal injury allegedly caused by a wrongful or negligent act or omission on the part of a Customs Service employee while acting within the scope of his employment.

**Categories of records in the system:** Reports of Investigation regarding claim filed, documents relating to the administrative handling of the claim and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 28 U.S.C. 2672, et seq; 28 CFR 14.1 et seq; 31 CFR 3.1 et seq; Treasury Department Administrative Circular No. 131, August 19, 1965; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) In addition, information contained in this file is made available to the Department of Justice to assist that Department in preparing the Government's case when suit is filed in court based on an administrative denial of the claim or based on a failure to administratively process the claim within the prescribed time period; (c) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in the file folder within the metal container by the name of the person who filed the claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Regional Counsel within the Customhouse. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** These files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Centers.

**System manager(s) and address:** Regional Counsel, Room 125, U.S. Customhouse, 40 South Gay Street, Baltimore, Maryland 21202.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (See Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses in punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originated with a Standard Form 95, Claim for Damage or Injury, which is completed and filed with the Customs Service by the claimant. Using these forms as a basis, investigations are conducted by authorized Customs Service investigative personnel in order to determine the facts surrounding the claims. During these investigations information may be elicited from Customs Service employees, private persons, or any other parties who may have information regarding the facts surrounding the claims.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.232**

**System name:** Tort Claims Act File—Treasury/Customs.

**System location:** Office of the Regional Counsel, Room 7422, New Federal Building, 300 N. Los Angeles St., Los Angeles, CA 90053.

**Categories of individuals covered by the system:** Private persons who have filed or may file claims under the Federal Tort Claims Act for property damage or personal injury allegedly caused by a wrongful or negligent act or omission on the part of a Customs Service employee while acting within the scope of his employment.

**Categories of records in the system:** Reports of Investigation regarding accidents involving Customs employees, documents relating to the administrative handling of the claims filed thereon, and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 28 U.S.C. 2672, et seq; 28 CFR 14.1 et seq; 31 CFR 3.1 et seq; Treasury Department Administrative Circular No. 131, August 19, 1965.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The information contained in this file is used to administratively process claims filed under the Federal Tort Claims Act and is made available to the officials within the Customs Service who review recommendations and who make final decisions on such claims. In addition, information contained in this file is made available to the Department of Justice to assist that Department in preparing the Government's case when suit is filed in court based on an administrative denial of the claim or based on a failure to administratively process the claim within the prescribed time period.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in the alphabetical file folder within the metal container by the name of the person who has filed or may file a claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Regional Counsel within the New Federal Building. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Tort claim files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest closed files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, Room 7422, United States Customs Service, 300 N. Los Angeles St., L.A., Calif. 90053.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of Customs, 300 N. Los Angeles St., Los Angeles, Calif. 90053 or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings; U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with a Standard Form 95, Claim for Damage or Injury, which is completed and filed with the Customs Service by the claimant. Using these forms as a basis, investigations are conducted by authorized Customs Service investigative personnel in order to determine the facts surrounding the claims. During these investigations information may be elicited from Customs Service employees, private persons, or any other parties who may have information regarding the facts surrounding the claims. When a claim is not filed, the information is limited to the investigative reports of the property damage or personal injury.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.233**

**System name:** Tort Claims Act File—Treasury/Customs.

**System location:** Regional Counsel of Customs, 6 World Trade Center, New York, N.Y. 10048.

**Categories of individuals covered by the system:** Private persons filing claims under the Federal Tort Claims Act for property damage or personal injury allegedly caused by a wrongful or negligent act or omission on the part of a Customs Service employee while acting within the scope of his employment.

**Categories of records in the system:** Reports of Investigation regarding claims filed, documents relating to the administrative handling of the claim and documents submitted by the claimant in support of the claim.

**Authority for maintenance of the system:** 28 U.S.C. 2672, et seq; 28 CFR 14.1 et seq; 31 CFR 3.1 et seq; Treasury Department Administrative Circular No. 131, August 19, 1965.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Services and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); The information contained in this file is used to administratively process claims filed under the Federal Tort Claims Act and is made available to the officials within the Customs Service who review recommendations and who make final decisions on such claims. In addition, information contained in this file is made available to the Department of Justice to assist that Department in preparing the Government's case when suit is filed in court based on an administrative denial of the claim or based on a failure to administratively process the claim within the prescribed time period.

For additional routine use see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in an alphabetical file folder which is filed in an unlocked drawer within a metal container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who filed the claim and in the alphabetical file folder within the metal container by the name of the person who filed the claim.

**Safeguards:** The metal container described above is maintained within the area assigned to the Office of the Chief Counsel within the Customs Service Building. During non-working hours the room in which the metal container is located is locked, and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Tort claim files are retained indefinitely or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Regional Counsel, U.S. Customs Service, 6 World Trade Center, New York, N.Y. 10048.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with a Standard Form 95, Claim for Damage or Injury, which is completed and filed with the Customs Service by the claimant. Using these forms as a basis, investigations are conducted by authorized Customs Service investigative personnel in order to determine the facts surrounding the claims. During these investigations information may be elicited from Customs Service employees, private persons, or any other parties who may have information regarding the facts surrounding the claims.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.234**

**System name:** Tort Claims Act File—Treasury/Customs

**System location:** Offices of the District Directors, Region IX, Chicago, Illinois. (See Customs Appendix A.)

**Categories of individuals covered by the system:** All individuals presenting claims of damage to personal property resulting from Customs activities.

**Categories of records in the system:** Written damage claims supported by estimates, bills, claim forms and internal Customs Service memoranda.

**Authority for maintenance of the system:** 31 C.F.R. Part 3; 5 U.S.C. 301; Treasury Department order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Filed in cabinets in the District Directors offices.

**Retrievability:** Folders filed in alphabetical sequence.

**Safeguards:** File cabinets are located within the area assigned in the Customs office. During non-working hours the room in which the cabinets are located is locked.

**Retention and disposal:** Retained in District Directors offices for 3 years then transferred to the Federal Record Center for 7 years and 3 months prior to destruction.

**System manager(s) and address:** District Director as appropriate in Region IX, Chicago, Illinois. (See Customs Appendix A.)

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the

request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system originates with a written claim submitted by the claimant, as well as information supplied on Standard Form 95 and internal Customs memoranda.

**Treasury/Customs 00.236**

**System name:** Tort Claim Records System—Treasury/Customs.

**System location:** Office of the Regional Counsel, U.S. Customs Service, Region IX, 55 E. Monroe Street, Room 1417, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Claimants under the Federal Tort Claim Act.

**Categories of records in the system:** Tort Claim, Standard Form 95 (claim for damage or injury) containing name, address, marital status, personal injury and property damage information, and insurance information; also correspondence, accident reports and investigatory records regarding the alleged damage or injury and possible medical information.

**Authority for maintenance of the system:** 28 U.S.C. 2671 et seq.; 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Tort Claim Records System of the United States Customs Service are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) Information contained in these files is routinely used by the attorneys in the Regional Counsel's office in determining and resolving legal issues, in recommending approval, denial, compromise or settlement of the claim, and possibly in litigation. Litigation will require disclosure of the information to the Department of Justice, and the information is often channeled through the Department of the Treasury.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each case file is inserted in a file folder which is filed in a lockable drawer within a metal filing cabinet container.

**Retrievability:** Each case file is identified in a manual alphabetical card file by the name of the person who initiated the tort claim against the Customs Service, and officer or employee thereof. In addition, each case file is similarly identified on the file folder with the alphabetical name on the file which is placed and located within the metal container.

**Safeguards:** The metal filing drawer containing the files described above is maintained within the area assigned to the Office of the Regional Counsel of Customs, Region IX at 55 E. Monroe Street, Chicago, Illinois. During non-working hours, the room in which the metal filing drawer is located is locked, the file container itself is locked, and access to the building is controlled at all times by uniformed guards with a check-in system for employees. Only employees of the Regional Counsel's office and authorized building personnel have keys to the building.

**Retention and disposal:** These files are retained indefinitely or until there is no longer space available for them within the metal filing cabinet at which time the oldest files are transferred to the storage area within the confines of the office. The storage area is a large area containing cardboard boxes and metal storage cabinets which are not able to be locked. Files which are closed and not retained for precedent purposes are retired to the Federal Records Center, General Service Administration, 7358 S. Pulaski, Chicago, Illinois 60602 in accordance with the U.S. Customs Service Records Disposal Manual.

**System manager(s) and address:** Regional Counsel of Customs, Room 1417, United States Customs Service, 55 E. Monroe Street, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Counsel, Region IX, Room 1417, 55 E. Monroe Street, Chicago, Illinois 60603. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information contained in these files originates with the receipt of any correspondence indicating an alleged claim for damage or injury resulting from the conduct of the Government, U.S. Customs Service or an employee or officer of the U.S. Customs Service in Region IX. Further information in this file is derived from later correspondence from the individual, Standard Form 95 (Claim for Damage or Injury) filed by the claimant, other information submitted by the claimant, information submitted by Customs employee and/or his supervisors, and an investigation made by the Office of Internal Affairs or the Office of Investigations regarding the alleged claim or injury, as applicable. Information in these reports can be made from private parties, (witnesses), businesses, medical professionals, hospitals and other medical institutions.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.238**

**System name:** Training and Career Individual Development Plans—Treasury/Customs.

**System location:** Located in the Personnel Management Division of each region and headquarters and/or district, ports, and post of duty of employees.

**Categories of individuals covered by the system:** All U.S. Customs employees.

**Categories of records in the system:** Records are maintained on training or other development activities completed and/or planned for individual employees, whether for programs such as Executive Development or Upward Mobility, or other special emphasis development programs. Records also include such things as, but not limited to skills, abilities, education, experience, career plans and goals, and other related information.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) To determine individual training needs, to schedule training and development activities and to budget funds.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are located in file folders, and/or official personnel folder.

**Retrievability:** Records are indexed by name.

**Safeguards:** Records are maintained in locked file or office.

**Retention and disposal:** Records are retained until separation or until employee is no longer part of a special emphasis program.

**System manager(s) and address:** Director, Personnel Management Division, in each region and headquarters.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the Requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information is obtained from the employee and supervisors.

**Treasury/Customs 00.239**

**System name:** Training Records—Treasury/Customs.

**System location:** Personnel Management Division of each region and headquarters. Also located in districts, ports, and posts of duty.

**Categories of individuals covered by the system:** Customs employees who have completed training.

**Categories of records in the system:** Certificates of completion of training courses, memoranda documenting successful completion of training assignments, grades assigned by educational institutions when appropriate, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C.

552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) The information compiled is used primarily to prepare the annual and quarterly reports for training which are required by higher Headquarters. The information also serves as a ready reference to ascertain the state of training with the Region and as an instrument to equate, insofar as possible, training opportunities for all employees, and also to verify information submitted by employees on application forms.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders, on file cards, on Training forms, or on mag-tape.

**Retrievability:** Records are indexed by name.

**Safeguards:** Records are maintained in a locked file or room, or with limited access.

**Retention and disposal:** Records are maintained for up to three years after employee separates from the Service.

**System manager(s) and address:** Director, Personnel Management Division in each Region or Headquarters, or managerial official in appropriate posts of duty of employee.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S.Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Information for this file is obtained from supervisors, managers, instructors, educational institutions, and/or training facilities such as the Civil Service Commission, Department of the Treasury, etc.

**Treasury/Customs 00.240.**

**System name:** Travel Advances—Treasury/Customs

**System location:** Financial Management Division, U.S. Customs Service, Region 1, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Employees who receive travel advances to cover travel expenses in the course of traveling on official government business.

**Categories of records in the system:** Files are maintained to record the amount of the advance payment and repayment of the advance, if necessary.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) This system is used by the Payment Section employees to determine the amount owed to or by Customs for travel expenses.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored in an unlocked metal, 5 x 8 file.

**Retrievability:** The name of each individual is listed on a record card in alphabetical order.

**Safeguards:** The file is located within an office that is locked during non-working hours. The building is guarded by uniformed security police and only authorized persons are permitted entry to the building.

**Retention and disposal:** The file is retained until the employee pays or accounts for the travel advance, and kept one year. After one year the record is sent to the Federal Record Center; kept for 3 years and then destroyed.

**System manager(s) and address:** Director, Financial Management Division, U.S. Customs Service, 100 Summer Street, Boston, Massachusetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information in the system originates from the employee and his supervisor.

**Treasury/Customs 00.241**

**System name:** Travel Advances—Treasury/Customs

**System location:** Financial Management Division, 99 S.E. 5th Street, Miami, Florida 33131.

**Categories of individuals covered by the system:** Advances to Customs Employees only.

**Categories of records in the system:** Name, address and Social Security Number of employees.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) Used administratively to record travel advances and clearance of advance, as travel is completed. Outstanding balances reflect indebtedness of individuals until travel is completed or refunds of average in advance.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Files are maintained in an unlocked drawer within a metal file cabinet.

**Retrievability:** Alpha Employee Name File of SF 1038, "Application for Advance of Funds".

**Safeguards:** The metal container described above is maintained within the area assigned to the Financial Management Division within the Customs Service Building. During non-working hours the room in which the metal container is located is locked.

**Retention and disposal:** These files are retained as prescribed by GAD Regulations or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Director of Financial Management, 99 S.E. 5th Street, Miami, Florida 33131.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W. Washington, D.C. 20229 or Regional Commissioner, Region IV. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229 or Regional Commissioner, Region IV. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** SF 1038—"Application and Account for Advance of Funds".

**Treasury/Customs 00.242**

**System name:** Travel Advance File—Treasury/Customs

**System location:** Regional Commissioner of Customs, Room 1501, 55 East Monroe Street, Chicago, Illinois 60603.

**Categories of individuals covered by the system:** Customs employees to whom advances have been issued.

**Categories of records in the system:** SF 1038, "Application and Account for Advance of Funds."

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552);

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Individual alphabetical card file in file cabinet.

**Retrievability:** Access by name of individual.

**Safeguards:** The file cabinet is maintained in the office of the Regional Commissioner, Region IX, Chicago, Illinois. During non-working hours the room/building in which the file is located is locked.

**Retention and disposal:** Retained and disposed of in accordance with requirements of Records Control Manual.

**System manager(s) and address:** Regional Commissioner of Customs, 55 East Monroe Street, Chicago, Illinois 60603.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Completed Form 1038 received from any Customs employee within Region IX, Chicago, Illinois.

**Treasury/Customs 00.243**

**System name:** Travel Payment System—Treasury/Customs

**System location:** Accounting Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** Headquarters Customs Service officials and employees who travel on official business.

**Categories of records in the system:** Travel authorizations, travel vouchers, and travel advance records, which contain the officer's or employee's name, residence, place and mode of travel, travel dates, month of travel advance, expenses incurred, amount of travel advance, amount of advance outstanding and division code.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. Such duties may include preparing disbursement schedules so that the officer or employee will be paid for travel expenses, recording the cost of travel, advising the employee's supervisor when a travel advance is outstanding for an extended period, and compiling cost and budget information. (b) Disclosure required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on index cards placed within a file box, in file folders or on separate sheets of paper within a metal container and in a computer system utilizing magnetic disc storage techniques.

**Retrievability:** The information on the index cards relates only to travel advance payments, and the index cards are filed alphabetically by the name of the traveling individual; each file folder is placed within the metal container alphabetically by the name of the traveling individual to whom it pertains; the separate sheets of paper are grouped in disbursement schedule number sequence by consecutive numbers and dates showing a listing of payments to travelers; the computer records are retrieved by the accounting number assigned by the Customs Service for each separate travel transaction.

**Safeguards:** The room in which this system of records is located is locked during non-working hours, the building is guarded by uniformed security police, and only authorized persons are permitted within the building.

**Retention and disposal:** The records in this system are retained for an indefinite period of time. There are no established procedures for disposal of the subject records.

**System manager(s) and address:** Director, Accounting Division, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system is derived from information supplied to the Accounting Division by the traveling individual on Standard Form 1012 (Travel Voucher) and from organizational and accounting information maintained by the Customs Service.

**Treasury/Customs 00.244**

**System name:** Treasury Enforcement Communications System (TECS)—Treasury/Customs

**System location:** Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Categories of individuals covered by the system:** (1) Known violators of U.S. Customs Laws. (2) Convicted violators of U.S. Customs and/or drug laws in the United States and foreign countries. (3) Fugitives with outstanding warrants-Federal or state. (4) Suspected violators of U.S. Customs or other related laws. (5) Victims of U.S. Customs law violations.

**Categories of records in the system:** Every possible type of information concerning an individual which contributes to effective law enforcement may be maintained in this system of records. Records include but are not limited to records pertaining to wanted persons, suspected persons, lookouts (temporary and permanent), and document reference records. Information about individuals includes but is not limited to name, alias, date of birth, address, physical description, various identification numbers, reason for the record or lookout, details and circumstances surrounding the actual or suspected violator.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) As a law enforcement tool, for example, to aid in the detection and prevention of violations, to provide and disseminate information on suspected or known violators within system to Federal, state and local enforcement officers within the United States and to other cooperating foreign countries' enforcement officers and officials. Also used by the Department of Justice in prosecuting court cases. (d) Also disclosed to the Drug Enforcement Administration.

For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic disc and tape storage, microfiche, and hard copy.

**Retrievability:** Name, personal identification number and systems identification number.

**Safeguards:** (1) All TECS users must have a full field background investigation. (2) The "need to know" principle is followed. (3) Procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling restricted areas, alarm protection systems, special microfiche and communications security, etc.

**Retention and disposal:** (1) Review by Customs officer each time it is retrieved and on periodic basis to see if it should be retained or modified. (2) Since both temporary and permanent records are maintained, period of retention will vary with type record entered activity of record and category of record. (3) A complete review of each record in system is made annually at Headquarters. (4) Temporary Records, erasure of magnetic disc (5) Permanent Records, no disposal. (6) Hard Copy Documents, by shredding and/or burning of the hard copy document.

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support, U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.245**

**System name:** Treasury enforcement communications system card file—Treasury/Customs.

**System location:** Ports and Stations in the District of Ogdensburg, New York.

**Categories of individuals covered by the system:** Suspected violators of Customs or other laws.

**Categories of records in the system:** Name and system ID number and category of suspicion (i.e. narcotics, currency, counterfeit, etc.).

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Quick or ready reference at ports or stations not equipped with TECS secondary machines. (b) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. (c) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (d) In the event that this system of records includes information which indicates a violation or potential violation of law whether civil, criminal, or regulatory in nature and whether arising by general statute or particular program statute or by regulation, rule, or order issued pursuant thereto the relevant records in the system of records may be referred, as a routine use, to the appropriate agency whether Federal, state, local, or foreign charged with the responsibility of investigating or prosecuting the statute or rule, regulation, or order issued pursuant thereto. (e) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee; the issuance of a security clearance; the letting of a contract; or the issuance of a license, grant, or other benefit. (f) A record from this system of records may be disclosed to a Federal agency in response to its request in connection with the hiring or retention of an employee; the issuance of a security clearance; the reporting of an investigation of an employee; the letting of a contract; or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (g) Also disclosed to the Drug Enforcement Administration.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Roldex card file.

**Retrievability:** Alphabetically by name.

**Safeguards:** Available to inspectors only. Kept in rollex file in custody of inspector on duty.

**Retention and disposal:** Card is dated for disposal per original TECS message.

**System manager(s) and address:** Port Director, RFD Constable, Trout River New York 12926.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the jurisdiction for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.247**

**System name:** Uniform Allowance—Treasury/Customs.

**System location:** Management Services Branch, Administration Division, District Director, San Juan, Puerto Rico.

**Categories of individuals covered by the system:** Employees entitled to uniform allowance and date received.

**Categories of records in the system:** Name, position held, amount received for uniform allowance and date received.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Verify payments are received as requested and authorized.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in individual cards stored in an index card box which is within a locked drawer of a desk.

**Retrievability:** Each card is identified by the name of the employee and filed alphabetically within the box.

**Safeguards:** The drawer in which the cards are kept is locked and is in the area assigned to the Management Services Branch within the Customs Service Building. During non-working hours the room in which the desk is located is locked and access to the building is controlled at all times by uniformed guards.

**Retention and disposal:** Records are maintained until the employee leaves the district or is no longer entitlted to uniform allowance at which time his card is moved to the back of the box. When there is no more space available within the box, the oldest cards are destroyed.

**System manager(s) and address:** District Director, U.S. Customs Service, P.O. Box 2112, Old San Juan, Puerto Rico 00903.

**Notification procedure:** Request by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs, Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identitiy and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information is posted on the cards when checks for uniform allowance are received.

**Treasury/Customs 00.248**

**System name:** Uniform Allowance—Treasury/Customs.

**System location:** Financial Management Division, U.S. Customs Service, Region I, 100 Summer Street, Boston, Massachusetts 02110.

**Categories of individuals covered by the system:** Employees of the Customs Service who are eligible to receive payments for maintaining uniforms.

**Categories of records in the system:** Name of employee, date of eligibility, period of eligibility, amount paid and District assigned.

**Authority for maintenance of the system:** 5 U.S.C 301: Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statutue or particular program, statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto; (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit; (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (f) The system is used to determine the status of eligibility of uniformed employees so that payment can be processed by the employees of the Payment Section.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored in a 5 x 8 two drawer file, accessable to employees of the Payment Section of the Financial Management Division.

**Retrievability:** The name of each individual is listed on a card which is filed in alphabetical order.

**Safeguards:** The file is located within an office that is locked during noneworking hours. The building is guarded by uniformed security police and only authorized persons are permitted entry to the building.

**Retention and disposal:** Files are maintained until employee leaves position, retained for two years and then destroyed.

**System manager(s) and address:** Director, Financial Management Dvision, U.S. Customs Service, 100 Summer Street, Boston, Massachutetts 02110.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see, Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue N.W., Washington D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs, Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue Washington D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in the system originates from the District office where the employee is stationed.

**Treasury/Customs 00.249**

**System name:** Uniform Allowances—Unit Record—Treasury/Customs.

**System location:** Financial Management Division, 99 S.E. 5th Street, Miami, Florida 33131.

**Categories of individuals covered by the system:** U.S. Customs Employees.

**Categories of records in the system:** Name—Record of Uniform Allowance Payments.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used by Accounting technicians to record amounts paid to uniformed personnel annually.

For additonal routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Files are maintained in an unlocked drawer within a metal file cabinet.

**Retrievability:** Alpha by Name. Appropriation Accounting Document Number.

**Safeguards:** The metal container described above is maintained within the area assigned to the Financial Management Division within the Customs Service Building. During non-working hours the room in which the metal container is located is locked and access to the building is controlled by uniformed guards.

**Retention and disposal:** These files are retained as prescribed by GAD Regulations or until there is no longer any space available for them within the metal container, at which time the oldest files are transferred to the Federal Records Center.

**System manager(s) and address:** Direction of Financial Management, 99 S.E. 5th Street, Miami, Florida 33131.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs, Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs, Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constititution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** From Memo's received from Districts. Data Transcribed from Payment Vouchers.

**Treasury/Customs 00.251.**

**System name:** Unscheduled Overtime Report (Customs Form 31)—Treasury/Customs.

**System location:** Director, Office of Operations, 6 World Trade Center, Rm. 508, New York, New York.

**Categories of individuals covered by the system:** Special Agents assigned to the office of Regional Director of Investigations authorized to receive unscheduled overtime renumeration.

**Categories of records in the system:** Customs Form 31 enumerates the nature of overtime performed, the number of hours and the date on which the overtime was performed and the case number of investigation.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used to account for and control unscheduled overtime.

additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The information in this system is contained on CF 31, the forms are contained within a file folder and are placed in a metal file cabinet.

**Retrievability:** By name.

**Safeguards:** The file cabinet is maintained within the area assigned to the Regional Director of Investigations, New York, within the Customhouse. During non-working hours the complex in which the file is located is locked and access to the building is controlled at all times by uniform guards.

**Retention and disposal:** The forms are destroyed after three years.

**System manager(s) and address:** Regional Director of Investigations. (See Customs Appendix A.)

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information in this system originates from the Special Agent who performs the unscheduled overtime.

**Treasury/Customs 00.252**

**System name:** Valuables Shipped Under the Government Losses in Shipment Act—Treasury/Customs.

**System location:** District Director of Customs, Chicago, Illinois.

**Categories of individuals covered by the system:** Customs employees collecting and transmitting funds to cashier for deposit.

**Categories of records in the system:** Name of employee, collection document serial numbers, amount of collection.

**Authority for maintenance of the system:** Section 300.30, Customs Accounting Manual; 5 U.S.C. 134f; 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Filed in folders with the individual's name appearing at the top thereof in a file cabinet.

**Retrievability:** Each record folder is filed by name of individual.

**Safeguards:** The cabinet described above is maintained within the area assigned in the Customs office. During non-working hours the area in which the cabinet is located is secured.

**Retention and disposal:** Retained for three years and then forwarded to FRC for seven years retention.

**System manager(s) and address:** District Director, as appropriate, in Region IX, Chicago, Illinois.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of rhe region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service

Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Data submitted by individual Customs employee involved.

**Treasury/Customs 00.253**

**System name:** Vehicle Microfiche Files—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Investigations, Region V, 1440 Canal Street, New Orleans, La. 70112.

**Categories of individuals covered by the system:** Owners of movable vehicles registered in the State of Louisiana.

**Categories of records in the system:** Name indices of vehicles.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Information contained in these microfiche files is provided for the routine use of the Office of Investigations of the Customs Service for the purpose of verifying information received from other sources in conjunction with investigations within the Office of Investigations.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These microfiche files are maintained in a file folder in a metal cabinet. The cabinet is located in a room which is manned during normal office hours, and locked after hours.

**Retrievability:** These microfiche files are identified by alphabetical name of the catagories of individuals maintained in that file and information is retrievable manually from these files.

**Safeguards:** These microfiche files are kept in a metal cabinet and are maintained within the room which is manned by Office of Investigations personnel during normal office hours. During non-working hours, the room in which the metal cabinet is located is locked and entrances to the office which contains that room are locked. Access to the building containing the office is controlled during non-working hours by a uniformed guard.

**Retention and disposal:** These files are retained indefinitely or until updated by more current records at which time the old records are disposed of by shredding.

**System manager(s) and address:** Regional Director, Investigations, U.S. Customs Service, Office of Investigations, 1440 Canal Street, New Orleans, La. 70112.

**Notification procedure:** Requests by an individual to be notified if the system of record contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousands dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these microfiche files originates and consists of information generated from vehicle registration forms submitted to the State of Louisiana.

**Treasury/Customs 00.254**

**System name:** Vessel Identification Report—Treasury/Customs.

**System location:** Office of the Director, District Patrol, 600 South Street, New Orleans, La. 70130. Dir., District Patrol Division, Rm 213, International Trade Center, 250 N. Water Street, Mobile, Al. 36602.

**Categories of individuals covered by the system:** All suspect vessels and/or boats that information has been received on indicating unlawful or suspicious activity.

**Categories of records in the system:** Regional form containing vessel's name, photograph, date of photo, place of photo, name of boat owner, his address, and any other important information pertaining to suspect vessel.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) Used as an aid to law enforcement and to identify vessels that require watching.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records maintained in standard Customs file folders in locked metal cabinets.

**Retrievability:** System filed alphabetically and retrieved manually.

**Safeguards:** File maintained in locked metal file cabinet, the keys of which are controlled by the custodian of the files. Those departmental officials who may occasionally be granted access consistant with their positions have been cleared by a full field background investigation and granted appropriate security clearance for critical

sensitive positions. During non-working hours the room housing the metal cabinets is locked.

**Retention and disposal:** Retain indefinitely.

**System manager(s) and address:** Director, District Patrol Division, 600 South Street, New Orleans, La. 70130.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption are contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.255**

**System name:** Vessel Violation Profile System—Treasury/Customs.

**System location:** U.S. Customs Service, Office of Enforcement Support, 1301 Constitution Avenue, N.W.; Washington, D.C. 20229.

**Categories of individuals covered by the system:** Masters associated, in the capacity of ship agent or representative, with vessels in actual or suspected violation of Customs and related laws.

**Categories of records in the system:** Vessel's name, Master's name, search results and history of the prior violations of Customs and related laws. Includes lookout information, if available.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (f) Documentation of vessel violations committed while in United States ports. (g) Determination of search operations by consideration of past violations and selective intelligence information. (h) Provides management information. (i) In the support of the Department of Agriculture, by assisting in the quarantine control of infested vessels. (j) In support of the Immigration and Naturalization Service, by assisting in the collection of payments attendant to the handling of aliens. (k) In support of other regulatory and/or enforcement agencies.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** (1) Magnetic disc and tape storage. (2) Hardcopy record in manual files. (3) Microfiche.

**Retrievability:** By name of vessel, Master, owner, or agent.

**Safeguards:** All inquiries are made by officers with full field background investigations on a "need to know" basis only. Procedural and physical safeguards are utilized such as accountability and receipt records, guards patrolling the area, restricted access and alarm protection systems, special communications security, etc.

**Retention and disposal:** The records are retained infefinitely.

**System manager(s) and address:** Assistant Commissioner, Office of Enforcement Support U.S. Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.257**

**System name:** Violators Card File—Treasury/Customs.

**System location:** Office of District Director, U.S. Customs Service, U.S. Customhouse, 101 E. Main Street, Norfolk, Va. 23510.

**Categories of individuals covered by the system:** Persons or firms who have violated any law administered by the U.S. Customs Service within the Norfolk District.

**Categories of records in the system:** Name of individual or firm, case number and date and section of law violated. This information is obtained from Customs Forms, 151 and 5955-A.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as Amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties. (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552). (c) Provide the proper authority within the U.S. Customs Service with a ready reference to make a decision for the remission or mitigation of penalties, forfeitures and claims for forfeiture value.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Each card is filed alphabetically in an unlocked drawer within a metal container.

**Retrievability:** Each manual alphabetical card file is identified by the name of the person or firm who has violated any law administered by the U.S. Customs Service within the Norfolk District.

**Safeguards:** The metal container described above is maintained within the area assigned to the Fines, Penalties & Forfeitures Officer within the U.S. Customhouse. During non-working hours the room in which the metal container is located is locked. Security for the building is maintained by GSA.

**Retention and disposal:** Active cards are retained in this system indefinitely. However, upon periodic review, information on firms no longer in business are destroyed.

**System manager(s) and address:** District Director of Customs, U.S. Customshouse, 101 E. Main St., Norfolk, Va. 23510.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The information contained in these files is derived from Customs Form 151 (Search/Arrest/Seizure Report) and Customs Form 5955-A (Notice of Penalty or Liquidated Damages Incurred and Demand for Payment) which are prepared by the Customs Service.

**Treasury/Customs 00.258**

**System name:** Violator's Case Files—Treasury/Customs.

**System location:** District Director of Customs, U.S. Customs Service, St. Albans, Vermont, 05478.

**Categories of individuals covered by the system:** Individuals involved in smuggling, filing false invoices, documents or statements, violators of Customs bonds.

**Categories of records in the system:** Individual's name and address, social security number and physical description; alias, occupation, type of violation, previous record, driver's license, passport number.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to any agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders and 3 x 5 index cards.

**Retrievability:** Alphabetized by name of individual and local control number.

**Safeguards:** Files are under the supervision of the Fines, Penalties and Forfeitures Officer 8 a.m. to 5 p.m., Monday through Friday. All other hours, office remains locked.

**Retention and disposal:** Files are maintained in the office of the Fines, Penalties, and Forfeitures Officer for a period of five years. At the conclusion of this period, they are destroyed by shredding.

**System manager(s) and address:** District Director, U.S. Customs Service, St. Albans, Vermont 05478.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption is contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.260**

**System name:** Warehouse Proprietor Files—Treasury/U.S. Customs.

**System location:** Offices of District Directors, Region IX, Chicago, Illinois, See Customs Appendix A.

**Categories of individuals covered by the system:** Present and past warehouse proprietors and employees that require an investigation and related information.

**Categories of records in the system:** Report of investigations, application and approval or denial of bond to act as warehouse proprietor and other Customs Service Memoranda. Names, addresses, social security numbers, and dates and places of birth of persons employed.

**Authority for maintenance of the system:** Customs Regulations, Part 19, 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure to those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552).

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in file folders and stored in file cabinets in each District Director's office within Region IX, Chicago, Illinois.

**Retrievability:** Each file is identified by the name of the warehouse proprietor.

**Safeguards:** The file cabinets are maintained within the area assigned to the District Director. During nonworking hours the room and/or building in which the file cabinet is located is locked.

**Retention and disposal:** These files are retained indefinitely. Employee name data retained for period of employment with warehouse proprietor.

**System manager(s) and address:** District Director, as appropriate in Region IX, Chicago, Illinois. See Customs Appendix A.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Customs Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting

identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record source categories:** The information in this file originates from the individual applicant for warehouse proprietor's bond, from reports of investigation, and other Customs Memoranda.

**Systems exempted from certain provisions of the act:** The Commissioner of Customs pursuant to 5 U.S.C. 552a (j) and/or (k) has proposed to exempt this system of records from certain requirements of 5 U.S.C. 552a. The provisions of 5 U.S.C. 552a from which this system of records is proposed to be exempted and the justification for the exemption in contained in a general notice which appears elsewhere in the Federal Register.

**Treasury/Customs 00.262**

**System name:** Warnings to Importers in lieu of penalty.—Treasury/Customs.

**System location:** Located in the Office of the District Director, San Diego, Calif; Offices of the Port Directors, San Ysidro, Calif; Tecate, Calif; Calexico, Calif; Andrade, Calif; San Diego Barge Office; and the Offices of the Customs Patrol Division, San Diego, Calif; San Ysidro, Calif; Calexico, Calif; Tecate, Calif. See Customs Appendix A.

**Categories of individuals covered by the system:** Individuals and firms in violation of Customs's laws.

**Categories of records in the system:** Brief record of violation and warning.

**Authority for maintenance of the system:** 5 U.S.C. 301; Treasury Department Order No. 165, Revised, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure of those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in administration of the Freedom of Information Act (5 U.S.C. 552); (c) In the event that this system of records includes information which indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulations, or order issued pursuant thereto. (d) A record from this system of records may be disclosed as a "routine use" to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (e) A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. Available to Inspectors, Import Specialists and Agents, and other Customs employees who have need for this information.

For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained on 5 x 7 cards.

**Retrievability:** Alphabetically indexed.

**Safeguards:** Not accessible to other than Customs officers.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** District Director, Port Directors, and Division Directors within the San Diego Customs District. See Customs Appendix A.

**Notification procedure:** Requests by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records, and how he can contest its content shall be in writing and directed to the Regional Commissioner of the region in which the records are located (see Appendix A), or to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. The requester, will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to 5,000 dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** Customs Officials.

**Treasury Customs 00.278**

**System name:** Early Implementation System (EIS)—Treasury/Customs.

**System location:** The Computer is located at 1900 West Park Drive, McLean, Virginia 23701. Computer terminals are located at Customhouses and ports throughout the United States and at U.S. Customs Headquarters, Washington D.C. (For addresses of Customhouses see Customs Appendix A.)

**Categories of individuals covered by the system:** U.S. Customs Service employees and individuals involved in the import trade.

**Categories of records in the system:** The system data base is comprised of commodity and merchandise processing information relating to Customs administration of trade laws. Certain portions contain no information about individuals. These are the Tariff Schedules of the United States Annotated (TSUSA) file, country file, criteria file for the selection of routine items, Team TSUSA file, district port file, and the entry master file. The following system files may contain information about U.S. Customs Services employees and/or individuals/companies involved in the import trade.

(1) Authorized Terminals Users File: Contains Randomly established five-digit identification codes and passwords assigned to Customs Service employees authorized to use the system. The file consists of the names and identification of all Customs Service employees using the remote terminals to input information into the system. It does not contain Social Security numbers. The degree of access to the system varies according to the users responsibilities in the system.

(2) Importer/Broker/Consignee Bond File: Records consist of importer of record number, importer name, type of importation bond, expiration date, and surety code. The importer of record number is used as the method of accessing the file. The number is assigned by any one of three code formats according to availability and the following hierarchy. The first choice is the IRS employer Identification number (EIN). The vast majority of importers have the EIN because of the business necessity of it.

The second alternative is the Social Security number (SSN). The third alternative is a Customs-assigned number. This file is referenced during entry processing to verify that the individual or company making entry is authorized to import and is properly bonded.

(3) Broker File: A record consists of a three-digit Customs-assigned Customhouse broker number (non-SSN) and the broker name. The file is referenced during entry processing to validate the broker nunber and to prepare and distribute the Broker ID Performance Report to the individual or company concerned. The subject of the report is compliance with the entry filing requirements under the immediate delivery program. Information is disclosed only to the party-of-record.

(4) Surety File: A record consists of a three-digit surety code (non-SSN) assigned by the Customs Accounting Division and the surety name. The file is referenced during entry processing to validate these surety codes. No information on surety company affairs is collected or disseminated in the system.

(5) Liquidator File: A record consists of a Customs-assigned three-digit liquidator identification (non-SSN) and a Customs employee's name. The employee's liquidator code is input into the system as a means of maintaining quality control and an audit trail on entries liquidated.

(6) Manufacturer File: The file contains only a three-digit manufacturer code number (non-SSN) and manufacturer name.

**Authority for maintenance of the system:** 19 U.S.C. 66, 1448, 1481, 1483, 1484, 1505, and 1624.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in this system of records are as follows: (a) Disclosure of those officers and employees of the Customs Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in adminstration of the Freedom of Information Act (5 U.S.C. 552); (c) To provide the Bureau of the Census with a magnetic tape containing foreign trade data.

For additional routine use see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic Disc.

**Retrievability:** By identification codes and/or name.

**Safeguards:** Access to computer area is controlled by a security pass arrangement and personnel not connected with the operation of the computer are prohibited from entering. The building security is protected by a uniformed guard. At the ports of processing, terminal rooms are under close supervision during working hours and locked after close of business. The system security officer issues a unique private five digit identification code to each authorized user. The codes are changed periodically to enhance security. All computer terminals are key-locked when not in use. Access to the Customers computer from other than system terminals in prohibited by hardware controls. Users must input a unique identification code during the terminal log-in procedure to gain access to the system. The identification code is not printed or displayed at the port of processing. The system validates the user ID by transaction type, thereby limiting a system user's access to information on a need to know basis. A listing of identification codes of authorized users can be printed only at the computer room site by request of the security officer.

**Retention and disposal:** Files are retained indefinitely but are periodically updated to reflect changes, etc.

**System manager(s) and address:** Director, AMPS Program Division Customs Service Headquaters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229, is responsible for all data maintained in the files.

**Notification procedure:** Request by an individual to be notified if the system of records contains records pertaining to him shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service Headquarters, 1301 Constitution Avenue, NW., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature.

If an individual can provide no suitable documents for identification, he may be required to make a signed statement asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Record access procedures:** Requests by an individual to be notified how he can gain access to a record pertaining to him contained in a system of records and how he can contest its contents, shall be in writing and directed to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229. The requester will be notified in writing of the procedures to be followed. Where the request is presented in person, the requester shall present adequate identification to establish his identity, and a comparison of his signature and those in the records may be made where the records contain the necessary signature. If an individual can provide no suitable documents for identification he may be required to make a signed statement asserting identity and a stipulating that he understands that knowingly or willing seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars.

Where the request is not presented in person, it shall be accompanied by a notarized statement executed by the requester asserting identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine up to five thousand dollars. A comparison of his signature and those in the records may be made where the records contain the necessary signature.

**Contesting record procedures:** See Access above.

**Record source categories:** The system data base is limited to data about individuals and/or companies incidental to the conduct of foreign trade and required by the Customs Service in adminstering the tariff laws and regulations of the United States. No information concerning any individual's or company's importation activity, bonds status, and compliance or noncompliance with Customs Regulations will be disclosed for non-authorized purposes to any person other than the party-of-record upon receipt of a written request.

## UNITED STATES CUSTOMS SERVICE

### APPENDIX A

Addresses of Headquarters, U.S. Customs Service, Regional Commissioners of Customs, Regional Directors (Internal Affairs), District Directors of Customs, and Customs Office of Investigations field offices:

U.S. Customs Service Headquarters, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

Regional Commissioner of Customs, 40 S. Gay Street, Baltimore, Maryland 21202, (301)962-3288.

Regional Commissioner of Customs, 100 Summer Street, Boston, Massachusetts 02110. (617)223-7506.

Regional Commissioner of Customs, 55 E. Monroe Street, Chicago, Illinois 60603, (312)353-4731.

Regional Commissioner of Customs, 500 Dallas Street, Houston, Texas 77002, (713)226-4893.

Regional Commissioner of Customs, 300 N. Los Angeles Street, Los Angeles, California 90053, (213)688-5900.

Regional Commissioner of Customs, 99 S.E. 5th Street, Miami, Florida, (305)3505952.
Regional Commissioner of Customs, 1440 Canal Street, New Orleans, Louisiana 70112, (504)589-6324.
Regional Commissioner of Customs, 6 World Trade Center, New York, New York 10048, (212)466-4444.
Regional Commissioner of Customs, 211 Main Street, San Francisco, California 94102, (415)556-3500.
Office of Internal Affairs field offices
Regional Director (Internal Affairs), 100 Summer Street, Boston, Massachusetts 02110.
Regional Director (Internal Affairs), 6 World Trade Center, New York, New York 10048.
Regional Director (Internal Affairs), Gay and Water Streets, Baltimore, Maryland 21202.
Regional Director (Internal Affairs), P.O. Box 3201, Miami, Florida 33101.
Regional Director (Internal Affairs), 1440 Canal Street, New Orleans, Louisiana 70112.
Regional Director (Internal Affairs), 500 Dallas Street, Houston, Texas 77002.
Regional Director (Internal Affairs), 55 East Munroe Street, Chicago, Illinois 60603.
Regional Director (Internal Affairs), 211 Main Street, San Francisco, California 94105.
Regional Director (Internal Affairs), P.O. Box 951, Main Post Office, Los Angeles, California 90053.
Customs District Offices.
(Note: New York has Area Directors instead of District Directors. Roman numeral designates Customs region).
VIII Anchorage, Alaska 99501/204 E. Fifth Ave. (907)279-2543.
III Baltimore, Maryland 21202/103 S. Gay St. (301)962-2666.
I Boston, Massachusetts 02109/2 India St. (617)223-6598.
I Bridgeport, Connecticut 06609/120 Middle St. (203)366-7851.
I Buffalo, New York 14202/111 W. Huron St. (716)842-5901.
IV Charleston, South Carolina 29401/200 E. Bay St. (803)577-4171.
IX Chicago, Illinois 60607/610 S. Canal St. (312)353-6100.
IX Cleveland, Ohio 44199/1240 E. 9th St. (216)522-4284.
IX Detroit, Michigan 48226/243 W. Congress St. (313)226-3177.
IX Duluth, Minnesota 55802/515 W. First St. (218)727-6692.
VI El Paso, Texas 79985/Bldg. B, Room 134, Bridge of the Americas (P.O. Box 9516) (915)543-7435.
VI Galveston, Texas 77550/17th & Strand Sts. (713)763-1211.
VIII Great Falls, Montana 59401/215 1st Ave. N. (406)453-7840.
VIII Honolulu, Hawaii 96806/335 Merchant St. (808)546-3115.
VI Houston, Texas 77052/701 San Jacinto St. (713)226-4316.
VI Laredo, Texas 78040/Mann Road and Santa Maria (512)723-2956.
VII Los Angeles/Long Beach/300 S. Ferry St., San Pedro, California 90731 (213)548-2441.
IV Miami, Florida 33131/444 Brickell Avenue (305)350-5791.
IX Milwaukee, Wisconsin 53202/628 E. Michigan St. (414)224-3924.
IX Minneapolis, Minnesota 55401/110 S. Fourth St. (612)725-2317.
V Mobile, Alabama 36602/250 N. Water St. (205)690-2106.
V New Orleans, Louisiana 70130/600 South St. (504)589-6353.
II New York, New York: New York Seaport Area, New York, New York 10048, Customhouse, 6 World Trade Center, (212)466-5817. Kennedy Airport Area, Jamaica, New York 11430, Seaboard World Building, Room 178, (212)995-7083. Newark Area, Newark, New Jersey 07105, 400 Delaney St. (201)645-3760.
VII Nogales, Arizona 85621/International & Terrace Sts. (602)287-4955.
III Norfolk, Virginia 23510/101 E. Main St. (804)441-6546.
I Ogdensburg, New York 13669/127 N. Water St. (315)393-0660.
IX Pembina, North Dakota 58271/Post Office Bldg. (701)825-6201.
III Philadelphia, Pennsylvania 19106/2nd & Chestnut Sts. (215)597-4605.
VI Port Arthur, Texas 77640/5th & Austin Ave. (713)982-2831.
I Portland, Maine 04111/312 Fore St. (207)775-3131.
VIII Portland, Oregon 97209/N.W. Broadway & Glisan Sts. (503)221-2865.
I Providence, Rhode Island 02903/24 Weybosset St. (401)528-4383.
I St. Albans, Vermont 05478/Main & Stebbins Sts. (802)524-6527.
IX St. Louis, Missouri 63105/120 S. Central Ave. (314)622-4491.
IV St. Thomas, Virgin Islands 00801/(P.O. Box 510) (809)774-2510.
VII San Diego, California 92101/2262 Columbia St. (714)293-5360.
VIII San Francisco, California 94111/555 Battery St. (415)556-4340.
IV San Juan, Puerto Rico 00903/(P.O. Box 2112) (809)723-2091.
IV Savannah, Georgia 31401/1 East Bay St. (912)232-4321.
VIII Seattle, Washington 98104/First & Marion Sts. (206)442-5491.
IV Tampa, Florida 33602/301 S. Ashley Dr. (813)228-2381.
III Washington, D.C. 20018/3180 Bladensburg Rd., N.E. (202)964-8511.
IV Wilmington, North Carolina 28401/2094 Polk St. (919)763-9971.
Office of Investigations field offices
Region I-Boston
Office of Regional Director of Investigations, Room 1700, U.S. Customhouse, Boston, Massachusetts 02109.
Office of Resident Agent, P.O. Box 368, Derby Line, Vermont 05830.
Office of Resident Agent, P.O. Box 432, Houlton, Maine 04111.
Office of Special Agent In Charge, Room 17, U.S. Customhouse, Portland, Maine 04111.
Office of Special Agent In Charge, 127 N. Water St., Ogdensburg, New York 13669.
Office of Resident Agent, 770 Chapel Street, Suite 2B, New Haven, Connecticut.
Office of Special Agent In Charge, U.S. Federal Building, Rm. 1206, 111 West Huron, Buffalo, New York 14202.
Office of Special Agent In Charge, P.O. Box 68, Rouses Point, New York 12979.
Region II-New York
Office of Regional Director of Inv., U.S. Customs Service, Room 508, 6 World Trade Center, New York, New York 10048.
Office of Special Agent In Charge, Room 203 C, 400 Delancey Street, Newark, New Jersey 07105.
Office of Special Agent In Charge, J.F.K. International Airport, Inter. Arrival Bldg., 160-19 Rockaway Blvd., New York, New York 11430.
Region III-Baltimore
Office of Regional Director of Inv., Room 810, U.S. Appraisers Stores Bldg., 103 South Gay Street, Baltimore, Maryland 21202.
Office of Resident Agent, 701 West Broad Street, Rm. 301, Falls Church, Virginia 22046.
Office of Special Agent In Charge, 201 U.S. Customhouse, 2nd & Chestnut Streets, Philadelphia, Pennsylvania 19106.
Office of Resident Agent, Room 2236, Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222.
Office of Special Agent In Charge, 201 U.S. Customhouse, Norfolk, Virginia 23510.
Region IV-Miami
Office of Regional Director of Inv., 99 S.E. 5th Street, Miami, Florida 33131.
Office of Resident Agent, 700 Clematis Street, Rm. 253, West Palm Beach, Florida 33401.
Office of Special Agent In Charge, P.O. Box 1516, Tampa, Florida 33601.
Office of Resident Agent, 2701 Talleyrand Avenue, Jacksonville, Florida 32206.
Office of Special Agent In Charge, Drawer A, Savannah, Georgia 31408.
Office of Resident Agent, 1585 Phoenix Boulevard, Suite 5, Atlanta, Georgia 30349.
Office of Special Agent In Charge, P.O. Box 898, Wilmington, North Carolina 28401.
Office of Special Agent In Charge, U.S. Customs Service, P.O. Box S-1272, Old San Juan, Puerto Rico 00902.
Office Of Resident Agent, P.O. Box 127, Ponce Playa, Puerto Rico.
Office of Resident Agent, U.S. Customhouse, P.O. Box 3226, Marina Station, Mayaguez, Puerto Rico.
Office of Special Agent In Charge, P.O. Box 698, Charlotte-Amalie, St. Thomas, Virgin Islands.
Office of Resident Agent, P.O. Box 1801—Christiansted, St. Croix, Virgin Islands.
Region V-New Orleans

Office of Regional Director of Inv., 1440 Canal Street, New Orleans, Louisiana 70112.
Office of Special Agent In Charge, International Trade Center, P.O. Box 1704, Mobile, Alabama 36601.
Office of Resident Agent, 1719 West End Building, Room 303, Nashville, Tennessee 37203.

Region VI-Houston
Office of Regional Director of Inv., Suite 1380, 500 Dallas Street, Houston, Texas 77002.
Office of Resident Agent, Suite 210, 700 Paredes Ave., Brownsville, Texas 78520.
Office of Resident Agent, P.O. Drawer 1169, Del Rio, Texas 78440.
Office of Resident Agent, 1114 Commerce Street, 17th Floor, Dallas, Texas 75202.
Office of Special Agent In Charge, P.O. Box 498, Laredo, Texas 78040.
Office of Resident Agent, P.O. Box 828, Eagle Pass, Texas 78852.
Office of Resident Agent, 2600 North 10th Street, McAllen, Texas 78501.
Office of Resident Agent, 1802 N.E. Loop 410, Suite 302, San Antonio, Texas 78217.
Office of Special Agent in Charge, P.O. Box 10719, El Paso, Texas 79997.
Office of Resident Agent, 5301 Central Avenue, N.E., Suite 919, 1st National Bank Building, East, Albuquerque, New Mexico 87108.
Office of Resident Agent, 721 19th Street, Room 404, P.O. Box 2771, Denver, Colorado 80201.

Region VII-Los Angeles
Office of Regional Director of Inv., 300 South Ferry Street, Room 2037, Terminal Island, San Pedro, California 90731.
Office of Special Agent In Charge, P.O. Box 1385, Nogales, Arizona 85621.
Office of Resident Agent, P.O. Box 5752, Suite 200, First Federal Savings Building, 350 West 16th Street, Yuma, Arizona 85364.
Office of Resident Agent, P.O. Box 1076, 1065 F Avenue, Glenn Bldg., Douglas, Arizona 85607.
Office of Resident Agent, Room 328, Amerco Towers, 2721 No. Central Avenue, P.O. Box 2259, Phoenix, Arizona 85002.
Office of Resident Agent, P.O. Box 2911, Tucson, Arizona 85702.
Office of Special Agent In Charge, P.O. Box 187, San Ysidro, California 92073.
Office of Resident Agent, P.O. Box 1510, Calexico, California 92231.

Region VIII-San Francisco
Office of Regional Director of Inv., 211 Main Street, San Francisco, California 94105.
Office of Special Agent In Charge, 4100 Federal Office Building, 909 First Avenue, Seattle, Washington 98174.
Office of Resident Agent, P.O. Box 1360, Blaine, Washington 98230.
Office of Resident Agent, P.O. Box 1483, Spokane, Washington 99210.
Office of Special Agent In Charge, P.O. Box 199, Anchorage, Alaska 99510.
Office of Special Agent In Charge, P.O. Box 71, Great Falls, Montana 59403.
Office of Special Agent In Charge, 1000 Bishop Street, Suite 1210, Honolulu, Hawaii 96813.
Office of Special Agent In Charge, P.O. Box 2841, Portland, Oregon 97208.

Region IX-Chicago
Office of Regional Director of Inv., 55 E. Monroe Street, Suite 1423, Chicago, Illinois 60603.
Office of Special Agent In Charge, 628 East Michigan Street, Room 208, Milwaukee, Wisconsin 53202.
Office of Special Agent In Charge, 120 South Central Ave., Suite 440, St. Louis, Missouri 63105.
Office of Resident Agent, Room 259, Federal Building, 301 West Lexington Street, Independence, Missouri 64050.
Office of Special Agent In Charge, Plaza Nine, 55 Erieview Plaza, Room 210, Cleveland, Ohio 44114.
Office of Resident Agent, P.O. Box 1035, Fountain Square Station, Cincinnati, Ohio 45201.
Office of Resident Agent, P.O. Box 44835. Federal Building, Room 511 Indianapolis, Indiana 46204.
Office of Special Agent In Charge, Room 507, Meierhoff Building, 325 Lake Avenue, South, Duluth, Minnesota 55802.
Office of Special Agent In Charge, Room 501, 243 West Congress St., Detroit, Michigan 48226.
Office of Special Agent In Charge, P.O. Box 192, Pembina, North Dakota 58271.
Office of Special Agent In Charge, 574 Federal Building, Ft. Snelling, Twin Cities, Minneapolis, Minnesota 55111.

**Treasury/BEP 00.002**

**System name:** Civilian Employee Claim File—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Civilian officers and employees of the Bureau of Engraving & Printing, former employees and their survivors having claim for damage to or loss of personal property incident to their service.

**Categories of records in the system:** Contains investigative and adjudication documents relative to personal property damage claim.

**Authority for maintenance of the system:** Military Personnel and Civilian Employees' Claims Act of 1964, Public Law 88-558. Treasury Department Administrative Circular No. 136, Rev.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Director, Bureau of Engraving and Printing and/or his designee for adjudication and settlement of claims. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Folder.

**Retrievability:** By Name.

**Safeguards:** Locked file cabinet—access limited to Safety Division Staff.

**Retention and disposal:** Retained three years; disposal procedures not yet established.

**System manager(s) and address:** Chief, Office of Industrial Services, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individuals having claim for damage to or loss of personal property.

**Treasury/BEP 00.003**

**System name:** Continuation of Pay Record—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Bureau of Engraving & Printing employees, incurring work connected injuries or illnesses and making claim for continuation of pay.

**Categories of records in the system:** Memoranda from Safety Manager authorizing Office of Financial Management to continue employee's pay up to 45 days.

**Authority for maintenance of the system:** Federal Employee Compensation Act as amended; Treasury Department Personnel Bulletin 74—73

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Safety Division & Office of Financial Management and Treasury Department to initiate statistical records for continuation of pay cases and costs. Used to document and authorize continuation of pay. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Folder.

**Retrievability:** Name

**Safeguards:** Locked file cabinet, access limited to Safety Manager and Compensation Claims Staff.

**Retention and disposal:** Retained three years; disposal procedures not yet established.

**System manager(s) and address:** Chief, Office of Industrial Services, Bureau of Engraving and Printing; 14 & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual employee and Safety Division reports and recommendations.

**Treasury/BEP 00.005**

**System name:** Compensation Claims—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Bureau of Engraving & Printing employees incurring work connected injuries or illnesses, necessitating absence, making claim under Compensation Act.

**Categories of records in the system:** All pertinent documentation, including investigative reports, forms, etc. relative to work—connected injuries of employees.

**Authority for maintenance of the system:** Federal Employees Compensation Act, as amended—Public Law 93—416.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Compensation Claims staff (Safety Division) and Department of Labor to initiate, adjudicate and maintain status of employees who may or have initiated claims for continuation of pay and compensation. For additional uses see Apendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Folder and card file.

**Retrievability:** Name and claim no.

**Safeguards:** Locked file cabinets; access limited to Safety Manager and Compensation Claims staff.

**Retention and disposal:** Retained five years; disposal procedures not yet established.

**System manager(s) and address:** Chief, Office of Industrial Services, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division Bureau of Engraving and Printing; 14th & C St., SW, Washington, D.C. 20228. Attn: Privacy Law Information

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Employee's Health Unit Daily Report, Notification of Public Health Service Recommendation and information provided by employee.

**Treasury/BEP 00.004**

**System name:** Counseling Records—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Employees whose actions or conduct warrants counseling.

**Categories of records in the system:** Contains correspondence relative to counseling information and follow-up reports.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Employee Relations Branch personnel for counseling of individual employees. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By name.

**Safeguards:** Locked in file cabinets; access limited to Employee Relations Branch personnel.

**Retention and disposal:** Retained for one year and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts. SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Divison, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual employee.

**Treasury/BEP 00.006**

**System name:** Debt Files (Employees)—Treasury/BEP

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving & Printing employees on whom debt complaints are received.

**Categories of records in the system:** Contains employee's name, complaint information, court judgements, counseling efforts, receipts, and final disposition of complaint.

**Authority for maintenance of the system:** Federal Personnel Manual.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Employee Relations Branch personnel for employee counseling, credit reference, and disposition of complaint. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By name.

**Safeguards:** Maintained in locked cabinets; access limited to Employee Relations Branch personnel.

**Retention and disposal:** Retained for two years and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts,. SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Employee, Complaintants, and Court Judgements.

**Treasury/BEP 00.007**

**System name:** Departmental Integrated Personal Services System (DIPS)—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All employees of the Bureau of Engraving & Printing.

**Categories of records in the system:** The Department Integrated Personal System (DIPS) is an automated data system which contains both personal and financial information relating to an employee during his employment with the Bureau of Engraving & Printing. It includes historical and cumulative data concerning such items as; education, work history, training pay rates, pay adjustments, health benefits, tax information, withholdings, allotments, leave data, time and-attendance, retirement information, salary, residence, veterans preference, status, savings bonds, cost center, social security number or other functional category.

**Authority for maintenance of the system:** Treasury Department memorandum dated January 10, 1975.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by personnel in both Office of Industrial Relations and Office of Financial Management for activities related to; Manpower Planning and Forecasting, Statistical Reporting, Payroll Preparation, Personnel Action Changes, creation of tapes for issuance of pay checks, deductions and other withholdings, earnings statements, preparation of savings bonds, income tax withholding data submitted to applicable states and other similar types of reporting activities. Records may also be used or reviewed by other government agencies such as Civil Service Commission and General Accounting Office in connection with inspections, appeals or for audit purposes. For additional uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Data is stored on tabulating cards, computer tape and magnetic disks.

**Retrievability:** By Name, Date, Employee Number, category of information listed within Category of Record shown above.

**Safeguards:** Raw data files are maintained in locked files in both Office of Industrial Relations & Office of Financial Management. Tape & disk information is accessible only through specific computer programs.

**Retention and disposal:** Retention periods and disposal guidelines for these records have not yet been officially determined.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual Bureau of Engraving & Printing Employees, Official Personnel Files, Payroll & Financial Records.

**Treasury/BEP 00.008**

**System name:** Emergency Contact Records—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Employees of Product Control Division

**Categories of records in the system:** Record contains Name, Address and Designation of person to be contacted in case of emergency.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Product Control Division personnel for notification of designated person in case of emergency. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By Name.

**Safeguards:** Access limited to Quality Control Branch personnel; Kept in metal file cabinets.

**Retention and disposal:** Record maintained during employee's tenure with the Quality Control Branch. Destroyed after employee's separation by shredding.

**System manager(s) and address:** Chief, Office of Industrial Services, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual Product Control Division employees.

**Treasury/BEP 00.009**

**System name:** Employee Arrest Record—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving and Printing employees who have been arrested.

**Categories of records in the system:** Telephone conversation memo for file regarding arrest information supplied by Office of Security.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Employee Relations Branch personnel as background material for possible discipline or adverse action. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By name.

**Safeguards:** Maintained in locked cabinets; access limited to Employee Relations Branch personnel.

**Retention and disposal:** Retained until conviction, acquittal or other disposition and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts. SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Office of Security and police records.

**Treasury/BEP 00.012**

**System name:** Employee Index File—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Supply Branch Employees.

**Categories of records in the system:** Record contains employee name, address, phone number, social security number, cost center number, position, grade, and date of employment.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Supply Branch personnel to notify designated person in case of emergency or when employee is absent. Also used as Office reference file to provide information for other Bureau components upon request. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** 3 x 5 Cards.

**Retrievability:** Indexed by name.

**Safeguards:** Kept on clerical supervisors desk, access limited to Supply Branch personnel.

**Retention and disposal:** Record retained for two years following departure of employee from Branch, then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Administrative Services, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Supply Branch Employees.

**Treasury/BEP 00.013**

**System name:** Employee Locator Record—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All employees of the Bureau of Engraving & Printing.

**Categories of records in the system:** The system provides current information for the Treasury telephone directory. It also provides employee information data which is needed to locate employees in case of emergency.

**Authority for maintenance of the system:** The Department of the Treasury, Office of Administrative Programs, Telecommunications Circular No. 21—June 13, 1974.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Telephone Services Unit to locate employees within the Bureau of Engraving & Printing. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By name of employee.

**Safeguards:** Access limited to Telephone Services Unit personnel; maintained in locked cabinet.

**Retention and disposal:** Record maintained during employees tenure with the Bureau and then destroyed.

**System manager(s) and address:** Chief, Office of Industrial Services, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Bureau of Engraving & Printing Employees.

**Treasury/BEP 00.014**

**System name:** Employee's Daily Production Record—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Craft and noncraft employees (bookbinders, examiners, verifiers, exchangers, note packaging workers, counters and assemblers).

**Categories of records in the system:** Contains Employee Name, Date, Hours, Shift and record of Daily Production.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Examining Division personnel for evaluation of employee's level of productivity. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders and production books.

**Retrievability:** Indexed by Name and Date.

**Safeguards:** Maintained in locked cabinets; access is limited to Examining Division personnel.

**Retention and disposal:** Retained five years and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Securities Processing, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Information furnished by employee at end of shift.

**Treasury/BEP 00.016**

**System name:** Employee Suggestions—Treasury/BEP

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving & Printing employees submitting suggestions under the incentive award program.

**Categories of records in the system:** Contains employee's suggestion, reviewer evaluation and final disposition information.

**Authority for maintenance of the system:** Title 5, U.S.C., 4502 (c).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Employee Relations Branch personnel and other management personnel for system improvements, cost saving ideas, determination of employee awards and other reference purposes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in File Folders.

**Retrievability:** Indexed by Name.

**Safeguards:** Maintained in locked file cabinets; access limited to Employee Relations Branch personnel and employee's Supervisor.

**Retention and disposal:** Retained for three years following date of submission and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual Employee, Employee Supervisor and review committee.

**Treasury/BEP 00.040**

**System name:** Freedom of Information Requests—Treasury/BEP

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW Washington, D.C. 20228.

**Categories of individuals covered by the system:** Individuals requesting information.

**Categories of records in the system:** Correspondence pursuant to the Freedom of Information Act, internal processing documents and memoranda, referrals and copies of requested records.

**Authority for maintenance of the system:** Freedom of Information Act, 5 U.S.C. 552. 31 C.F.R. Part 1.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** For reporting requirements as required by the Act; to respond to other Department officials who request information regarding persons making a FOI request; evaluation purposes and determination of volume of requests received and the impact on the current workload; preparation of budget; disclosures in accordance with Freedom of Information Act, to other agencies when required for coordination of response or referral; to Department of Justice for defending law suits; to Congressional Committees; for additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders.

**Retrievability:** By name of requester(s) and date of request.

**Safeguards:** Filed in filing cabinet and released only to individuals with legitimate right to review.

**Retention and disposal:** In accordance with the provisions of the Act and Departmental records management procedures.

**System manager(s) and address:** Chief, Office of Administrative Services, Bureau of Engraving and Printing; 14th & C Sts. , SW., Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., S.W., Washington, D.C. 20228, Attn: Privacy Law Information.

**Record access procedures:** See Notification above.

**Contesting record procedures:** See Notification above.

**Record source categories:** Individuals who make Freedom of Information Act requests. Federal officials responding to Freedom of Information Act requests and documents from official records.

**Treasury/BEP 00.018**

**System name:** Guard Uniform Control Account—Treasury/BEP

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All uniformed guard force personnel of the Bureau of Engraving and Printing.

**Categories of records in the system:** Record contains the guard's name, badge number, rank, employment anniversary date, current inventory of guard's uniform, history of uniform issuance, activity and current dollar balance of guard's uniform allowance.

**Authority for maintenance of the system:** Federal Uniform Allowance Act, 1954.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Chief, Office of Security and Head, Protective Service Branch to monitor and control guard annual uniform allowance, maintain a current inventory of guard uniforms, plan required stock levels and changes in authorized uniform issues. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** 8 x 10 1/2 Ledger sheets in a notebook.

**Retrievability:** Alphabetical by guard's name.

**Safeguards:** Access limited to Chief, Office of Security, Head, Protective Services Branch, and the Uniform Control Clerk. Maintained in a locked file cabinet.

**Retention and disposal:** This is a new system and no retention period has yet been established.

**System manager(s) and address:** Chief, Office of Security, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Guard Force Personnel of Bureau of Engraving and Printing.

**Treasury/BEP 00.019**

**System name:** Identification Files—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW Washington, D.C. 20228.

**Categories of individuals covered by the system:** Incumbent Employees, Separated Bureau Employees, Visitors to the Bureau, Contractor & Service Company Employees (Incumbent & Separated).

**Categories of records in the system:** Category: Request for Issuance of Badge or Pass, Badge and Pass Photograph, Employee Identification Badge or Pass, Employee Identification Badge and Pass Record Card, Control Record for Issuance of Badges & Passes, Record of Lost Badges, Record of Funds Collected for Issuance of Badges or Passes and receipts for funds released to appropriate authority, Record of Destruction of Badges and Passes, Type of Information: The following information is retained as it applies to each individual issued a Pass and/or Badge in the present system: Name, Date of Birth, Physical Description, Work area assignment, Name of Firm or Government Agency, Requesting Data for Pass/Badge, Signatures of persons receipting for Passes and Badges, Badge and Pass Numbers, Date of Issue, to whom issued and area or firm, Dates and method of destruction, Date, place and circumstance of loss of Pass/Badges.

**Authority for maintenance of the system:** Executive Order 11652 and implementing Treasury and Bureau regulations and 31 U.S.C., Section 427.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Category of Users: Bureau of Engraving and Printing management officials, Bureau of Engraving and Printing security personnel, Federal, State, and local law enforcement or investigative agencies. For additional routine uses see Appendix AA. Purpose of Each Use: Identification of personnel, Determine status of personnel, Limit access of personnel to specified Bureau security areas, Control access to the Bureau.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Ledgers, Cards, File Folders, Loose Leaf Binders, Envelopes.

**Retrievability:** Numerical by Pass/Badge Number, Alphabetically by last name, Appropriate index by subject.

**Safeguards:** Maintained in locked cabinets in a locked room; access limited to Office of Security staff.

**Retention and disposal:** Retention period and disposal instructions have not yet been officially established.

**System manager(s) and address:** Chief, Office of Security, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228, Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** The individual concerned, his supervisor, or an official of the individual's firm or agency.

**Treasury/BEP 00.020**

**System name:** Industrial Truck Licensing Records—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Bureau of Engraving and Printing employees designated to operate self—propelled material and/or machinery handling equipment.

**Categories of records in the system:** Record of employee physical examination, testing, license number and issue date for purpose of operating one or more types of material handling equipment used within the Bureau of Engraving and Printing.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Safety Division staff personnel to validate employee operational authority and determine renewal dates. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Folder and Card file.

**Retrievability:** By Name.

**Safeguards:** Locked file cabinet, access limited to Safety Division staff.

**Retention and disposal:** Retained three years; disposal procedures not yet established.

**System manager(s) and address:** Chief, Office of Industrial Services, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Supervisor request, results of physical examination, and data obtained during training or practical tests.

**Treasury/BEP 00.042**

**System name:** Informal EEO Complaint Processing Records—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Employees who register informal EEO complaints.

**Categories of records in the system:** Contains information and data developed through counseling sessions and appropriate inquiries.

**Authority for maintenance of the system:** U.S. Civil Service Commission Regulations; Section 713 Treasury Regulations.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used to inform complainants of the results of the counselor's inquiries. Also used to provide EEO Complaint Investigator with historical background data on cases which could not be resolved on an informal basis.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By name.

**Safeguards:** Locked in combination lock safe. Access limited to EEO Specialists and Counselors.

**Retention and disposal:** Retained up to ten years and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Industrial Relations Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** Same as above.

**Contesting record procedures:** Same as above.

**Record source categories:** Individual complainants and other employees and supervisors necessary to make an appropriate inquiry.

**Treasury/BEP 00.021**

**System name:** Investigative Files—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Incumbent Employees, Separated Bureau Employees, Employee Applicants, Visi-

tors to the Bureau, Non—Bureau Correspondents, Contractor & Service Company Employees (Incumbent and Separated).

**Categories of records in the system:** Category: Security Files, Personnel Clearance Requests, Case Files, Bank Shortage Letters, Contractor Files, Food Coupon Discrepancy Reports, Intelligence Files, Stamp Discrepancy Reports, Case Record, Crank Letters, Security Files Reference Record, Employee Indebtedness Record, Type of Information: Character references, Guard force reports, Previous employment verifications, Newspaper articles, Social Security Numbers, Laboratory reports to include handwriting results and latent fingerprint examinations, Law enforcement criminal and subversive record checks, Court records, Security registers, Residency information, Reports of shortages or thefts of Bureau products including subsequent investigations, Personnel records of various types, Fingerprint card, Photograph, Names of individuals including those at contractor plants who worked on a shortage involving Bureau products, Credit checks, Background investigation reports conducted by Civil Service Commission, the Internal Revenue Service and other Federal Investigative Agencies, Disciplinary action recommended and/or received, Military record forms and extracted information, List of Bureau employees granted security clearances, Processes served, i.e. summons, subpoenas, warrants, etc., Personnel security case numbers, dates case opened and closed, and recommendations, Certificate of Security clearance, Reports of violations of Bureau regulations and procedures, Bureau visitor control documents, Correspondence relating to individuals, Claims of indebtedness from firms and collection agencies and other sources, and assorted documents, Tape recorded testimony, Type of Information: Bureau investigation reports, Information supplied by law enforcement agencies, Applicant interview record, Anonymous tips concerning Bureau employees, Official investigative statements, Names of those requesting security assistance and report of the assistance rendered, Other pertinent governmental records, Education records and information, Date of Birth and physical description of individual in the files.

**Authority for maintenance of the system:** Executive Order 10450 and implementing Treasury and Bureau regulation and 31 U.S.C. 427.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Category of Users: Office of Security and staff, Bureau of Engraving & Printing management officials, Federal, state, county, and city law enforcement agencies, Investigatory Government agencies, other Governmental agencies requesting information, Contractor plant management officials. Purpose of Each Use: Determine employment suitability from a security point of view, Data for bi—weekly & quarterly reports, Means of identifying employees and employee misconduct and criminal activities and their actions affecting security suitability, Social Security numbers as a means of identification, Recommendations for disciplinary action to include dismissal from the Bureau, Determine employees' acceptability for assignment to security areas/duties from a security standpoint, Grant access to the Bureau, Develop Bureau policies and procedures, Determine patterns of employee behavior regarding misconduct, debts, illegal activities, etc., Develop investigative leads, Compile lists of suspects, Maintain numerical record of cases received during year, Maintain record of visitors to Bureau, Determine prospective firms suitability to conduct business with the Bureau, Evidence in legal cases and other judicial and non—judicial actions, Grant security clearances, Determine non—Bureau employee suitability to work on Bureau premises and/or products. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Folders, 3 x 5 Index Cards, 5 x 8 Index Cards, Loose Leaf Binders, Ledger, Recording Tape.

**Retrievability:** Numerically by case number and year, Alphabetically by name and social security number, Alphabetically by company name.

**Safeguards:** Access is limited to Office of Security staff and maintained in locked file cabinets.

**Retention and disposal:** Retention period and disposal instructions have not yet been officially established.

**System manager(s) and address:** Chief, Office of Security, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Proposed exempt system.

**Record access procedures:** Proposed exempt system.

**Contesting record procedures:** Proposed exempt system.

**Record source categories:** Proposed exempt system.

**Systems exempted from certain provisions of the act:** System exempted from certain provisions of the Act. Notice of proposed exemption from 5 U.S.C. 552a (j) and/or (k) elsewhere in the Federal Register.

**Treasury/BEP 00.022**

**System name:** Monthly Equal Employment Opportunity Activity Report—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Minority and female employees receiving significant appointments and promotions.

**Categories of records in the system:** Name and Position of Promotion or Appointment.

**Authority for maintenance of the system:** Affirmative Action Plan for Fiscal Year 1975.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Bureau Equal Employment Opportunity Staff to inform the Director, Office of Equal Employment Opportunity Program, Department of the Treasury, of the monthly progress of minority and female employees. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** Cross referenced by month and employee's name.

**Safeguards:** Access is limited to Bureau Equal Employment Opportunity Staff and is maintained in locked combination safe.

**Retention and disposal:** Retained 5 years and then destroyed by incineration.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Personnel Action Records maintained by Supervisor.

**Treasury/BEP 00.023**

**System name:** Motor Vehicle Licensing Records—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Bureau of Engraving and Printing employees designated to operate passenger vehicles, trucks, and/or vans for Bureau business.

**Categories of records in the system:** Record of employee physical examination, testing, license number and issue date for purpose of operating passenger and/or truck vehicles.

**Authority for maintenance of the system:** United States Civil Service Commission Regulations 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Safety Division and/or Security Staff, District of Columbia or State Enforcement Authorities to validate employee operational authority. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folder and card file.

**Retrievability:** By name.

**Safeguards:** Kept in locked file cabinets; access limited to Safety Division staff.

**Retention and disposal:** Retained three years; disposal procedures not yet established.

**System manager(s) and address:** Chief, Office of Industrial Services, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Supervisor request, results of physical examination, and data obtained during training or practical tests.

**Treasury/BEP 00.043**

**System name:** Parking Program Records—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Bureau, Non-Bureau personnel.

**Categories of records in the system:** Parking space applicant information—shows applicant's name and address, vehicle model and year, vehicle license number, work hours, work component, home and work telephone number.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used to provide information on all parking permit applicants.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** 5 x 8 card file and lettersize file folders.

**Retrievability:** Alphabetically by applicant and parking space number.

**Safeguards:** Access is limited to Office of Security staff and maintained in locked office.

**Retention and disposal:** Retention period and disposal instructions have not been officially established.

**System manager(s) and address:** Chief, Office of Security, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** Same as above.

**Contesting record procedures:** Same as above.

**Record source categories:** Parking permit applicants.

**Treasury/BEP 00.024**

**System name:** Payroll Records—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving and Printing Employees (Active).

**Categories of records in the system:** Current Pay and Cumulative Pay—Record consists of all payroll transactions affecting the employee's pay checks, e.g., withholdings, allotments, net check, cumulative year—to—date total.

**Authority for maintenance of the system:** Federal Personnel Manual and various Federal, State and Local regulatory agencies 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by payroll personnel to create the pay tape for the disbursing officer for routine payroll. Also used to produce the bi-weekly, quarterly and annual employee earnings statement which enables the employee to verify his or her record. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Punch Card.

**Retrievability:** By Social Security Number.

**Safeguards:** Records are maintained in locked files in locked area. Access limited to Payroll personnel.

**Retention and disposal:** Retention period and disposal instructions have not yet been officially established.

**System manager(s) and address:** Chief, Office of Financial Management, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Employee time and attendance records, allotment authorizations, withholding statements or related financial information.

**Treasury/BEP 00.025**

**System name:** Payroll Statistical Data—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving and Printing Employees.

**Categories of records in the system:** Payroll History—Record consists of all required payroll information including leave data, time and attendance history, allotment information, retirement information, and required pay status information.

**Authority for maintenance of the system:** Federal Personnel Manual and various regulatory bodies. 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by payroll personnel for routine payroll reporting to Bureau financial and personnel record—keeping personnel; tax reporting at Federal, state and local levels, and required reports to Department of Treasury, Civil Service Commission and other Government agencies (as required by Federal directives). For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Punch Card.

**Retrievability:** Social Security Number.

**Safeguards:** Maintained in locked files in locked area. Access limited to Payroll Personnel.

**Retention and disposal:** Retention period and disposal instructions have not yet been officially established.

**System manager(s) and address:** Chief, Office of Financial Management, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Employee time and attendance records, payroll records, and related financial information.

**Treasury/BEP 00.044**

**System name:** Personnel Security Files and Indices—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Employee applicants, current and former Bureau employees, contractor and service company employees.

**Categories of records in the system:** Investigative information related to personnel investigations conducted by the Bureau of Engraving and Printing Security office and other Federal Agencies.

**Authority for maintenance of the system:** Executive Order 10450.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records are used for the purpose of granting security clearances and making employment suitability determinations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Folders/3 x 5" Index cards.

**Retrievability:** Alphabetically by name.

**Safeguards:** Access is limited to Office of Security staff and records are maintained in locked file cabinets.

**Retention and disposal:** Retention periods and disposal instructions have not yet been officially established.

**System manager(s) and address:** Chief, Office of Security, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** Same as above.

**Contesting record procedures:** Same as above.

**Record source categories:** Individual employee and information supplied by other Federal Investigative Agencies.

**Treasury/BEP 00.027**

**System name:** Personnel Movement Control Record—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Bureau of Engraving & Printing Employees, Official Visitors to the Bureau, Contractor & Service Company Employees.

**Categories of records in the system:** Record contains Name, Office, Division, Branch, Unit, Badge Number, Picture, Work Shift Code, Work Area Code, Personnel Category, Time & Location of each passage through a Security Control point.

**Authority for maintenance of the system:** Executive Order 11652 and implementing Treasury and Bureau regulations and 31 U.S.C. 427.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by management and security employees for identification of personnel and for limiting access to and movement within controlled Bureau security areas. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Ledgers, cards, file folders, loose leaf binders, envelopes.

**Retrievability:** Numerical by Pass/Badge Number, Alphabetically by last name, Appropriate index by subject.

**Safeguards:** Maintained in locked cabinets in a locked room; access limited to Office of Security staff.

**Retention and disposal:** Retention period and disposal instructions have not yet been officially established.

**System manager(s) and address:** Chief, Office of Security, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** The individual concerned, his supervisor, or an official of the individual's firm or agency.

**Treasury/BEP 00.028**

**System name:** Personnel Progress & Achievement Record—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Management Analysts and Clerical Personnel within Management Analysis Branch.

**Categories of records in the system:** This record contains a history of an employee's work assignments and information relative to performance as well as information on training schools attended or other pertinent information.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by supervisor of Management Analysis Branch to evaluate work performance of Branch employees for promotion, training and reference material for future assignments. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** Filed alphabetically by employee's name.

**Safeguards:** Access is limited to Branch Head and kept in locked desk drawer.

**Retention and disposal:** Maintained for the duration of employee's assignment within the Branch. Upon termination, they are either given to the employee or destroyed.

**System manager(s) and address:** Chief, Office of Administrative Services, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Management Analysis Branch employees or Supervisor knowledge of employee.

**Treasury/BEP 00.029**

**System name:** Petition of Election—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Listing of employees eligible for inclusion within the Union bargaining for recognition.

**Categories of records in the system:** Alphabetical listing of eligible employees to include position title & occupational codes.

**Authority for maintenance of the system:** Executive Order 11491, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information compiled & furnished to United States Dept. of Labor, Labor—Mgmt Services Admin. in order to supervise the election; to the Dept. of Treasury to fulfill reporting requirement in Treasury Personnel Manual 711, and to the petitioning Union to verify eligibility of voters at the poll. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By Union Title.

**Safeguards:** Maintained in a locked cabinet; access limited to Labor—Mgmt. Relations staff & designated Union Representatives as required.

**Retention and disposal:** Retained indefinitely for reference & historical purposes.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Position Description file & Personnel Manpower file.

**Treasury/BEP 00.030**

**System name:** Project REST (Reporting Employment Statistics in Treasury), Minority Statistics—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving & Printing Employees.

**Categories of records in the system:** Record contains employee name, Social Security Number, Minority Group Identification, Sex, Occupational Series, Grade, Pay Plan, and Date of Birth.

**Authority for maintenance of the system:** Assistant Secretary for Administration, Department of the Treasury, Administrative Circular No. 232 (October 5, 1972).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Equal Employment Opportunity staff to provide Minority Group Statistical Data for evaluating the Bureau Equal Employment Opportunity responsibilities. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** On computer print—out.

**Retrievability:** By Name, Sex and Minority Group Identifier.

**Safeguards:** Access limited to Bureau Equal Employment Opportunity staff; maintained in locked combination safe.

**Retention and disposal:** Retained for three years and then destroyed by incineration.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual Employee, Equal Employment Opportunity Counselors, Equal Employment Opportunity Investigators.

**Treasury/BEP 00.041**

**System name:** Record of Discrimination Complaints—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Employees who have initiated discrimination complaints.

**Categories of records in the system:** Data developed as a result of inquiry by the person making the allegation of discrimination.

**Authority for maintenance of the system:** U.S. Civil Service Commission (Federal Personnel Manual Letter, No. 713—21).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Equal Employment Opportunity Complaint Investigators and Hearing Officers to provide reference data for making rulings on discrimination cases. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By Name.

**Safeguards:** Access limited to Complainants, Equal Employment Opportunity Staff, Equal Employment Opportunity Investigator; maintained in locked combination safe.

**Retention and disposal:** Maintained for 10 years and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual employees who have discrimination complaints.

**Treasury/BEP 00.031**

**System name:** Reemployment Information Record—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Former Bureau of Engraving & Printing employees.

**Categories of records in the system:** Information relative to reemployment rights and reemployment recommendations.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by personnel staff for re—hiring determinations and statistical studies and reports. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** Indexed by name and year.

**Safeguards:** Maintained in locked file cabinet, access limited to Personnel staff.

**Retention and disposal:** Maintained for a period of 10 years after termination and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Information obtained from supervisor as employees separate.

**Treasury/BEP 00.032**

**System name:** Retention Register—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving and Printing Employees (Active).

**Categories of records in the system:** Information on retention rights of employees.

**Authority for maintenance of the system:** Federal Personnel Manual Chapter 351.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** In cases of reduction in force, used primarily by personnel staff to determine retention rights and also by the Civil Service Commission on inspections and for resolving appeals. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on punch cards.

**Retrievability:** Indexed by name, retention subgroup, and competitive level.

**Safeguards:** Access limited to Manpower Information and Records Section, Staffing Classification and Supervisory Personnel. Maintained in locked file cabinets.

**Retention and disposal:** Registers are maintained until a new register replaces it. The old register is then destroyed.

**System manager(s) and address:** Chief, Office of Industiral Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Data is obtained from the Official Personnel Folder.

**Treasury/BEP 00.033**

**System name:** Roster of Bureau of Engraving & Printing Employees—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving & Printing Employees.

**Categories of records in the system:** Roster of employees employed at the Bureau of Engraving & Printing (Active).

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Office of Industrial Relations personnel, auditors and Bureau managers for statistical reports, locator system and manpower forecasting. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Stored on flexoline cards.

**Retrievability:** By name of employee.

**Safeguards:** Access limited to Office of Industrial Relations personnel, locked in standard card file.

**Retention and disposal:** Maintained indefinitely and changed as personnel are hired or separated.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Information obtained from appointment papers and separation papers.

**Treasury/BEP 00.034**

**System name:** Time & Attendance Record—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving & Printing Employees.

**Categories of records in the system:** Record contains time & attendance information.

**Authority for maintenance of the system:** Federal Personnel Manual and 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Payroll Section to compute employee payroll records and used by Supervisor & time—keeping personnel to record time & attendance information. For additional uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in tabulating card files.

**Retrievability:** By name.

**Safeguards:** Locked in Supervisor's Office; access limited to employees, Supervisor & clerical personnel in Payroll Section.

**Retention and disposal:** Retained for three years and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Financial Management, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual Employee and Supervisor.

**Treasury/BEP 00.035**

**System name:** Tort Claims (Against the United States)—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Individuals and/or organizations making claim for money damage against the United States for injury to or loss of property or personal injury or death caused by the neglect or wrongful act or omission of a Bureau of Engraving & Printing employee while acting within the scope of his office or employment.

**Categories of records in the system:** Contains investigative and adjudication documents relative to personal injury and/or property damage claims.

**Authority for maintenance of the system:** Federal Tort Claims Act, Title 28 U.S.C. 2672, Public Law 89—506, Treasury Department Circular 131.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Director, Bureau of Engraving and Printing and/or his designee in conjunction with the General Counsel, Department of the Treasury for adjudication and settlement of claims. For additional uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folder.

**Retrievability:** By name.

**Safeguards:** Locked file cabinet; access limited to Safety Division staff.

**Retention and disposal:** Retained three years; disposal procedures not yet established.

**System manager(s) and address:** Chief, Office of Industrial Services, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual or organization's claim and/or investigative reports.

**Treasury/BEP 00.036**

**System name:** Union Dues Allotments—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Employees who authorize or revoke Union dues allotments.

**Categories of records in the system:** An authorization for or revocation of voluntary union dues allotments.

**Authority for maintenance of the system:** Executive Order 11491, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Payroll Office employees to effect allotments of Union dues in accordance with voluntary determination of employee member. For additional uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** Indexed by name of employee.

**Safeguards:** Maintained in locked file cabinet; access limited to personnel in the Records & Payroll Sections.

**Retention and disposal:** Record maintained for length of time necessary to perform payroll activities, disposed when superseded by new card or on transfer or separation of employee whichever is earlier. Destroyed by shredding.

**System manager(s) and address:** Chief, Office of Financial Management, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Authorization or revocation statement originated by employee.

**Treasury/BEP 00.037**

**System name:** Union Index—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** Name & Title of designated Union officials to include the President, Vice President, Secretary, Treasurer, & Stewards.

**Categories of records in the system:** Listing of recognized Union officials by title, bargaining unit, and jurisdiction.

**Authority for maintenance of the system:** Executive Order 11491, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by management personnel for the purpose of normal conduct of established Labor-Mgmt. Relations business. Copies provided to the Treasury Dept., U.S. Dept. of Labor and the Civil Service Commission as required by Treasury Personnel Manual. For additional uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By Union Title.

**Safeguards:** Maintained in locked file; access limited to Labor—Mgmt Relations staff & Mgmt. officials as required.

**Retention and disposal:** Retained for duration of recognition of the Union and then destroyed by shredding.

**System manager(s) and address:** Chief, Office of Industrial Relations, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Provided by recognized unions.

**Treasury/BEP 00.038**

**System name:** Unscheduled Absence Record—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All Bureau of Engraving & Printing employees who have had unscheduled absences.

**Categories of records in the system:** Record contains chronological documentation of unscheduled absences.

**Authority for maintenance of the system:** Federal Personnel Manual.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by an employee's supervisor to record the number of times an employee has an unscheduled absence. This information is used by Employee Relations Branch for statistical reports depicting frequency rate for all Bureau employees. It can also be used as a basis for counseling an employee concerning overall job performance. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** By name.

**Safeguards:** Kept in locked file cabinets; access to these records is restricted to Supervisor and authorized timekeeping personnel.

**Retention and disposal:** These records are maintained during an employee's tenure with the Bureau and are destroyed three years after termination by shredding.

**System manager(s) and address:** Chief, Office of Industrial Relation, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Individual employee time & attendance record and employee's supervisor.

**Treasury/BEP 00.039**

**System name:** Work Performance Records—Treasury/BEP.

**System location:** Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Categories of individuals covered by the system:** All employees and former employees of the Office of Audit.

**Categories of records in the system:** Detailed information supporting work performance records and reports, such as performance, evaluation, training, audit assignments, audit progress reports, audit working papers and audit files.

**Authority for maintenance of the system:** Public Law 656, 81st Congress, Bureau of Engraving & Printing Publication No. 7, dated July 17, 1973.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by Chief, Office of Audit for work performance, administrative, management, and audit purposes to evaluate promotion, training, and reference material for future assignments. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Maintained in file folders.

**Retrievability:** Cross referenced by name and audit number or title.

**Safeguards:** Area is locked after hours. In addition, there are specified locked controls in the area, depending on the importance for administrative purpose. Access limited to Audit personnel.

**Retention and disposal:** Retained six years three months; Destroyed by shredding.

**System manager(s) and address:** Chief, Office of Audit, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228.

**Notification procedure:** Superintendent, Management Services Division, Bureau of Engraving and Printing; 14th & C Sts., SW, Washington, D.C. 20228. Attn: Privacy Law Information.

**Record access procedures:** See notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Developed internally from within the Office of Audit or other Offices in the Bureau of Engraving and Printing or by referral documents.

**Treasury/Mint 00.002**

**System name:** Applicants for selection for the current Annual Assay Commission, and members of former Commissions.—Treasury/Mint.

**System location:** Bureau of the Mints, Office of the Director, Warner Building, 501 13th St., N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Members of public seeking appointment by President to Assay Commission and their sponsors or endorsers, and members of former Commissions.

**Categories of records in the system:** Biographies of candidates and correspondence with applicants, sponsors and endorsers.

**Authority for maintenance of the system:** 31 U.S.C. 363.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Used to screen applicants for Presidential selection and to determine whether applicants had previously served on Assay Commission. (b) Used by appropriate agency officials and other Federal officials responsible for processing selection. (c) Used to select a committee to test the nation's coinage. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents.

**Retrievability:** By name.

**Safeguards:** Accessible only to appropriate agency and other Federal officials. Secured Files.

**Retention and disposal:** Retained permanently.

**System manager(s) and address:** Assistant to the Director (Public Affairs), Warner Building, Room 1037, 501 13th Street, N.W., Washington, D.C. 20220.

**Notification procedure:** Same as listed under System Manager. Individuals are required to furnish name.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** See access above.

**Record source categories:** Information submitted voluntarily by general public and Congressional or other endorsers and sponsors.

**Treasury/Mint 00.003**

**System name:** Cash Receivable Accounting Information System—Treasury/Mint.

**System location:** Washington, DC, Bureau of the Mint, Warner Building, 501 13th Street, N.W. Philadelphia, PA, United States Mint, Independence Mall. Denver, CO, United States Mint, 320 West Colfax Avenue. San Francisco, CA, United States Assay Office, 155 Hermann Street. New York, NY, United States Assay Office, 32 Old Slip Street. Fort Knox, KY, United States Bullion Depository. San Francisco, CA, United States Old Mint, 88 Fifth Street.

**Categories of individuals covered by the system:** Employees and former employees of the Bureau of the Mint and the general public who have: (a) Served on jury duty when employed by the Bureau of the Mint. (b) Paid for lost government property belonging to the Mint. (c) Purchased numismatic items from Mint sales outlets.

**Categories of records in the system:** (1) Cash received from Mint employees who have served on jury duty or received witness fees. (2) Cash received from Mint employees and general public for lost government property, assay sample work and cash sales of over-the-counter numismatic items.

**Authority for maintenance of the system:** 5 USC 5537 (Fees for jury service); 31 USC 369 (Sale of numismatic items).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (A) Use: to record cash payment made to the Mint by employees, former employees and

general public for services, lost government property and jury and witness fees. (B) Categories of Users: accounting office, managers and supervisors and government officials. (C) Purpose of Use—to account for cash receivables. (D) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Documents.

**Retrievability:** Name or number substitute.

**Safeguards:** Storage in filing cabinets with access by authorized accounting personnel.

**Retention and disposal:** General records control schedule, GAO rules and regulations, Bureau of the Mint Records Control Schedule, Destroyed in accordance with General Services Administration regulations.

**System manager(s) and address:** Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220, Financial Manager; Philadelphia, PA 19106, United States Mint, Independence Mall, Budget and Accounting Officer; Denver, CO 80204, United States Mint, 320 West Colfax Avenue, Budget and Accounting Officer; San Francisco, CA 94102, United States Assay Office, 155 Hermann Street, Budget and Accounting Officer; New York, NY 10005, United States Assay Office, 32 Old Slip Street, Budget and Accounting Officer; Fort Knox, KY 40121, United States Bullion Depository, Officer in Charge; San Francisco, CA 94103, United States Old Mint, 88 Fifth Street, Budget and Accounting Officer.

**Notification procedure:** Same as included in System Manager. An employee or former employee is required to show an identification such as: (A) Employee identification, (B) Driver's license, (C) Other means of identification including social security number and date of birth.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** See access above.

**Record source categories:** Bureau employees and appropriate agency officials.

### Treasury/Mint 00.004

**System name:** Confidential Statements of Financial Interest—Treasury/Mint.

**System location:** Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Employees, special employees, consultants, and advisers of the Bureau of the Mint who are required to file statements of financial interest.

**Categories of records in the system:** Statements of Employment and Financial Interests.

**Authority for maintenance of the system:** 18 U.S.C. 207, 208; 5 CFR 735.406 and 31 CFR 0.735-70 through 0.735-235.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Used to record, document, and maintain required financial interest statements submitted by Bureau employees under Treasury Department regulations.To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate Federal agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (b) Categories of users agency officials who have a need for the record in the performance of their duties and other Federal officials charged with law enforcement responsibilities. (c) Purpose to maintain current financial interest statements to avoid conflicts of interest. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents.

**Retrievability:** By name.

**Safeguards:** Files are kept in a locked metal file cabinet in an area accessible to authorized agency officials.

**Retention and disposal:** Records are maintained as long as the employee is with the Bureau.

**System manager(s) and address:** Personnel Officer, Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220.

**Notification procedure:** Same address and individual listed under System Manager. The employee may be required to show an identification such as: employee identification, driver's license; or other means of identification which will clearly identify an individual.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** See access above.

**Record source categories:** Submitted by individual.

### Treasury/Mint 00.005

**System name:** Current Employee Security Identification Record—Treasury/Mint.

**System location:** Philadelphia, Pennsylvania, United States Mint, Independence Mall. Denver, Colorado, United States Mint, 320 West Colfax Avenue. San Francisco, California, United States Assay Office, 155 Hermann Street. New York, New York, United States Assay Office, 32 Old Slip Street. West Point, New York, United States Bullion, Depository. Fort Knox, Kentucky, United States Bullion, Depository. San Francisco, California, United States Old Mint, 88 Fifth Street.

**Categories of individuals covered by the system:** Current Bureau of the Mint employees.

**Categories of records in the system:** Security information system used to verify proper admittance to restricted areas within the Mint facilities detailed under "LOCATION". The card record (Mint Form 8925) names the employee; provides date and place of birth; descriptive data on height, weight, hair and eyes; office and division in which employed; along with photograph and signature of the employee. The record also indicates approval by facility management for the issuance of personal identification to the employee, which is subsequently carried by the employee.

**Authority for maintenance of the system:** 40 U.S.C. 318—318c. Treasury Department Order No. 177-25, dated August 8, 1973.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Use: security access control. (b) Categories of Users: security Force Officers. (c) Purpose of Use: protection of persons and property. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Record is 5 inches x 8 inches card filed in Kardex Binder or circular-type index system.

**Retrievability:** Alphabetical by name.

**Safeguards:** Maintained in secure area by Security Force Officers.

**Retention and disposal:** Records are retained until separation of the employee and are destroyed upon termination in accordance with General Services Administration rules and regulations.

**System manager(s) and address:** Treasury Department, Bureau of the Mint, Warner Building, 501 13th St., N.W., Washington, D.C. 20220, Chief of Security (Coordinator); United States Mint, Independence Mall, Philadelphia, Pa. 19106, Security Officer (Facility Manager); United States Mint, 320 West Colfax Avenue, Denver, Colorado 80204, Security Officer (Facility Manager); United States Assay Office, 155 Hermann Street, San Francisco, Ca. 94102, Security Officer (Facility Manager); United States Assay Office, 32 Old Slip Street, New York, N.Y. 10005, Security Officer (Facility Manager); United States Bullion, Depository, West Point, New York 10996, Security Officer; NYAO (Facility Manager); United States Bullion Depository, Fort Knox, Kentucky 40121, Security Force Captain (Facility Manager); United States Old Mint, 88 Fifth Street, San Francisco, Ca. 94103, Security Force Captain (Facility Manager).

**Notification procedure:** Same as shown under System Manager. An employee is free to examine his card record upon request, after properly identifying himself as the employee of record. The following would be used to prove identity: (a) Employee identification; (b) Driver's license; (c) Other acceptable personal documents.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief of Security, Bureau of the Mint, Room 1037, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220.

**Contesting record procedures:** See access above.

**Record source categories:** Personal information provided by employee himself and identification approval by management staff.

**Treasury/Mint 00.006**

**System name:** Employee and Former Employee Travel and Training Accounting Information System—Treasury/Mint.

**System location:** Washington, DC, Bureau of the Mint, Warner Building, 501 13th Street, N.W. Philadelphia, PA, United States Mint, Independence Mall. Denver, CO, United States Mint, 320 West Colfax Avenue. San Francisco, CA, United States Assay Office, 155 Hermann Street. New York, NY, United States Assay Office, 32 Old Slip Street. Fort Knox, KY, United States Bullion Depository. San Francisco, CA, United States Old Mint, 88 Fifth Street.

**Categories of individuals covered by the system:** Employees and former employees of the Bureau of the Mint who have engaged in travel and training.

**Categories of records in the system:** (1) SF 1166 Voucher and Schedule of Payments with supporting documents such as: (A) SF 1012 Travel Voucher, (B) SF 1038 Application and Account for Advance of Funds, (2) Travel Authorities, (3) Government Travel Request SF 1169, (4) Request, Authorization, Agreement and Certification of Training.

**Authority for maintenance of the system:** 5 U.S.C. Chapter 41 (Training) and Chapter 57 (Travel).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (A) Use: To record travel and training information on all Mint employees and former employees for the purpose of making disbursements. (B) Categories of Users: Accounting office, managers and supervisors and government officials. (C) Purpose of Use: To administer the travel program of the Bureau in accordance with the regulations. Also, to assist the Personnel Division in administering the training program. (D) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Documents.

**Retrievability:** Name or number substitute.

**Safeguards:** Storage in filing cabinets with access by authorized accounting personnel.

**Retention and disposal:** General Records Control Schedule, GAO rules and regulations, Bureau of the Mint Records Control Schedule, Destroyed in accordance with General Services, Administration regulations.

**System manager(s) and address:** Bureau of the Mint, Warner Buildings, 501 13th Street, N.W., Washington, DC 20220, Financial Manager; Philadelphia, PA 19106, United States Mint, Independence Mall, Budget and Accounting Officer; Denver, CO 80204, United States Mint, 320 West Colfax Avenue, Budget and Accounting Officer; San Francisco, CA 94102, United States Assay Office, 155 Hermann Street, Budget and Accounting Officer; New York, NY 10005, United States Assay Office, 32 Old Slip Street, Budget and Accounting Officer; Fort Knox, KY 40121, United States Bullion Depository, Officer in Charge; San Francisco, CA 94103, United States Old Mint, 88 Fifth Street, Budget and Accounting Officer.

**Notification procedure:** Same as included in System Manager. An employee or former employee is required to show an identification such as: (A) Employee identification, (B) Drivers' license, (C) Other names of identification including social security number and date of birth.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems, and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** See access above.

**Record source categories:** Bureau employees and appropriate agency officials.

**Treasury/Mint 00.007**

**System name:** Employee, Former Employee and Visitors, Occupational Safety and Health, Accident and Injuries Records; and Claims for Injuries or Damage Compensation Records—Treasury/Mint.

**System location:** Location and Category of Records Maintained: Washington, D.C., Bureau of the Mint, Warner Building, 501 13th St. N.W., Accident/Injury/Illness Records, Vehicle Accident, and Claims Against the Government; Philadelphia, Pennsylvania, United States Mint, Independence Mall, Accident/Injury/Illness Records, Health Records, Motor Vehicle Accident Data, Claims Against the Government, Safety Equipment Logs, and Operators Training/Licensing; Denver, Colorado, United States Mint, 320 West Colfax Avenue, Accident/Injury/Illness Records, Health Records, Motor Vehicle Accident Data, Claims Against the Government, Safety Equipment Logs, and Operators Licensing; San Francisco, California, United States Assay Office, 155 Hermann Steet, Accident/Injury/Illness Records, Health Records, Motor Vehicle Accident Data, Claims Against the Government, Safety Equipment Logs, and Operators Training/Licensing; New York, New York, United States Assay Office, 32 Old Slip Street, Accident/Injury/Illness Records, Health Records, Motor Vehicle Accident Data, Claims Against the Government, and Safety Equipment Logs; West Point, New York, United States Bullion Depository, Accident/Injury/Illness Records, and Motor Vehicle Accident Data; Fort Knox, Kentucky, United States Bullion Depository, Accident/Injury/Illness Records, Motor Vehicle Accident Data, and Claims Against the Government; San Francisco, California, United States Old Mint, 88 Fifth Street, Accident/Injury/Illness Records, Motor Vehicle Accident Data, Claims Against the Government, Safety Equipment Issuance, and Operators Licensing.

**Categories of individuals covered by the system:** Bureau of the Mint employees, former employees and visitors to Mint offices and facilities, reporting accidents and injuries occurring on Federal Government property or in areas immediately adjacent to Government property, for which potential liability exists due to local laws.

**Categories of records in the system:** (See Location).

**Authority for maintenance of the system:** 29 U.S.C. 668; E.O. 11807, 28 U.S.C. 2680 et seq.; 31 CFR Part 3, 31 U.S.C. 240-243; 31 CFR Part 4.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Information in these records is used for the following purposes: (a) Accident prevention, reduction and compilation of statistics. (b) Accident investigations. (c) Determination of Government liability under Federal Tort Claims Act. (d) Determination of Government liability under Military Personnel and Civilian Employees' Claims Act. (e) Determination of employee compensation benefits under Federal Employees' Compensation Act. (f) Health and medical treatment and care to employees and assuring industrial hygiene improvements. (g) Determining accountability for safety equipment. (2) Information in these records may be provided to appropriate agency officials and officials of the following other Federal agencies responsible for the administration of relevant programs or the evaluation, adjudication, litigation and settlement of claims by or against the Government: (a) Department of Labor, (b) Department of Justice, (c) General Accounting Office, (d) Civil Service Commission, (e) Social Security Administration, (3) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents.

**Retrievability:** by name.

**Safeguards:** Locked containers in Safety Health Office available to authorized personnel only.

**Retention and disposal:** Records are retained in accordance with General Records Control Schedules, and Bureau of the Mint Records Control Schedules; and are destroyed in accordance with General Services Administration rules and regulations.

**System manager(s) and address:** Treasury Department, Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220, Safety Officer; United States Mint, Independence Mall, Philadelphia, PA 19106, Safety Manager; United States Mint, 320 West Colfax Avenue, Denver, Colorado 80204, Safety Manager; United States Assay Office, 155 Hermann Street, San Francisco, California 94102, Safety Manager; United States Assay Office, 32 Old Slip Street, New York, New York 10005, Safety

Manager; United States Bullion Depository, West Point, New York 10996, Safety Manager; United States Bullion Depository, Fort Knox, Kentucky 40121, Safety Manager; United States Old Mint, 88 Fifth Street, San Francisco, California 94103, Safety Manager.

**Notification procedure:** Same as included in System Manager. An employee or former employee is required to show an identification such as: (A) Employee identification, (B) Driver's license, (C) Other means of identification including social security number and date of birth.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** See access above.

**Record source categories:** Employees, supervisors, medical staff, general public, and visitors to the facilities of the Bureau of the Mint.

**Treasury/Mint 00.008**

**System name:** Employee Payroll, Personnel and Time and Attendance History Automated Recording System; Departmental Integrated Personal services System (DIPS).—Treasury/Mint.

**System location:** Washington, D.C., Bureau of the Mint, Warner Building, 501 13th Street, N.W. Philadelphia, Pennsylvania, United States Mint, Independence Mall. Denver, Colorado, United States Mint, 320 West Colfax Avenue. San Francisco, California, United States Assay Office, 155 Hermann Street. New York, New York, United States Assay Office, 32 Old Slip Street. San Francisco, California, United States Old Mint, 88 Fifth Street.

**Categories of individuals covered by the system:** Employees and former employees of the Bureau of the Mint.

**Categories of records in the system:** Name; address; social security number; employment history; earnings record; personnel activity (actions); leave and attendance; labor cost distribution.

**Authority for maintenance of the system:** Payroll: Section 113 of the Budget and Accounting Procedures Act of 1950, as amended, 31 U.S.C. 66a. Personnel: 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Information derived from these records may be used for the following purposes: (a) The preparation and distribution of bi—weekly pay checks, allotments, payroll savings bonds, and the preparation of supporting documents of the above; (b) The preparation of labor distribution reports for reconciliation to cost accounts; (c) The preparation of personnel action forms, reports of personnel actions and status; (d) The compilation of statistical data relating to payroll, personnel and labor distribution. (2) Information in these records may be provided to appropriate agency officials and officials of the following other Federal agencies responsible for the administration of relevant programs: Department of Labor; Department of Justice; Civil Service Commission; Social Security Administration. (3) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** On magnetic tape, disk, punch cards, and paper records.

**Retrievability:** Name, social security number, employee number.

**Safeguards:** Master records are kept on magnetic tape/disk which is under program control; other records are maintained in limited access areas available to authorized personnel and are under further security as appropriate.

**Retention and disposal:** General Records and Control Schedule, GAO rules and regulations, Bureau of the Mint Records Control Schedule. Records kept on magnetic tape/disk are automatically deleted under program control. Other records are destroyed in accordance with GSA regulations.

**System manager(s) and address:** Treasury Department, Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220, DIPS Coordinator; United States Mint, Independence Mall, Philadelphia, PA 19106, DIPS Coordinator; United States Mint, 320 West Colfax Avenue, Denver, Colorado 80204, DIPS Coordinator; United States Assay Office, 155 Hermann Street, San Francisco, California 94102, DIPS Coordinator; United States Assay Office, 32 Old Slip Street, New York, New York 10005, DIPS Coordinator; United States Old Mint, 88 Fifth Street, San Francisco, CA 94103, DIPS Control Group, DIPS Coordinator.

**Notification procedure:** Same as System Manager. An employee or former employee is required to show an identification such as: (A) Employee identification; (B) Driver's license; (C) Other means of identification including social security number and date of birth.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** Contest: See Access.

**Record source categories:** Department of Interior DIPS Group; Employees; Budget & Finance Divisions; Payroll Divisions; Management & Organization Divisions; Personnel Divisions; Computer Generated; Field Office Cost Accountants; Security Officers; Time Keepers; Payroll and Personnel Technicians; Time & Leave Branch—Field Offices.

**Treasury/Mint 00.009**

**System name:** Employee- Supervisor Performance, Evaluation, Counseling and Time and Attendance Records—Treasury/Mint.

**System location:** San Francisco Old Mint, 88 Fifth Street, San Francisco, California. San Francisco Assay Office, 155 Hermann Street, San Francisco, California. Denver Mint, 320 West Colfax Avenue, Denver, Colorado. Washington, D.C., Bureau of the Mint, Warner Building, 501—13th Street, N.W. Philadelphia Mint, Independence Mall, Philadelphia, Pa. New York, N.Y., United States Assay Office, 32 Old Slip Street. Fort Knox, Kentucky, United States Bullion Depository. West Point, N.Y., United States Bullion Depository.

**Categories of individuals covered by the system:** Bureau of the Mint employees and former employees.

**Categories of records in the system:** Information necessary for managers and supervisors to effectively carry out supervisory responsibilities. Included are such records as: copies of personnel actions, performance appraisal including production and control, disciplinary actions, overtime reports, tardiness reports, work assignments, training reports, applications for employment, home addresses, leave reports, employee awards. (Supervisors maintain varying combinations of the above records. Some supervisors may maintain all or none of the above records depending upon the nature and size of the operation or organization and the number of individuals supervised.)

**Authority for maintenance of the system:** 5 U.S.C. 301 and FPM Supplement 990—1, Section 3.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Use—Employee performance, evaluation, counseling and operational control. Categories of Users—Managers and supervisors throughout the Mint. Purpose of Use—To effectively carry out their personnel management responsibilities. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents maintained in folders.

**Retrievability:** By name.

**Safeguards:** Stored in file cabinets and desks of supervisors.

**Retention and disposal:** Retained as long as employee is under their supervision.

**System manager(s) and address:** Bureau of the Mint, Warner Building, 501 13th Street, N.W. 20220, Assistant Directors; United States Mint, Independence Mall, Philadelphia, Pa. 19106, Superintendent; United States Mint, 320 West Colfax Avenue, Denver, CO. 80204, Superintendent; United States Assay Office, 155 Hermann Street, San Francisco, CA. 94102, Officer-in-Charge; United States Assay Office, 32 Old Slip Street, New York, N.Y. 10005, Officer-in-Charge; United States Bullion Depository, Fort Knox, Kentucky 40121, Officer-in-Charge; United States Old Mint, 88 Fifth Street, San Francisco, CA. 94103, Officer-in-Charge; United States Bullion Depository, West Point, N.Y., Officer-in-Charge.

**Notification procedure:** Same as listed under system manager. Employee or former employee is required to show identification such as: I.D. card, driver's license.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** Contest: See access above.

**Record source categories:** Employees; previous employers; and appropriate agency officials.

**Treasury/Mint 00.017**

**System name:** Equal Employment Opportunity (EEO) Complaint Counseling Records - Treasury/Mint.

**System location:** Washington, D.C., Bureau of the Mint, Warner Building, 501 - 13th Street, N.W.; Philadelphia, Pennsylvania, United States Mint, Independence Mall; Denver, Colorado, United States Mint, 320 West Colfax Avenue; San Francisco, California, United States Assay Office, 155 Hermann Street; New York, New York, United States Assay Office, 32 Old Slip Street; San Francisco, California, United States Old Mint, 88 Fifth Street; and Fort Knox, Kentucky, United States Bullion Depository.

**Categories of individuals covered by the system:** Employees and applicants for employment at the Bureau of the Mint.

**Categories of records in the system:** Allegations of Discrimination and all evidence collected during the counseling process.

**Authority for maintenance of the system:** Public Law 92-261; Executive Order 11478; 5 CFR Part 713.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Use - Informal processing of employee complaints of discrimination. Categories of users - Agency officials who have a need for the records in the performance of their duties. Purpose of use - Informal resolution of complaints of discrimination.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Folders of paper documents.

**Retrievability:** By name.

**Safeguards:** Stored in file cabinets and desks of Counselors and EEO Officer.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** EEO Officer, Bureau of the Mint, Warner Building, 501 - 13th Street, N.W., Washington, D.C. 20220; EEO Officer, United States Mint, Independence Mall, Philadelphia, Pennsylvania 19106; EEO Officer, United States Mint, 320 West Colfax Avenue, Denver, Colorado 80204; EEO Officer, United States Assay Office, 32 Old Slip Street, New York, New York 10005; EEO Officer, United States Assay Office, 155 Hermann Street, San Francisco, California 94102; EEO Officer, United States Old Mint, 88 Fifth Street, San Francisco, California 94103; EEO Officer, United States Bullion Depository, Fort Knox, Kentucky 40121.

**Notification procedure:** See System Manager for address to which inquiries may be addressed. The individual must supply name.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the Systems Manager.

**Contesting record procedures:** See access above.

**Record source categories:** Information is voluntarily obtained from employee(s), management, applicants and pertinent documents.

**Treasury/Mint 00.010**

**System name:** Examination reports of coins forwarded to Mint from U.S. Secret Service—Treasury/Mint.

**System location:** Warner Building, 501 13th Street, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Individuals from whom U.S. Secret Service has seized coins suspected to be counterfeit or fraudulently altered.

**Categories of records in the system:** Reports prepared for U.S. Secret Service regarding the examination of the questioned coin or coins by Mint.

**Authority for maintenance of the system:** 18 U.S.C. 331, 485, 486, 489, 490 and 491.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Uses, to determine whether a coin is counterfeit or altered and submit report to U.S. Secret Service or other Federal agency charged with law enforcement responsibilities. To give expert testimony as to the coins examined in a criminal or civil proceeding before a Federal or state court. (b) Categories of users, agency officials who have a need for the records in the performance of their duties. (c) Purpose of use, to preserve the integrity of the coinage system by detecting counterfeit or altered coins and to assist in the enforcement of Federal counterfeiting statutes.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents.

**Retrievability:** By name.

**Safeguards:** Files are kept in locked metal file cabinets in area accessible only to authorized agency officials.

**Retention and disposal:** Retained in accordance with Bureau of the Mint Records Control Schedule.

**System manager(s) and address:** Assistant Director for Technology, Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220.

**Notification procedure:** This system is proposed for exemption elsewhere in the Federal Register.

**Record access procedures:** This system is proposed for exemption elsewhere in the Federal Register.

**Contesting record procedures:** Contest: This system is proposed for exemption elsewhere in the Federal Register.

**Record source categories:** This system is proposed for exemption elsewhere in the Federal Register.

**Systems exempted from certain provisions of the act:** This system is proposed for exemption elsewhere in the Federal Register.

**Treasury/Mint 00.011**

**System name:** General Correspondence—Treasury/Mint.

**System location:** Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. United States Assay Office, 32 Old Slip, New York, NY. United States Old Mint, 88 Fifth Street, San Francisco, CA.

**Categories of individuals covered by the system:** Members of the public, Members of Congress, agency officials and other Federal agencies.

**Categories of records in the system:** Incoming correspondence and replies pertaining to the mission, function and operation of the Bureau of the Mint.

**Authority for maintenance of the system:** 31 U.S.C. 251, 253.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Use, to maintain documentation of information supplied by the agency to the correspondent. (b) Categories of users, appropriate agency officials. (c) Purpose of use, to provide documentation and reference for future correspondence. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents.

**Retrievability:** By name of correspondent.

**Safeguards:** Maintained in limited access area available only to appropriate agency officials.

**Retention and disposal:** In accordance with the General Services Administration's General Records Control Schedule and the Bureau of the Mint Records Control Schedule. Destroyed in accordance with General Services Administration regulations.

**System manager(s) and address:** Chief, Information Systems and Documentation Branch, Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220. Superintendent, United States Assay Office, 155 Hermann Street, San Francisco, California 94102. Officer-in-Charge, United States Old Mint, 88 Fifth Street, San Francisco, California 94103.

**Notification procedure:** See System Manager for addresses to which inquiries may be addressed and addresses at which the individual may present a request as to whether a system contains records pertaining to himself. The individual must supply name.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** See access above.

**Record source categories:** The general public, Members of Congress, agency and other Federal officials.

**Treasury/Mint 00.016**

**System name:** Grievances. Union/Agency Negotiated—Treasury/Mint.

**System location:** Washington, DC, Bureau of the Mint, Warner Building, 501-13th Street, N.W.

Philadelphia, PA, United States Mint, Independence Mall.
Denver, CO, United States Mint, 320 West Colfax Avenue.
San Francisco, CA, United States Assay Office, 155 Hermann Street.
New York, NY, U.S. Assay Office, 32 Old Slip Street.
San Francisco, CA, U.S. Old Mint, 88 Fifth Street.
Ft. Knox, KY, United States Bullion Depository.
West Point, NY, West Point Bullion Depository.

**Categories of individuals covered by the system:** Employees and former employees of the Bureau of the Mint.

**Categories of records in the system:** This system of records contains information or documents relating to employee grievances filed under provisions of negotiated grievance procedures, including decision of appropriate third parties where applicable.

**Authority for maintenance of the system:** Executive Orders 11491, 11616, 11636 and 11838; negotiated agreements between Mint and exclusively recognized labor unions.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) To process an employee grievance, including submission to an arbitrator and appeal to the Federal Labor Relations Council. (b) To refer a question of grievability or arbitrability to appropriate officials of the Department of Labor. (c) To provide information or disclose to the appropriate Federal agency in connection with civil litigation involving the Bureau of the Mint. (d) For additional routine uses see Treasury Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These records are maintained in file folders or binders.

**Retrievability:** These records are filed by the names of the individuals on whom they are maintained or by the subject of the grievance.

**Safeguards:** Access to and use of these records are limited to those agency officials whose official duties require such access.

**Retention and disposal:** Retained in accordance with the Bureau of the Mint Records Control Schedules and destroyed in accordance with General Service Administration rules and regulations.

**System manager(s) and address:** For current and former employees:

Personnel Officer, Bureau of the Mint, Department of the Treasury, 15th & Pennsylvania Ave., NW., Washington, DC 20220.
Personnel Officer, U.S. Mint, Independence Mall, Philadelphia, PA 19106.
Personnel Officer, U.S. Mint, 320 Colfax Ave., Denver, CO 80204.
Personnel Officer, U.S. Assay Office, 155 Hermann Street, San Francisco, CA 94102.
Personnel Officer, U.S. Assay Office, 32 Old Slip Street, New York, NY 10005.
Personnel Officer, U.S. Old Mint, 88 Fifth Street, San Francisco, CA 94103.
Officer-in-Charge, U.S. Bullion Depository, Fort Knox, KY 40121.
Administrative Officer, West Point Bullion Depository, West Point, NY 10996.

**Notification procedure:** Individuals who have fled a grievance are aware of that fact and have been provided a copy of the record. They may, however, contact the Personnel Officer indicated above regarding the existence of such records pertaining to them. It is necessary to furnish information sufficient to verify the identity of the requester such as full name, date of birth, a brief description of the grievance and the approximate date of submission.

**Record access procedures:** Individuals who have filed a grievance about a decision or determination made by an agency or about conditions existing in an agency already have been provided a copy of the record. The contest, amendment, or correction of a grievance record is permitted during the prosecution of the grievance to whom the record pertains. However, after a grievance case has been closed, an individual may gain access to, or contest the official copy of the grievance record by writing the appropriate Personnel Officer indicated above. Individuals should provide their name; date of birth; a brief description of grievance and the approximate date of submission.

**Contesting record procedures:** See access above.

**Record source categories:** The sources of these records are indicated below. (a) Individual to whom the record pertains. (b) Agency officials. (c) Affidavits or statements from employee(s). (d) Testimonies of witnesses. (e) Official documents and correspondence relating to the grievance.

**Treasury/Mint 00.012**

**System name:** Investigatory Files on Theft of Mint Property—Treasury/Mint.

**System location:** Warner Building, 501 13th Street, N.W., Washington, D.C. 20220.

**Categories of individuals covered by the system:** Mint employees and members of public suspected of the theft of Government property.

**Categories of records in the system:** Name of individual; location of Mint facility; and theft item.

**Authority for maintenance of the system:** 18 U.S.C. 332, 641.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Uses, to investigate suspected theft of Government property on Mint premises. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate Federal agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation, or order issued pursuant thereto. (b) Categories of users, agency officials who have a need for the record in the performance of their duties and other Federal officials charged with law enforcement responsibilities. (c) Purpose, to safeguard and account for Government property; assist in enforcement of applicable Federal criminal statutes; and attempt to recoup value of property stolen. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents.

**Retrievability:** By name.

**Safeguards:** Files are kept in a locked metal file cabinet in an area accessible to authorized agency officials.

**Retention and disposal:** Retained in accordance with Bureau of the Mint Records Control Schedule and destroyed in accordance with General Services Administration rules and regulations.

**System manager(s) and address:** Chief, Office of Security, Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220.

**Notification procedure:** This system is proposed for exemption elsewhere in the Federal Register.

**Record access procedures:** This system is proposed for exemption elsewhere in the Federal Register.

**Contesting record procedures:** See access above.

**Record source categories:** This system is proposed for exemption elsewhere in the Federal Register.

**Systems exempted from certain provisions of the act:** This system is proposed for exemption elsewhere in the Federal Register.

**Treasury/Mint 00.013**

**System name:** Numismatic Coin Operations System (NUCOS) Records; Customer Mailing List and Order Processing Records for Coin Sets, Medals and Numismatic Items—Treasury/Mint.

**System location:** San Francisco, California, Old Mint, 88 Fifth Street, San Francisco, CA 94175. (Records concerning undelivered orders are maintained at the San Francisco Assay Office, 155 Hermann Street.)

**Categories of individuals covered by the system:** Customers for numismatic items.

**Categories of records in the system:** Names, addresses, order history of customers purchasing numismatic items and of individuals who wish to receive notification of numismatic offerings by the Mint.

**Authority for maintenance of the system:** 31 U.S.C. 324g, 324h, 369, 391(d); P.L. 89—81, P.L. 92—228; 31 CFR Part 92.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Use, generating order cards, acknowledgement cards, labels, and correspondence. (b) Categories of Users, appropriate agency officials. (c) Purposes of Use, to announce the availability of numismatic items produced by

the Mint; process and acknowledge receipt of orders; process payments received from customers; mail and trace numismatic items ordered. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic tape, discs, paper and cards.

**Retrievability:** Name, customer number or order number.

**Safeguards:** CRT, password protection; only designated persons may request computer generated reports. Access to any information pertaining to any individuals' name is limited to only those individuals requiring the information to accommodate handling of transactions with the customers. Separation of functions; source documents maintained in one division and programming systems in another.

**Retention and disposal:** In accordance with the General Services Administration's General Records Control Schedule and the Bureau of the Mint Records Control Schedule. Destroyed in accordance with General Services Administration regulations. Order cards are retained two weeks, reports three months; they are then shredded. Customer names and addresses are maintained as long as they are active.

**System manager(s) and address:** Officer in Charge, San Francisco Old Mint, 88 Fifth Street, San Francisco CA 94175.

**Notification procedure:** Bureau of the Mint, 55 Mint Street, San Francisco, CA 94175. Individuals should supply order number as provided on order card or copy of both sides of cancelled check; customer number which appears on pre-punched order cards or on face of check.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** See access above.

**Record source categories:** Members of the public; appropriate agency officials; and General Services Administration.

**Treasury/Mint 00.014**

**System name:** Purchases, Sales, Exchange and Assays of Precious Metals—Treasury/Mint.

**System location:** Washington, D.C., Bureau of the Mint, Warner Building, 501—13th Street, N.W. Philadelphia, PA, United States Mint, Independence Mall. Denver, CO, United States Mint, 320 West Colfax Avenue. San Francisco, CA, United States Assay Office, 155 Hermann Street. New York, NY, United States Assay Office, 32 Old Slip. San Francisco, CA, United States Old Mint, 88 Fifth Street.

**Categories of individuals covered by the system:** General public and Government agencies who had precious metal transactions with the Bureau of the Mint.

**Categories of records in the system:** Bar schedules, deposit tickets, reports on special assays, records of sales and purchases of precious metals.

**Authority for maintenance of the system:** 31 U.S.C. 327, 328, 335, 358, 360, 361, 362, 405a—1, 733 and 734. 31 CFR Parts 90 and 92.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Use, to record and accomplish sale, purchase, exchange or assay of precious metals. (b) Categories of users, appropriate agency officials and appropriate officials of the General Services Administration. (c) Purpose of use, to determine and verify that proper payments are made or correct charges are assessed for services rendered and to accomplish sale and purchase of precious metals. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents and computer magnetic tapes.

**Retrievability:** Name or assay number.

**Safeguards:** Metal file cabinet with locks and secured area available to authorized personnel only.

**Retention and disposal:** Bureau of the Mint Records Control Schedule.

**System manager(s) and address:** Bureau of the Mint, Warner Building, 501 13th Street, N.W., Washington, D.C. 20220, Financial Manager; Philadelphia, PA 19106, United States Mint, Independence Mall, Budget and Accounting Officer; Denver, CO 80204, United States Mint, 320 West Colfax Avenue, Budget and Accounting Officer; San Francisco, CA 94102, United States Assay Office, 155 Hermann Street, Budget and Accounting Officer; New York, NY 10005, United States Assay Office, 32 Old Slip Street, Budget and Accounting Officer; San Francisco, CA 94103, United States Old Mint, 88 Fifth Street, Budget and Accounting Officer.

**Notification procedure:** Same as included in System Manager. Member of the general public or Government agency is required to produce proper identification to satisfy the System Manager.

**Record access procedures:** For information on procedures for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** Same as access above.

**Record source categories:** General public; agency officials; and other Federal agencies.

**Treasury/Mint 00.015**

**System name:** Redemption of Uncurrent or Mutilated Coins—Treasury/Mint.

**System location:** United States Assay Office, 32 Old Slip, New York, N.Y. 10005.

**Categories of individuals covered by the system:** General public; financial institutions; and other Government agencies.

**Categories of records in the system:** Records of names, addresses and reference numbers pertaining to those submitting mutilated or uncurrent coins for exchange.

**Authority for maintenance of the system:** 31 U.S.C. 317c; 31 CFR Part 100.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Uses, issuance of payments in exchange of coins. (b) Categories of users, appropriate agency officials. (c) Purpose of use, to insure that payments are made to proper individuals, banks or Government agencies. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents.

**Retrievability:** By name or reference number.

**Safeguards:** Metal file cabinet with lock.

**Retention and disposal:** Retained in accordance with Bureau of the Mint Records Control Schedule and destroyed in accordance with General Services Administration rules and regulations.

**System manager(s) and address:** Budget and Accounting Officer, United States Assay Office, 32 Old Slip Street, New York, New York 10005.

**Notification procedure:** See System Manager. Individual is required to supply name and if available reference and/or settlement number.

**Record access procedures:** For information on procedure for gaining access to and contesting records, individuals may contact the following official: Chief, Information Systems and Documentation Branch, Bureau of the Mint, Room 912, Warner Building, Washington, D.C. 20220.

**Contesting record procedures:** See access above.

**Record source categories:** General public, financial institutions, and other Government agencies.

**Treasury/BPD 00.001**

**System name:** Personnel and Administrative Records—Treasury/BPD.

**System location:** Bureau of the Public Debt: Washington, D.C.; Parkersburg, West Virginia; Ravenswood, West Virginia; Williamstown, West Virginia. Federal Records Center: St. Louis, Missouri.

**Categories of individuals covered by the system:** Past, present and prospective employees.

**Categories of records in the system:** All personnel records not mentioned in this system, but maintained at the Bureau, are considered to belong to the Civil Service Commission and will be reported by that agency. (1) Personnel Folders (Temporary side): Contain the following types of records or information apart from official records, but which may duplicate or supplement official records: Pre-employment records and vouchering; orientation

records; requests for personnel action; requests for training; performance evaluation records; letters of reference; debt correspondence; correspondence between employee and personnel office; disciplinary action papers; duplicate copies of personnel actions; payroll, leave and retirement benefits data; compensation forms and reports relating thereto; and tax check records, reduction-in-force data; requests for outside employment; merit promotion applications; and credit and employment verification. (2) Locator File: Contains the employee's office and home address and telephone numbers; emergency notification information and indication of permission or denial to disclose this information upon inquiry. (3) Applications for Employment File: Contains inquiries concerning employment, applicants' resumes and correspondence. (4) Upward Mobility Program Files: Contain but are not limited to, all pertinent information, such as applications, vouchering, correspondence, developmental plans and appraisal forms of candidates for said program. (5) Investigation Security Files: Contain background information and the results of investigations conducted by Internal Revenue Service, Secret Service, or other Federal agencies, on Bureau attorneys and certain other employees. (6) Awards Case Files: Contain reports and background data concerning awards for employees. (7) Informal Equal Employment Opportunity Complaint Files: contain records of informal EEO complaints and discussions thereon which have not reached the level of formal complaints. (8) Administrative Grievance Files: Contain informal or formal grievance complaints and background documentation. (9) General Correspondence Files: Contain inquiry and reply letters and documentation concerning general administrative, policy, transactional and personnel matters. (10) Union-related Files: Contain formal and informal, contractual and administrative grievance complaints and background documentation thereon; reports of union dues participation. (11) Merit Promotion Files: Contain records of competitive promotion actions, including but not limited to vacancy announcements, candidates considered, assessments of candidates, and disposition of applications. (12) Exit Interview Files: Contain records of employee's critique of Bureau, final interview, and supervisors' recommendations. (13) Suitability Files: Contain information documenting the suitability for employment of prospective and current employees, such as arrest records, National Agency checks and background information. (14) Budget Files: (a) Employee Travel Records File: Contains travel vouchers, authorization and receipts for travel which an employee performed in connection with official business and which is reimbursable by government funds. (b) Comprehensive Listing of Employee Master File: Contains salary, grade, leave, retirement, health-life insurance, tax, payroll deduction and other information. (c) Time and Attendance Records: Contain the daily posting of employee's leave and/or attendance. (15) Medical Records File: contains pre-appointment and fitness-for-duty medical reports and records. (16) Employee Relations files; containing, but not limited to, pertinent information on such matters as discipline, adverse actions, retirement, and compensation. (17) Confidential Financial Statements File: contains personal financial statements required by certain employees as defined in the Department's Minimum Standards of Conduct. (18) Classification Appeals File: contains statements and pertinent information relating to the adjudication of an appeal. (19) History of Employment File: contains service record cards.

**Authority for maintenance of the system:** Title 5 USC; Federal Personnel Manual; Executive Order 11478.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Within the Department of the Treasury, the aforementioned records are routinely used to determine the suitability of an applicant for employment; to verify an employee's orientation processing; to supplement official personnel records for clarification of personnel actions; to authorize deductions of state and/or local or District of Columbia taxes from an employee's salary for payroll functions; to provide information for determining the eligibility and suitability of an employee for promotion or award; to appraise an employee's performance following hiring or promotion; to judge the necessity for disciplinary action and to make record of the same; to inform an employee of his present leave and retirement benefits status; to make record of all correspondence exchanged between an employee and the Division of Personnel for reference purposes; to locate an employee in an emergency situation if the employee's permission was granted; to issue building passes and make record thereof; to record work-related injuries and illnesses and to process compensation therefor; to perform security investigations and to provide security clearance for attorneys and certain other employees in order to protect security information; to furnish Internal Revenue Service, Secret Service, and other Federal agencies with information in the course of their investigations; to document grievances or complaints of discrimination for purposes of hearing and passing decision on a case; to furnish management with information necessary for the hearing and resolution of administrative grievances and grievances arising within the framework of the labor-management framework; to record, analyze and approve travel expenditures; to furnish data needed by the Division of Budget and Accounts in the performance of its duties relating to the estimating and accounting for budget expenditures, maintaining records, providing payroll data to the Fiscal Service Payroll Facility, Bureau of Government Financial Operations, to the individual employee, and to supervisors who have need of such information in the performance of their duties; to maintain records of correspondence for reference and precedence purposes; to provide Federal income tax filing information on employees, GS grade 12 and above, for the purpose of tax checks; to process and document merit promotion actions; to conduct turnover studies; and to maintain records of those employees who have requested voluntary withholding of union dues.

Routine users of records within the Department are the Division of Personnel; the Division of Budget and Accounts; the Division of Management Services; the EEO Officers; Internal Revenue Service; Secret Service; and all other employees who have need of such information in the performance of their authorized duties.

Outside the Department of the Treasury, qualified information is routinely used to furnish other Federal Agencies with pre-employment information for hiring purposes; to verify debt complaints and employment data upon request by creditors; to respond to requests for information by Federal investigative agencies for the purpose of security or criminal investigation, and civil or criminal judicial proceedings; to provide data to the Civil Service Commission and other Federal agencies upon authorized requests; to supply data necessary for employee compensation; to provide union representatives, arbitrators, and other third parties responsible for the administration of the federal labor-management relations program with information needed, in the performance of their authorized duties under a Bureau-union contract or E.O. 11491, as amended; to disclose to Members of Congress who inquire on behalf of constituents; to disclose to next-of-kin, voluntary guardian and other representative or successor in interest of a deceased or incapacitated employee or former employee.

Routine users outside the Department are other Federal Agency Personnel Offices; the Civil Service Commission; U.S. Department of Labor, Office of Employees Compensation; State unemployment offices; union representatives, arbitrators, and other third-parties who have responsibilities and a Bureau-union contract or E.O. 11491, as amended, for the administration of the federal labor-management relations program as qualified in the routine use; creditors; Federal agencies; Members of Congress and next-of-kin; voluntary guardian and other representative or successor in interest.

For Additional Routine Uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Electronic media, paper and microfilm.

**Retrievability:** By name, and in some cases social security number.

**Safeguards:** Information is contained in secure buildings, Federal Records Centers, or in areas which are occupied by officers and responsible employees of the Bureau who are subject to the Bureau's personnel screening procedures and the Treasury Department Code of Conduct. Information stored in electronic media is safeguarded by automatic data processing security procedures in addition to physical security measures.

**Retention and disposal:** Records are maintained in accordance with GSA and CSC retention schedules. All records are destroyed by incineration, maceration or shredding. Records in electronic media are electronically erased using accepted techniques.

**System manager(s) and address:** For Administrative records: Commissioner of the Public Debt, 15th and New York Avenue, N.W., Washington, D.C. 20226. For Personnel records: Director of Personnel, Bureau of the Public Debt, 13th and C Streets, S.W., Washington, D.C. 20226.

**Notification procedure:** Address Administrative inquiries and initial requests for correction of records to: Privacy Act Request, Commissioner of the Public Debt, 15th and New York Avenue, N.W., Washington, D.C. 20226, (202) 376-0249. Address Personnel

inquiries and initial requests for correction of records to: Privacy Act Request Director of Personnel, Bureau of the Public Debt, 13th and C Streets, S.W., Washington, D.C. 20226, (202) 447-1297; or Privacy Act Request, Personnel Officer, Savings Bond Operations Office, Bureau of the Public Debt, 200 Third Street, Parkersburg, West Virginia 26101, (304) 422-8551.

**Record access procedures:** Individuals who wish to request access to records relating to them or who wish to request correction of records they believe to be in error should submit such requests pursuant to the procedures set out below in compliance with the applicable regulations (31 CFR Part 1, Subpart C Sections 1.7 & 1.8; 31 CFR Part 323). Requests which do not comply fully with these procedures may result in noncompliance with the request but will be answered to the extent possible.

Requests for access to records: (1) All requests for access to records should be in writing, signed by the individual concerned, and, in order for the Privacy Act procedures to apply, clearly indicate that the request is made pursuant to the Privacy Act of 1974. The Bureau reserves the right to require additional verification of an individual's identity in certain cases. (2) The request must specify the Bureau system of records within which the desired records are located as well as the categories of records within the system. These categories are set out in the applicable system of records description. (3) Requests for records concerning a deceased or incapacitated individual should be accompanied by either evidence of the requester's appointment as legal representative of the individual or his estate or by a statement attesting that no such representative has been appointed and giving the nature of the relationship between the requester and the individual.

Requests for correction of records: (1) All requests by an individual for correction of records relating to him should be in writing, be signed by him, and, in order for the Privacy Act procedures to apply, state that the request is made pursuant to the Privacy Act of 1974. (2) The request for correction should specify: (a) the dates of the prior correspondence had with the Bureau concerning the records in question, (b) the specific records alleged to be incorrect, (c) the correction requested, and (d) the reasons therefor as well as any available evidence in support of the request.

Appeals from an initial denial of a request for correction of records: (1) All appeals from an initial denial of a request for correction of records must be in writing, be signed by the individual involved, and, in order for the Privacy Act procedures to apply, state that it is made pursuant to the Privacy Act of 1974. (2) All appeals must, to be handled under the Privacy Act procedures, be delivered to the address set forth for submission of appeals within 35 days of the individual's receipt of the initial denial of the requested correction. (3) All appeals must specify: (a) the records to which the appeal relates, (b) the date of the initial request made for correction of the records, and (c) the date that initial denial of the request for correction was received. (4) All appeals must also specify the reasons for the requester's disagreement with the initial denial of correction and should furnish any applicable evidence available in support of his appeal.

**Contesting record procedures:** See notification and access.

**Record source categories:** Information on records in the system is furnished by the individuals, by creditors, by supervisors, medical personnel, other employees, or as the result of security investigations.

**Treasury/BPD 00.002**

**System name:** United States Savings-Type Securities—Treasury/BPD.

**System location:** Bureau of the Public Debt, Washington, D.C. 20226 and Parkersburg, West Virginia 26101, Ravenswood, West Virginia 26164, Williamstown, West Virginia 26187, Federal Reserve Banks and Branches located at: Atlanta, Georgia; Baltimore, Maryland; Birmingham, Alabama; Boston, Massachusetts; Buffalo, New York; Charlotte, North Carolina; Chicago, Illinois; Cincinnati, Ohio; Cleveland, Ohio; Dallas, Texas; Denver, Colorado; Detroit, Michigan; El Paso, Texas; Jacksonville, Florida; Helena, Montana; Houston, Texas; Kansas City, Missouri; Little Rock, Arkansas; Louisville, Kentucky; Los Angeles, California; Memphis, Tennessee; Miami, Florida; Minneapolis, Minnesota; Nashville, Tennessee; New Orleans, Louisiana; New York, New York; Oklahoma City, Oklahoma; Omaha, Nebraska; Philadelphia, Pennsylvania; Pittsburgh, Pennsylvania; Portland, Oregon; Richmond, Virginia; Salt Lake City, Utah; San Antonio, Texas; San Francisco, California; Seattle, Washington and St. Louis, Missouri; and at Federal Records Centers located at: Waltham, Massachusetts; New York, New York; Philadelphia, Pennsylvania; Mechanicsburg, Pennsylvania; Washington, D.C.; East Point, Georgia; Chicago, Illinois; Kansas City, Missouri; Fort Worth, Texas; Denver, Colorado; San Francisco, California; Bell, California and Seattle, Washington.

**Categories of individuals covered by the system:** Present and former owners or first-named coowners of, claimants to, persons entitled to, and inquirers concerning United States savings-type securities and interest thereon—including but not limited to United States Savings Bonds, Savings Notes, Retirement Plan Bonds, and Individual Retirement Bonds. In addition, second-named coowners of Series G savings bonds.

**Categories of records in the system:** (1) Issuance: Records relating to registration, registers of issuance of securities and records of correspondence in connection with issuance of savings-type securities. (2) Holdings: Records documenting ownership, status, payments by date and account numbers, including inscription information; interest activity; correspondence in connection with notice of change of name and address, non-receipt of interest and over- and under-payments of interest; numerical registers of ownership. Such records include information relating to savings-type securities held in safekeeping in conjunction with the Department's program to deliver such securities to the owners or persons entitled. (3) Transactions (redemptions, payments and reissues): Records which include securities transaction requests; interest activity; legal papers supporting transactions, applications for disposition or payment of securities and/or interest thereon of deceased or incapacitated owners; records of retired securities; check payment records. (4) Claims: Records including correspondence concerning lost, stolen, destroyed or mutilated savings-type securities, bonds of indemnity, legal documents supporting claims for relief and records of caveats entered. (5) Inquiries: Records of correspondence with individuals who have requested information concerning savings-type securities and/or interest thereon.

**Authority for maintenance of the system:** Second Liberty Bond Act, as amended (40 Stat. 288) and 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Within the Department of the Treasury, the information contained in this system of records is routinely used in connection with the issuance of securities, the payment of interest thereon, processing of claims therefor, responding to inquiries thereon, processing of transactions therein and the redemption and retirement thereof. Users for these purposes are officials, authorized employees and agents of the Department for the purpose of administering the Public Debt of the United States. Information in this system is also routinely furnished to the Internal Revenue Service for use by officials and authorized employees for the purpose of facilitating collection of tax revenues by the United States. In addition to these uses within the Department, records concerning holdings are routinely disclosed outside the Department as follows: (1) To the next-of-kin, voluntary guardian, legal representative or successor in interest of a deceased or incapacitated owner of securities, and others entitled in connection with reissue, distribution or payment thereof; users for this purpose are as described for the purpose of assuring equitable and lawful disposition of securities and/or interest. (2) Information is routinely furnished, when appropriate, pertaining to securities to the United States Secret Service for inclusion in the National Crime Information Center of the Federal Bureau of Investigation, to the Department of Justice and to other Federal agencies; users for this purpose are law enforcement officials, for the purpose of reducing monetary losses of the United States and to aid in law enforcement. (3) Information is routinely disclosed pertaining to holdings of securities, interest thereon and transactions therein to the Department of Justice in connection with lawsuits to which the Department is a party; and to Trustees in Bankruptcy; users are Federal officials for the purpose of carrying out their duties. (4) Information is routinely disclosed to the Veterans Administration and selected veterans publications in connection with attempts to locate owners, or their next of kin or persons otherwise entitled to bonds undeliverable and being held in safekeeping by the Department. (5) Information regarding records of holdings of securities registered in coownership form is routinely disclosed to either coowner upon request. Information regarding records of holdings for securities registered in beneficiary form ("P.O.D.") is routinely disclosed to the beneficiary named thereon provided acceptable proof of death of the registered owner is submitted. (Note: If the request for disclosure is made by the second-named coowner, or by a beneficiary the name or social security number of the first-named person must be

furnished, except in the case of Series G savings bonds.) (6) Information regarding holdings is routinely disclosed to Members of Congress who inquire on behalf of constituents. (7) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records in this system are stored in their original form in file cabinets, as information in electronic media or on microfilm.

**Retrievability:** Information can be retrieved alphabetically by name, bond serial numbers, or, in some cases, numerically by social security number. In the case of securities, except Series G savings bonds, registered in more than one name, information relating thereto can only be retrieved by the name or in some cases social security number of the first-named coowner.

**Safeguards:** Information is contained in secure buildings, Federal Records Centers, or in areas which are occupied by officers and responsible employees of either the Department who are subject to personnel screening procedures and the Treasury Department Code of Conduct, or by agents of the Department who are required by the Department to maintain proper control over records while in their custody. Additionally, since in most cases, numerous steps are involved in the retrieval process, unauthorized persons would be unable to retrieve information in a meaningful form. Information stored in electronic media is safeguarded by automatic data processing security procedures in addition to physical security measures.

**Retention and disposal:** Records of holdings are maintained permanently. Forms, documents and other legal papers which constitute the basis for transactions subsequent to original issue are maintained for such time as is necessary to protect the legal rights and interest of the U.S. Government and the persons affected, or otherwise until they are no longer historically significant. Other records are disposed of at varying intervals in accordance with records retention schedules reviewed and approved by the National Archives and Records Service, General Services Administration. All records are destroyed by shredding, incineration or maceration. Records in electronic media are electronically erased using accepted techniques.

**System manager(s) and address:** Commissioner of the Public Debt, 15th St. and New York Ave., N.W. Washington, D.C. 20226.

**Notification procedure:** Address inquiries to: Privacy Act Request, Assistant Commissioner of the Public Debt, Savings Bond Operations Office, 200 Third Street, Parkersburg, West Virginia 26101, (304) 422-8551. Inquiries should include the full name, social security number, address and security serial number(s), if known.

**Record access procedures:** Individuals who wish to request access to records relating to them or who wish to request correction of records they believe to be in error should submit such requests pursuant to the procedures set out below in compliance with the applicable regulations (31 CFR Part 1, Subpart C Sections 1.7 & 1.8; 31 CFR Part 323). Requests which do not comply fully with these procedures may result in noncompliance with the request but will be answered to the extent possible.

Requests for access to records: (1) All requests for access to records must be in writing, signed by the individual concerned, and, in order for the Privacy Act procedures to apply, clearly indicate that the request is made pursuant to the Privacy Act of 1974. The Bureau reserves the right to require additional verification of an individual's identity. (2) The request must specify the Bureau system of records within which the desired records are located as well as the categories of records within the system. These categories are set out in the applicable system of records description. (3) In the case of requests for information concerning holdings of securities, the type of security involved (e.g., Series E savings bond, Series H savings bond, savings note, retirement plan bond, etc.) must be specified. Additionally, the request should, to the extent possible, specify the approximate date of issue, serial number(s) and exact form of registration, including social security number and address. Requests which do not furnish all or some of the above information will be complied with to the extent possible but may be subject to the requirement that additional identificatory evidence be furnished. (4) Requests for information concerning records of holdings of securities except Series G savings bonds registered in coownership form must be accompanied by the name and, wherever possible, social security number of the first-named coowner. Requests for information concerning securities registered in beneficiary form must also be accompanied by the name and social security number of the owner thereof and, if made by the beneficiary, must be accompanied by proof of death of the registered owner. (5) Requests for records of holdings or other information concerning a deceased or incapacitated individual should be accompanied by either evidence of the requester's appointment as legal representative of the individual or his estate or by a statement attesting that no such representative has been appointed and giving the nature of the relationship between the requester and the individual.

Requests for correction of records: (1) All requests by an individual for correction of records relating to him should be in writing, be signed by him, and, in order for the Privacy Act procedures to apply, state that the request is made pursuant to the Privacy Act of 1974. (2) The request for correction should specify: (a) the dates of the prior correspondence had with the Bureau concerning the records in question, (b) the specific records alleged to be incorrect, (c) the correction requested, and (d) the reasons therefor, as well as any available evidence in support of the request.

Appeals from an initial denial of a request for correction of records: (1) All appeals from an initial denial of a request for correction of records must be in writing, be signed by the individual involved and, in order for the Privacy Act procedures to apply, state that it is made pursuant to the Privacy Act of 1974. (2) All appeals must, to be handled under the Privacy Act procedures, be delivered to the address set forth for submission of appeals within 35 days of the individual's receipt of the initial denial of the requested correction. (3) All appeals must specify: (a) the records to which the appeal relates, (b) the date of the initial request made for correction of the records, and (c) the date that initial denial of the request for correction was received. (4) All appeals must also specify the reasons for the requestor's disagreement with the initial denial of correction and should furnish any applicable evidence available in support of his appeal.

**Contesting record procedures:** See notification and access.

**Record source categories:** Information on records in this system is furnished by the individuals or their authorized representatives listed in "Categories of Individuals," by issuing agents for securities, or is generated within the system itself.

**Treasury/BPD 00.003**

**System name:** United States Securities (Other than Savings-Type Securities)—Treasury/BPD.

**System location:** Bureau of the Public Debt, Washington, D.C. 20226, Ravenswood, West Virginia 26164, Williamstown, West Virginia 26187, Federal Reserve Banks and Branches located at: Atlanta, Georgia; Baltimore, Maryland; Birmingham, Alabama; Boston, Massachusetts; Buffalo, New York; Charlotte, North Carolina; Chicago, Illinois; Cincinnati, Ohio; Cleveland, Ohio; Dallas, Texas; Denver, Colorado; Detroit, Michigan; El Paso, Texas; Jacksonville, Florida; Helena, Montana; Houston, Texas; Kansas City, Missouri; Little Rock, Arkansas; Louisville, Kentucky; Los Angeles, California; Memphis, Tennessee; Miami, Florida; Minneapolis, Minnesota; Nashville, Tennessee; New Orleans, Louisiana; New York, New York; Oklahoma City, Oklahoma; Omaha, Nebraska; Philadelphia, Pennsylvania; Pittsburgh, Pennsylvania; Portland, Oregon; Richmond, Virginia; Salt Lake City, Utah; San Antonio, Texas; San Francisco, California; Seattle, Washington and St. Louis, Missouri; and at Federal Records Centers located at: Waltham, Massachusetts; New York, New York; Philadelphia, Pennsylvania; Mechanicsburg, Pennsylvania; Washington, D.C.; East Point, Georgia; Chicago, Illinois; Kansas City, Missouri; Fort Worth, Texas; Denver, Colorado; San Francisco, California; Bell, California and Seattle, Washington.

**Categories of individuals covered by the system:** Present owners of, former owners of, subscribers to, claimants to, persons entitled to and inquirers concerning United States Treasury Securities (except savings-type securities) and interest thereon and such securities for which the Treasury acts as agent and interest thereon, including but not limited to Treasury Bonds, Notes and Bills, Adjusted Service Bonds, Armed Forces Leave Bonds, securities of the Federal Financing Bank, the Federal Housing Administration and the Farm Credit Administration.

**Categories of records in the system:** (1) Issuance: Records relating to tenders, bids, subscriptions, advices of shipment, requests (applications) for original issue and correspondence concerning erroneous issue and non-receipt of securities. (2) Holdings: Records of ownership and interest activity on registered United States securities (other than savings-type securities); change of name and address notices; correspondence concerning errors in registration, non-receipt of interest, over- and under-payments of interest;

records of interest activity; records of unclaimed accounts; and letters concerning the New York State tax exemption for veterans of World War I. (3) Transactions (redemptions, payments, reissues, transfers and exchanges): Records which include securities transaction requests; legal papers supporting transactions; applications for transfer, disposition or payment of securities of deceased or incompetent owners; records of Federal estate tax transactions; file of certificates of ownership covering paid overdue bearer securities; records of erroneous redemption transactions; records of retired securities; and check payment records. (4) Claims: Records including correspondence concerning lost, stolen, destroyed or mutilated United States securities (other than savings-type securities) or securities for which the Treasury acts as agent and interest coupons thereon, bonds of indemnity, legal documents supporting claims for relief and records of caveats entered. (5) Inquiries: Records of correspondence with individuals who have requested information concerning United States Treasury securities (other than savings-type securities) or securities for which the Treasury acts as agent.

**Authority for maintenance of the system:** Second Liberty Bond Act, as amended (40 Stat. 288).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Within the Department of the Treasury, the information contained in this system of records is routinely used in connection with the issuance of securities, the payment of interest thereon, processing of claims therefor, responding to inquiries thereon, processing of transactions therein and the redemption and retirement thereof. Users for these purposes are officials, authorized employees and agents of the Department for the purpose of administering the Public Debt of the United States. Information in this system is also routinely furnished to the Internal Revenue Service for use by officials and authorized employees for the purpose of facilitating collection of tax revenues by the United States. In addition to these uses within the Department, records concerning holdings are routinely disclosed outside the Department as follows: (1) To the next-of-kin, voluntary guardian, legal representative or successor in interest of a deceased or incapacitated owner of securities and others entitled in connection with transfer, exchange, distribution or payment thereof; users for this purpose are as described for the purpose of assuring equitable and lawful disposition of securities and/or interest. (2) Information is routinely furnished pertaining to securities reported as lost or stolen to the United States Secret Service for inclusion in the National Crime Information Center of the Federal Bureau of Investigation, Department of Justice and to other Federal agencies; users for this purpose are law enforcement officials, for the purpose of reducing monetary losses of the United States and to aid in law enforcement. (3) Information is routinely disclosed pertaining to holdings of securities and transactions therein to the Department of Justice in connection with lawsuits to which the Bureau is a party; users are law enforcement officials for the purpose of administration of justice. (4) Information concerning holdings of Armed Forces Leave Bonds is routinely furnished to the Veterans Administration in connection with redemption or disposition of these securities. Users of the resultant information furnished by the Veterans Administration are officers and authorized employees of the Bureau, for the purpose of making proper disposition of these bonds. (5) Information regarding records of holdings of securities registered in the names of two or more owners is routinely disclosed to either owner upon his request. (Note: requests for disclosure by owners other than the first-named owner should include the name or social security number of the first-named owner.) (6) Information regarding holdings is routinely disclosed to Members of Congress who inquire on behalf of constituents. (7) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records in this system are stored in their original paper form and as information in electronic media and on microfilm.

**Retrievability:** Information can be retrieved alphabetically by name or, in some cases, numerically by social security number. In the case of securities registered in more than one name, which matured prior to January 1, 1973, information relating thereto can only be retrieved by the name or social security number of the first-named owner.

**Safeguards:** Information is contained in secure buildings, Federal Records Centers, or in areas which are occupied by officers and responsible employees of either the Department who are subject to personnel screening procedures and the Treasury Department Code of Conduct, or by Federal Reserve Banks and Branches as Fiscal Agents. Additionally, since in most cases, numerous steps are involved in the retrieval process, unauthorized persons would be unable to retrieve information in a meaningful form. Information stored in electronic media is safeguarded by automatic data processing security procedures in addition to physical security measures.

**Retention and disposal:** Records of holdings are maintained permanently. Forms, documents and other legal papers which constitute the basis for transactions subsequent to original issue are maintained for such time as is necessary to protect the legal rights and interests of the U.S. Government and the persons affected or otherwise until they are no longer historically significant. Other records are disposed of at varying intervals in accordance with records retention schedules reviewed and approved by the National Archives and Records Service, General Services Administration. All records are destroyed by shredding, incineration or maceration. Records in electronic media are electronically erased using accepted techniques.

**System manager(s) and address:** Commissioner of the Public Debt, 15th St. and New York Avenue, N.W., Washington, D.C. 20226.

**Notification procedure:** Address inquiries and initial requests for correction of records to: Privacy Act Request, Assistant Commissioner of the Public Debt, 13th and C Streets, S.W., Washington, D.C. 20226, (202) 964-7994. Inquiries should include the full name and social security number of the inquirer.

**Record access procedures:** Individuals who wish to request access to records relating to them or who wish to request correction of records they believe to be in error should submit such requests pursuant to the procedures set out below in compliance with the applicable regulations (31 CFR Part 1, Subpart C Sections 1.7 and 1.8; 31 CFR Part 323). Requests which do not comply fully with these procedures may result in noncompliance with the request but will be answered to the extent possible.

Requests and access to records: (1) All requests for access to records must be in writing, signed by the individual concerned, and, in order for the Privacy Act procedures to apply, clearly indicate that the request is made pursuant to the Privacy Act of 1974. The Bureau reserves the right to require additional verification of an individual's identity. (2) The request must specify the Bureau system of records within which the desired records are located as well as the categories of records within the system. These categories are set out in the applicable system of records description. (3) In the case of requests for information concerning records of holdings of securities, the type of security involved (e.g., Treasury Note, Armed Forces Leave Bond, Adjusted Service Bond, etc.) must be specified. Additionally, the request should, to the extent possible, specify: the loan and issue thereof, approximate date of issue, denomination, serial number and form of registration, including address. Requests which do not furnish some or all of the latter information will be complied with to the extent possible but may be subject to the requirement that additional identificatory evidence be furnished. (4) Requests for records of holdings of securities which matured prior to January 1, 1973 registered in the name of more than one person must include the name and, wherever possible, social security number of the first-named owner. (5) Requests for records of holdings or other information concerning a deceased or incapacitated individual must be accompanied by either evidence of the requester's appointment as legal representative of the individual or his estate or by a statement attesting that no such representative has been appointed and giving the nature of the relationship between the requester and the individual.

Requests for correction of Records: (1) All requests by an individual for correction of records relating to him should be in writing, be signed by him, and, in order for the Privacy Act procedures to apply, state that the request is made pursuant to the Privacy Act of 1974. (2) The request for correction should specify: (a) the dates of the prior correspondence had with the Bureau concerning the records in question, (b) the specific records alleged to be incorrect, (c) the correction requested, and (d) the reasons therefor as well as any available evidence in support of the request.

Appeals from an initial denial of a request for correction of records: (1) All appeals from an initial denial of a request for correction of records must be in writing, be signed by the individual involved and, in order for the Privacy Act procedures to apply, state that it is made pursuant to the Privacy Act of 1974. (2) All appeals must, to be handled under the Privacy Act procedures, be delivered to the address set forth for submission of appeals within 35 days of the individual's receipt of the initial denial of the

requested correction. (3) All appeals must specify: (a) the record to which the appeal relates, (b) the date of the initial request made for correction of the records, and (c) the date that initial denial of the request for correction was received. (4) All appeals must also specify the reasons for the requestor's disagreement with the initial denial of correction and should furnish any applicable evidence available in support of his appeal.

**Contesting record procedures:** See Notification and Access above.

**Record source categories:** Information contained in records in the system is furnished by individuals listed in "Categories of Individuals" or those specifically authorized by the individuals to act on their behalf; or is generated within the system itself.

**Treasury/FLETC 00.001**

**System name:** FLETC Payroll System—Treasury/FLETC.

**System location:** FLETC, Office of Administration, Administration Building, Glynco, Georgia, 31520.

**Categories of individuals covered by the system:** Any person employed by or detailed to the Center.

**Categories of records in the system:** All payroll records including Standard Forms 50 and 52, leave status, training authorizations and retirement records.

**Authority for maintenance of the system:** Treasury Order No. 217, dated July 1, 1970.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Compilation of all required accounting, payroll functions and reports. GAO and Treasury audits. Related FLETC accounting and financial procedures. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper files.

**Retrievability:** Name.

**Safeguards:** Physical Security, personnel screening and security check list are all utilized to prevent unauthorized disclosure of records.

**Retention and disposal:** Retained indefinitely, except retirement records which are transferred at the departure of the employee.

**System manager(s) and address:** FLETC, Office of Administration, Administration Building, Glynco, Georgia 31520.

**Notification procedure:** The individual must provide full name, date of birth, dates of employment with, or date of application of employment to the Center to: FLETC, Office of Administration, Administration Building, Glynco, Georgia 31520.

**Record access procedures:** By formal letter to the System Manager.

**Contesting record procedures:** See Access above.

**Record source categories:** Personnel documents and payroll documents computed by the Bureau of Government Financial Operations.

**Treasury/FLETC 00.002**

**System name:** FLETC Trainee Records and FLETC Instructor Records—Treasury/FLETC.

**System location:** FLETC Office of Administration, Administration Building, Glynco, Georgia 31520.

**Categories of individuals covered by the system:** Any person who officially attends a formal FLETC training program and all instructors engaged in teaching the FLETC training programs.

**Categories of records in the system:** Trainee records: personal background information supplied by the trainee; grades and performance evaluation, student advisory form and relevant public health records. Instructor records: personal background information supplied by the instructor, and teaching qualifications. All records described in this system are other than records described and reported by the Civil Service Commission on behalf of all agencies.

**Authority for maintenance of the system:** 5 U.S.C. 301, 5 U.S.C. 4101-4118, Executive Order 11348, Treasury Order No. 217 (Revision 1) dated July 1, 1970 and Memorandum of Understanding for the Sponsorship and Operation of the Consolidated Federal Law Enforcement Training Center, dated September 30, 1970.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Disclosure upon request to the individual himself, the individual's parent agency, and to any other agency or organization at the request of the individual.

To the Civil Service Commission concerning pay, leave, benefits, retirement deductions, and other information necessary for the Commission to carry out its government-wide personnel management functions. For additional routine uses, see Appendix AA, 40 FR 56419—56420, December 2, 1975.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic disc storage except for health records which are maintained on paper files.

**Retrievability:** Name and class number.

**Safeguards:** Access to these systems of records will be controlled by software and hardware procedures. Software will be used to ensure, in all technically feasible ways, that data cannot be made available to unauthorized persons. User—identifiers and passwords will be used where feasible to protect the data. Physical security will protect all terminals and magnetic disc files from access by unauthorized persons. Offices will be locked except when authorized persons are present.

**Retention and disposal:** All records maintained indefinitely.

**System manager(s) and address:** Assistant Director for Administration, Office of Administration, Administration Building, FLETC, Glynco, Georgia 31520.

**Notification procedure:** The individual must provide full name, social security number, date of birth, parent agency, type of course and approximate dates of attendance to the system manager.

**Record access procedures:** By written request to the system manager.

**Contesting record procedures:** By written request of the System Manager.

**Record source categories:** The trainee himself and members of the staff responsible for grading, rating or evaluating the trainee.

Instructors. The instructor himself and staff members responsible for upgrading the instructor's teaching qualifications.

**Treasury/FLETC 00.003**

**System name:** FLETC Confidential Financial Records—Treasury/FLETC.

**System location:** FLETC, Office of the Director, Administration Building, Glynco, Georgia 31520.

**Categories of individuals covered by the system:** Employees classified at GS-12 or above who are in positions identified as positions the basic duties and responsibilities of which require the incumbent to exercise judgment in making a Government decision or in taking Government action on contracting or procurement. Specifically, All officials GS-15 and above

Assistant Director, Special Training Division
Deputy Associate Director for Administration
Administrative Services Officer
Chief, Instructional Services Division
Procurement Officer
Supervisory General Engineer
Facility Management Specialist
Public Information Specialist
Financial Management Specialist
Executive Assistant
Staff Assistant, Office of Training

**Categories of records in the system:** All information required by or related to employment and financial interest of GS-12 and above employees.

**Authority for maintenance of the system:** Federal Personnel Manual Chapter 735 and Executive Order 11222.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To provide certification to the Civil Service Commission that Statements of Employment and Financial Interests are on file for each employee and special Government employees required to submit such statement under the regulations of the employing agency. Also, information for the agency head only to be disclosed upon his determination or that of the Chairman of the U.S. Civil Service Commission for good cause shown. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper files.

**Retrievability:** Name.

**Safeguards:** Physical Security, personnel screening and security check list are all utilized to prevent unauthorized disclosure of records.

**Retention and disposal:** Retained and updated annually and destroyed at the departure of employee from FLETC rolls.

**System manager(s) and address:** Director, FLETC, Administration Building, Glynco, Georgia 31520.

**Notification procedure:** The individual must provide full name, date of birth, dates of employment with the Center to: Director, FLETC, Administration Building, Glynco, Georgia 31520.

**Record access procedures:** By formal letter to the System Manager.

**Contesting record procedures:** See Access above.

**Record source categories:** The employee on whom the record is maintained.

**Treasury/FLETC 00.004**

**System name:** FLETC Employee Records—Treasury/FLETC.

Personnel records Schedule 1 Item 9 1 yr.
Health records GRS 1 21 6 yr.
Training records Schedule 1 25c 1 yr.
Vehicle records 11 4a 3 mo.
Equal Employment Opportunity records 1 20b 1 yr.
Locator records 11 4a 3 mo.
Identification records 11 4a 3 mo.
Equipment control records:
Property pass files 18 10 3 mo.
Lost, stolen, and found files 18 13b 1 yr.
Key files 18 14b 2 mo.

**System location:** FLETC, Office of Administration, Administration Building, Glynco, Georgia 31520.

**Categories of individuals covered by the system:** Employees, Past Employees, Employee Prospects, Contract Personnel.

**Categories of records in the system:** Personnel, Health, Training, Vehicle Registration, Equal Employment Opportunity, locator Cards, Identification Records, and Equipment Control Rosters, consisting of records other than those described and reported by the Civil Service Commission on behalf of all agencies.

**Authority for maintenance of the system:** 5 U.S.C. 301, 5 U.S.C. 4101 et seq., Executive Order No. 11348, April 20, 1967, Treasury Order 217 (Revision 1), dated July 1, 1970.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Personnel recruitment and management, management of health, unit, vehicle control, equipment control, equal employment opportunity program. Disclosure to the individual himself and the individual's parent agency. Health records to the U.S. Department of Labor and the U.S. Department of Health, Education, and Welfare as required by regulation. To the Civil Service Commission concerning pay, leave, benefits, retirement deductions, and other information necessary for the Commission to carry out its government-wide personnel management functions. For additional routines uses, see Appendix AA, 40 FR 56419-56420, December 2, 1975.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper files.

**Retrievability:** Name.

**Safeguards:** Physical security, personnel screening and security check lists are all used to prevent unauthorized disclosure of records.

**Retention and disposal:** Disposition as prescribed by the schedules attached to Treasury Directives Manual chapter TD 80, Section 05.B, 5-12-76, except for health records covered by the General Service Administration's General Records Schedule 1 (GRS 1):

**System manager(s) and address:** Assistant Director for Administration, Office of Administration, Administration Building, FLETC, Glynco, Georgia 31520.

**Notification procedure:** The individual must provide full name, date of birth, and dates of employment with the Center to the system manager.

**Record access procedures:** By written request to the system manager.

**Contesting record procedures:** By written request to the system manager.

**Record source categories:** The employee on whom the record is maintained, prior employers, and FLETC.

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**Treasury/IRS 10.001**

**System name:** Biographical Files, Public Affairs—Treasury/IRS.

**System location:** National, Regional and District Offices and Service Centers (see IRS Appendix A).

**Categories of individuals covered by the system:** IRS Employees.

**Categories of records in the system:** Records are biographical data on key IRS employees.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The contents of these records are available to the public pursuant to the Freedom of Information Act, 5 U.S.C. 552.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Stored in file cabinets without locks.

**Retrievability:** By name.

**Safeguards:** Office doors locked at night.

**Retention and disposal:** Generally governed by the Records Management Handbook IRM 1(15)59.

**System manager(s) and address:** Assistant to the Commissioner (Public Affairs), Regional, District and Service Centers (see IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant to the Commissioner (Public Affairs), IRS, Washington, D.C. 20224.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant to the Commissioner (Public Affairs) IRS, Washington, D.C. 20224.

**Contesting record procedures:** See Access.

**Record source categories:** Information is supplied by the IRS official on an IRS biographical data form.

**Treasury/IRS 10.003**

**System name:** Intelligence Clips, Public affairs—Treasury/IRS.

**System location:** Regional and District Offices and Service Centers (see IRS Appendix A.).

**Categories of individuals covered by the system:** Records are maintained on individuals who are of interest to the IRS, generally those whose names have been mentioned in the press in connection with their relationship with IRS.

**Categories of records in the system:** Records are primarily newspaper and magazine clippings about taxpayers and IRS Intelligence Division.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The contents of these records are available to the public pursuant to the Freedom of Information Act, 5 U.S.C. 552.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper and microfiche. Records are stored in file cabinets without locks.

**Retrievability:** Accessible by subject including individual names.

**Safeguards:** Office doors locked at night.

**Retention and disposal:** Generally governed by the Records Management Handbook IRM 1(15)59.

**System manager(s) and address:** Assistant to the Commissioner (Public Affairs), Regional, District and Service Centers (see IRS Appendix A.).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant

to the Commissioner (Public Affairs), IRS, Washington, D.C. 20224.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant to the Commissioner (Public Affairs), IRS, Washington, D.C. 20224.

**Contesting record procedures:** See Access.

**Record source categories:** Sources of clips are newspapers and magazines.

**Treasury/IRS 10.004**

**System name:** Subject Files, Public Affairs—Treasury/IRS.

**System location:** National, Regional and District Offices and Service Centers (see IRS Appendix A.).

**Categories of individuals covered by the system:** Records are maintained on individuals who are of interest to the IRS, generally those whose names have been mentioned in the press in connection with their relationship with IRS. Includes writers of articles of interest to IRS.

**Categories of records in the system:** The records include correspondence, newspaper clippings, inter-office memoranda and similar documents.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The contents of these records are available to the public pursuant to the Freedom of Information Act, 5 U.S.C. 552.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored in file cabinets without locks.

**Retrievability:** Alphabetical by subject.

**Safeguards:** Office doors locked at night.

**Retention and disposal:** Generally governed by the Records Management Handbook IRM 1(15)59.

**System manager(s) and address:** Assistant to the Commissioner (Public Affairs), Regional, District and Service Centers (see IRS Appendix A.).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant to the Commissioner (Public Affairs), IRS, Washington, D.C. 20224.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant to the Commissioner (Public Affairs), IRS, Washington, D.C. 20224.

**Contesting record procedures:** See Access.

**Record source categories:** Records are generally correspondence with persons outside IRS, news media, newspapers, magazines, internal documents and memoranda and similar sources.

**Treasury/IRS 10.005**

**System name:** Tax Case Files, Public Affairs—Treasury/IRS.

**System location:** Regional and District Offices and Service Centers (see IRS Appendix A.).

**Categories of individuals covered by the system:** Individual taxpayers.

**Categories of records in the system:** Primarily newspaper clippings on taxpayers whose tax litigation activities are reported by the newspapers. Records include correspondence, inter-office memoranda and similar documents.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The contents of these records are available to the public pursuant to the Freedom of Information Act, 5 U.S.C. 552.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored in file cabinets without locks.

**Retrievability:** By subject and individual names.

**Safeguards:** Office doors locked at night.

**Retention and disposal:** Generally governed by the Records Management Handbook IRM 1(15)59.

**System manager(s) and address:** Assistant to the Commissioner (Public Affairs), Regional, District and Service Centers (see IRS Appendix A.).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant to the Commissioner (Public Affairs), IRS, Washington, D.C. 20224.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant to the Commissioner (Public Affairs), IRS, Washington, D.C. 20224.

**Contesting record procedures:** See Access.

**Record source categories:** Primarily news media clippings.

**Treasury/IRS 10.007**

**System name:** Public Speaking and Other Public Appearances, Public Affairs—Treasury/IRS.

**System location:** Region, District Offices and Service Centers (see IRS Appendix A).

**Categories of individuals covered by the system:** IRS employees who are selected as representatives of IRS to appear before community group and radio and television audiences.

**Categories of records in the system:** Records are card files and lists of names of individuals.

**Authority for maintenance of the system:** IRM 1(19)00

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** See Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored in file cabinets.

**Retrievability:** By name or function.

**Safeguards:** Office doors locked at night.

**Retention and disposal:** Continuously updated and extraneous material destroyed.

**System manager(s) and address:** Assistant to the Commissioner (Public Affairs), Regional, District and Service Centers.

**Notification procedure:** Same as Access.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instuctions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant to the Commissioner (Public Affairs), IRS, Washington, D.C. 20224.

**Record source categories:** Information is supplied by individual himself.

**Treasury/IRS 22.002**

**System name:** Airway Use Tax Registrant, Data, ACTS:R A—Treasury/IRS.

**System location:** Internal Revenue Service Centers (see IRS Appendix A).

**Categories of individuals covered by the system:** Individual or businesses that have registered new aircraft with the Federal Aviation Administration (FAA).

**Categories of records in the system:** The records come from the FAA Supplemental File and are edited at NCC to delete all but information on new airplane registrations.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Computer printout.

**Retrievability:** Name of registrant.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Register is destroyed after case has been sent to the district office for personal contact.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers (see IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.003**

**System name:** Annual Listing of Undelivered Refund Checks, ACTS:R A—Treasury/IRS.

**System location:** Internal Revenue Service Centers and District Offices (see IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers whose refund checks have been returned as undeliverable since the last Annual Listing of Undelivered Refund Checks was produced.

**Categories of records in the system:** Taxpayer entity information (Name, Street Address, City, State, Zip Code and Taxpayer Identification Number) and records containing tax module information (Tax Period, Amount of Credit Balance and Control Document Locator Number).

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Individuals entitled to undeliverable refund checks will be notified of such checks by publication of their names in the news media.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper document stored in files.

**Retrievability:** Information is retrievable by taxpayer's name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** The policies and practices regarding retention and disposal are as specified in the Records Retention Handbook published by the Service.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.005**

**System name:** Audit Underreporter Case File, ACTS:R Treasury/IRS.

**System location:** National Computer Center (NCC) Martinsburg, W. Va. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Recipients of income who appear not to have declared on their income tax returns (Forms 1040 and 1040A) all income paid to them in the tax year under study.

**Categories of records in the system:** Records maintained are taxpayer (i.e., payee) entity records containing payee name, address, taxpayer identification number, and other indicators relating to entity maintenance; and income records containing the types and amounts of income received, and information identifying the income payer.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** On magnetic tape.

**Retrievability:** By matching on SSN and name control.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retained for one year; then data are magnetically erased.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS), National Office. Officials maintaining the system—Directors, Internal Revenue Service Centers. See IRS Appendix A for locations.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 22.011**

**System name:** Card Index File of Erroneous Refunds, ACT:R Treasury/IRS.

**System location:** Memphis Internal Revenue Service Center. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayers issued erroneous refunds.

**Categories of records in the system:** Case reference name, number, control number, date of erroneous refund, statute expiration date, status of case and location.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Card file.

**Retrievability:** Retrieved by name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retained four years then destroyed.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.012**

**System name:** Collection Case File, ACTS:R Treasury/IRS.

**System location:** National Computer Center (NCC), Martinsburg, W. Va. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Recipients of income who appear not to have filed income tax returns (Forms 1040 or 1040A) for the tax year in which that income was paid to them.

**Categories of records in the system:** Records maintained are taxpayer (i.e., payee) entity records containing payee name, address, taxpayer identification number, and other indicators relating to entity maintenance; and income records containing the types and amounts of income received, and information identifying the income payer.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** On magnetic tape.

**Retrievability:** By matching on SSN and name control.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retained for up to one and a half years, then data are magnetically erased.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 22.024**

**System name:** Form 1042 Index Register, ACTS: R—Treasury/IRS.

**System location:** Philadelphia Service Center. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayers whose taxes are covered by IRC Chapter 3 Withholding.

**Categories of records in the system:** Records include taxpayer's name and address, tax data, and withholding agent's Employer Identification Number and name.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Microfilm.

**Retrievability:** Withholding agent EIN.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retained at PSC 5 years, then at Federal Records Center 25 years.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Director, Philadelphia Internal Revenue Service Center. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A.)

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.025**

**System name:** Form 1042 Name Directory, ACTS: R-Treasury/IRS.

**System location:** Philadelphia Service Center (see IRS appendix A).

**Categories of individuals covered by the system:** Taxpayers whose taxes are covered by IRC Chapter 3 Withholding.

**Categories of records in the system:** Taxpayer name and address and Employer Identification Number and name of withholding agent.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Microfilm.

**Retrievability:** By name of withholding agent.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retained at PSC 5 years, then at Federal Records Center 25 years.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS).Officials maintaining the system—Director, Philadelphia Internal Revenue Service Center (See IRS Appendix A)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A)

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.026**

**System name:** FORM 1042S Index By Name of Recipient, ACTS: R/Treasury-IRS.

**System location:** PHILADELPHIA SERVICE CENTER (See IRS Appendix A).

**Categories of individuals covered by the system:** Non-resident aliens and U.S. citizens living abroad whose taxes are covered by IR Chapter 3 Withholding.

**Categories of records in the system:** Information provided by taxpayer including name, address, tax data, country of residence and Employer Identification Number of withholding agent.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Microfilm.

**Retrievability:** By taxpayer name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retained at PSC 5 years, then at Federal Records Center 25 years.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Director, Philadelphia Internal Revenue Service Center (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.027**

**System name:** Forms filed by U.S. Citizens or Residents relating to Foreign Companies, ACTS:R-Treasury/IRS.

**System location:** Philadelphia Internal Revenue Service Center and its servicing Federal Records Centers (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who file Forms: 957—Foreign Personal Holding Company; 958—Foreign Personal Holding Company; 959—Return by an Officer, Director, or Shareholder—With Respect to the Organization or Reorganization of a Foreign Corporation and Acquisition of its Stock.

**Categories of records in the system:** Forms filed by the taxpayer and case documents determined by the Service to be related.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These are paper document files.

**Retrievability:** Documents are stored and retrieved by Document Locator Numbers.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retention and Disposal Instructions for paper documents in these files is as specified in the Records Disposition Handbook, Service Centers, IRM 1(15)59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officals maintaining the system—Directors, Internal Revenue Service Centers (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.031**

**System name:** Individual Master File Change and Adjustment Document File, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers and Federal Records Centers (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who have had changes made to their accounts either at their request or by the service.

**Categories of records in the system:** 5143—Tax Transfer Schedule, 1127—Application for Extension of Time for Payment of Tax, 1247—Examination Record, 1664—Undelivered Return Check Freeze Release, 1664PR—Disbursing Center Notification of Undelivered Refund Checks and/or Cancellation, 1962—Advance Payment Record, 2158—Credit Transfer Voucher, 2287—Dishonored Check Posting Voucher, 2287D—Advice of Dishonored Check, 2350—Application for Extension of Time for Filing U.S. Income Tax Return, Citizen Abroad, 2363—Master File Entity Change, 2424—Account Adjustment Voucher, 2650—TDA/TDI Transfer, 2688—Application for Extension of Time to File U.S. Individual Income Tax, 2710—Appellate Division Action and Transmittal Memorandum, 2758—Application for Extension of Time to File U.S. Fiduciary or Partnership Return, Non-Remittance, 3177/A/B—Notice of Action for Entry on Master File, 3244—Payment Posting Voucher, 3245—Cancellation or Repayment, 3258—Summary Transfer Voucher, 3354—Assessment Adjustment Document, 3413—Transaction List of Account Transfer-In, 3446—Notice of Federal Tax Due, 3552—Statement of Tax Due on Federal Tax Return (Part 4), 4732—Special Tax Receipts (11, 11B) (CP 444), 4733—Special Tax Receipt (CP 445), 4768—Application for Extension of Time to File U.S. Estate Tax Return and/or Pay Estate Tax, 4779—Statement of Use Tax Due IRS on Highway Motor Vehicles, 4839—3rd Notice (Balance Due), 4840—4th Notice (Balance Due), 4848—Annual Employer Return for Employees' Pension or Profit Sharing Plans, 4849—Financial

Statement of Employees' Pension or Profit Sharing Fund or Fiduciary Account' 4901-04—Request for Information About Tax Return—First, Second, Third and Fourth Notice, 4907—TDA, 4915—RMF, Balance Due (CP 411), 4917—RMF, Balance Due Less than

1.00 (CP 413), 4918—RMF, No Math Error, Balance Due (CP 414), TY-D14—Taxpayer Delinquency Investigation, TY-15—Unidentified and Excess Collection Voucher, TY-16—Tax Transfer Schedule, TY-26—Statement of Tax Due IRS, TY-54—Posting Voucher, TY-D69—Taxpayer Delinquent Account, W-2—Wage and Tax Statement, W-2P—Statement for Recipients of Annuities, Pension or Retired Pay.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Document files.

**Retrievability:** Document Locator Numbers.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retention and Disposal Instruction for paper document in these files is as specified in the Records Disposition Handbook, Service Centers, IRM 1(15)59-206.

**System manager(s) and address:** Officials prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.032**

**System name:** Individual Master File (IMF) Microfilm Retention Register, ACTS: R—Treasury/IRS.

**System location:** All IRS Service Centers and District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Categories of individuals on whom records are maintained are individual taxpayers who file Federal individual tax returns (Forms 1040 or 1040A).

**Categories of records in the system:** The categories of records maintained are abstracts of tax and/or entity modules that have been removed from the IMF. These abstract records indicate the taxpayer name, identification number, specific tax returns, document locater number, tax years, debit and credit amounts, balances, and other transactions which have been recorded relative to the module(s).

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Microfilm Tape.

**Retrievability:** IMF Reference Register, SSN Tax Period and name (explained in the Research Operations Handbook).

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** The policies and practices regarding storage, retention, and disposal are as specified in the Records Retention Handbook (330-731) published by the Service.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.033**

**System name:** Individual Master File (IMF) 608 and 388 Microfilm Retention Register, ACTS: R—Treasury/IRS.

**System location:** All IRS Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Categories of individuals on whom records are maintained are individual taxpayers who file Federal individual tax returns (Forms 1040 or 1040A).

**Categories of records in the system:** The categories of records maintained are abstracts of tax and entity modules containing a credit (TC 608) or debit (TC 388) that is written off when the module is removed from the IMF (magnetic tape) to the IMF (microfilm) 608 and 388 Retention Register. This register shows the taxpayer's name, identification number, specific tax returns, amount of credit or debit that has been written off, tax years and other transactions which have been recorded relative to the module before removal from the IMF (magnetic tape).

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Microfilm Tape.

**Retrievability:** IMF Reference Register, SSN, Tax period and Name (Explained in the Research Operations Handbook).

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** The policies and practices regarding storage, retention, and disposal are as specified in the Records Retention Handbook.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be ad-

dressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.034**

**System name:** Individual Returns Files, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers and Federal Records Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who file Forms in the 1040 series including any schedules and Forms 5329. 1040 U.S. Individual Income Tax Return, 1040A U.S. Individual Income Tax Return—Short Form, 1040ES Declaration of Estimated Tax For Individuals, 1040ES (Spanish) Declaration of Estimated Tax for Individuals (Puerto Rico), 1040ES (OIO) Declaration of Estimated Tax for Individuals—Non-Resident Alien Individuals, 1040NB U.S. Non-Resident Alien Income Tax Return, 1040NR U.S. Non-Resident Alien Income Tax Return, 1040B U.S. Non-Resident Alien Income Tax Return, 1040C U.S. Departing Alien Income Tax Return.

**Categories of records in the system:** Forms filed by the taxpayer and case documents determined by the Service to be related.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These are paper document files.

**Retrievability:** Documents are stored and retrieved by Document Locator Numbers.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retention and Disposal Instructions for paper documents in these files is as specified in the Records Disposition Handbook, Service Centers, IRM 1(15)59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.036**

**System name:** Interest Equalization Tax Forms File, ACTS: R—Treasury/IRS.

**System location:** Federal Records Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who filed Forms: 3969—Notice of Acquisition of Original or New Japanese Debt Obligation, 4410—Interest Equalization Tax—Quarterly Return of Tax Withheld by Participating Firm, 4363—Notice of Acquisition of Stock Pursuant to Conversion of an Original or New Japanese Debt Obligation, 4322—Validation Certificate of Prior American Ownership and Interest Equalization Tax Compliance, 3845—Interest Equalization Tax—Broker's Quarterly Information Return, 3779—Notice of Acquisition of Original or New Canadian Stock or Debt Obligation.

**Categories of records in the system:** Forms filed by the taxpayer and case documents determined by the Service to be related.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These are paper document files.

**Retrievability:** Documents are stored and retrieved by taxpayer name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retention and Disposal Instructions for paper documents in these files is as specified in the Records Disposition Handbook, Service Centers, IRM 1(15)59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.037**

**System name:** IRS Employee Delinquency Notice List, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers, Regional Offices, and National Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** IRS employees who have been sent notices (Forms 4901) informing them that they appear not to have filed individual income tax returns (Forms 1040 and 1040A) for a certain tax year.

**Categories of records in the system:** Records maintained are records containing the individual's name, address, taxpayer identification number (social security number), and other indicators relating to the salary and location of the individual. As cases have been worked, the service center's list is annotated with the disposition of each case.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Hardcopy printouts are maintained in agency offices.

**Retrievability:** By employee SSN and name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Specified in Records Disposition Handbook.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquires should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquires should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the adminstration of the individual's tax account.

### Treasury/IRS 22.039

**System name:** Miscellaneous Forms Files, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers and Federal Records Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who file forms: 56—Notice of Fiduciary Relationship, 678—Special Tax Return: Application for Registry and Special-Tax Stamp Opium, etc., 709—U.S. Quarterly Gift Tax Return, 1964—Certification of Exempt Official (Narcotics), 2031—Waiver Certificate to Elect Social Security Coverage for Use by Ministers, Certain Members of Religious Orders, and Christian Science Practitioners, 2063—U.S. Departing Alien Income Tax Statement, 2555—Statement to Support Exemption of Income Earned Abroad, 2950—Statement in Support of Deduction for Payments to an Employee's Pension, Profit-Sharing, Stock Bonus Trust or Annuity Plan and Compensation Under a Deferred-Payment Plan, 3115—Application for Change in Accounting Method, 3491—Exemption Application, 3520—Creation of or Transfers to Certain Foreign Trusts, 4361—Application for Exemption from Self-Employment Tax for Use by Ministers, Members of Religious Orders and Christian Science Practitioners, 4415—Election to Exempt From Self-Employment Coverage Fees Received by Certain Public Officers and Employees of a State or a Political Subdivision Thereof, 4908—Declaration of a Candidate for Public Office Receiving Political Contributions Qualifying for Credit or Deduction.

**Categories of records in the system:** Forms filed by the taxpayer and case documents determined by the Service to be related.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These are paper document files.

**Retrievability:** Documents are stored and retrieved by taxpayer name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retention and Disposal Instructions for paper documents in these files is as specified in the Records Disposition Handbook, Service Centers, IRM 1(15)59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

### Treasury/IRS 22.040

**System name:** Multiple Refund File, ACTS: R—Treasury/IRS.

**System location:** Austin Service Center. (See IRS Appendix A).

**Categories of individuals covered by the system:** Tax return preparers or other individuals who prepare possibly fraudulent, bogus, or otherwise illegal returns and preparers who use their own address as the taxpayer's address.

**Categories of records in the system:** Names and addresses used on returns; names and addresses of preparers; correspondence pertaining to these.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103) and as necessary to report apparent violations of law to appropriate law enforcement agencies.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Filed in folders, by districts, in file cabinets.

**Retrievability:** Alphabetically by taxpayer name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retentica and disposal:** Retention and disposal instructions for paper documents in this file is as specified in the Records Disposition Handbook, Service Centers, IRM 1(15)59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Director, Internal Revenue Austin Service Center. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

### Treasury/IRS 22.042

**System name:** Penalty Case File ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers and Federal Records Centers. See IRS Appendix A for locations.

**Categories of individuals covered by the system:** Taxpayers who have had substantial penalties assessed to their accounts.

**Categories of records in the system:** Forms filed by the taxpayer and case documents determined by the Service to be related.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103) and as necessary to report apparent violations of law to appropriate law enforcement agencies.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic Tape.

**Retrievability:** By name, type of tax, and identifying number.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in the Records Retention Handbook published by the Service.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS), National Office. Officials maintaining the system—Directors, Internal Revenue Service Centers: See IRS Appendix A for locations.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. See IRS Appendix A for locations.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. See IRS Appendix A for locations.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.043**

**System name:** Potential Refund Litigation Case Files, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers and Federal Records Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayer who have indicated to the Service that they may file suit against the service for a refund.

**Categories of records in the system:** Forms filed by the taxpayer and case documents determined by the Service to be related.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** This is a paper document file.

**Retrievability:** Documents are stored and retrieved by taxpayer name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** Retention and Disposal Instruction for paper document in these files is as specified in the Records Disposition Handbook, Service Centers, IRM 1 (15) 59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.044**

**System name:** P.O.W.—M.I.A. Reference File, ACTS: R—Treasury/IRS.

**System location:** Austin Service Center and each district office. (See IRS Appendix A).

**Categories of individuals covered by the system:** P.O.W./M.I.A.—originated from Department of Defense lists.

**Categories of records in the system:** Lists of P.O.W./M.I.A., Regulations, Rulings, and Instructions as to how to handle specific tax questions relating to their special tax status, copies of individual tax returns, claims, and other documents germane to specific clases.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents in file folders.

**Retrievability:** Cases filed alphabetically by last name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** All cases have been retained and no current provisions have been established for disposal.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Director, Internal Revenue Austin Service Center and District Directors of Internal Revenue. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedure for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.047**

**System name:** Residual Master File Change and Adjustment Document File, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers and Federal Records Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who have had changes made to their accounts either at their request or by the service.

**Categories of records in the system:** 5143—Tax Transfer Schedule, 1247—Examination Record, 1962—Advance Payment Record, 2158—Credit Transfer Voucher, 2287—Dishonored Check Posting Voucher, 2287D—Advice of Dishonored Check, 2363—Master File Entity Change, 2424—Account Adjustment Voucher, 2650—TDA/TDI Transfer, 2710—Appellate Division Action and Transmittal Memorandum, 3177 A/B—Notice of Action for Entry on Master File, 3244—Payment Posting Voucher, 3245—Posting

Voucher, Refund Check Cancellation or Repayment, 3258—Summary Transfer Voucher, 3333—TDI Status Report, 3354—Assessment Adjustment Document, 3446—Notice of Federal Tax Due, 3552—Statement of Tax Due on Federal Tax Return (Part 4), 3731—Unidentified Remittance Voucher, 3552—Prompt Assessment Billing Assembly, 3731—Unidentified Remittance Voucher, 3753—Manual Refund Posting Voucher, 3809—Miscellaneous Adjustment Voucher, 3870—Request for Adjustment (Part 1), 3870—Request for Adjustment (Part 3), 3967—Notice of Delinquency Tax Account, 4188—Settlement Notice (CP 21, 22, 210, 421, 422), 4296—Audit Requisition & Information Report, 4338—Transcript or Information Request (Tax Class 9 applies to TC 991, 993 only), 4446—Notice of Action for Entry on Master File (Part 4), 4695—Notification Refund Repayment Check not Accepted by Bank, 3553—Prompt Assessment Billing Assembly, 3731—Unidentified Remittance Voucher, 3753—Manual Refund Posting Voucher, 3809—Miscellaneous Adjustment Voucher, 3870—Request for Adjustment (Part 3), 3912—Taxpayer SSN Validation (CP 53 & 54), 3967—Notice of Delinquency Tax Account, 4084—Math Error Notice (CP 11), 4085—Math Error Notice (CP 12), 4086—Math Error Notice (CP 13), 4188—Settlement Notice (CP 21, 22, 210, 421, 422), 4192—Notice of Balance Due (CP 161), 4256—Dual Debit/Credit Transfer, 4296—Audit Requisition & Information Report, 4602—Notice of Balance Due (CP 23), 4604—Notice of Settlement Under

1.00 (CP 25), 4694—Notification Refund Repayment Check not Accepted by Bank, 4839—3rd Notice (Balance Due), 4840—4th Notice (Balance Due), 4907—TDA, 4960—IMF, Balance Due, Audit/Unallowable Items (CP 15), 4961—IMF, Overpayment, Audit/Unallowable Items (CP 16), RSC-137—Remittance Return to Taxpayer for Correction, TY-15—Unidentified and Excess Collection Voucher, TY-16—Tax Transfer Schedule, TY-18—Statement of Payment Due, TY-26—Statement of Tax Due IRS, TY-54—Posting Voucher and TY-D69—Taxpayer Delinquent Account.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These are Paper Document files.

**Retrievability:** Document Locator Numbers.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retention and Disposal Instruction for paper document in these files is as specified in the Records Disposition Handbook, Service Centers, IRM 1(15)59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Official maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.048**

**System name:** Residual Master File (RMF) Microfilm Retention Register, ACTS: R—Treasury/IRS.

**System location:** All IRS Service Centers and District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Categories of individuals on whom records are maintained are taxpayers who have a business in Airways, Motor Vehicles, Wagering, Beer/etc., or Coin Operated Amusement Devices; or those responsible for Gift Tax or U.S. Estate Tax. The tax return forms are: 4638, 709, 706, 2290, 11, 11B, 11C, 730.

**Categories of records in the system:** The categories of records maintained are abstracts of tax and entity modules that have been removed from the RMF. These abstract records indicate the business taxpayer name, identification number, tax years, debit and credit amounts, balances, and other transactions which have been recorded relative to the module.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Microfilm Tape.

**Retrievability:** EIN or SSN, Name, Tax Period, and Type of Tax (explained in the Research Operations Handbook).

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Two policies and practices regarding storage, retention, and disposal are as specified in the Records Retention Handbook and the Research Operations Handbook (330-731).

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.049**

**System name:** Residual Master File (RMF) Transaction. Codes 608 and 388 Microfilm Retention Register, ACTS: R—Treasury/IRS.

**System location:** All IRS Service Centers. See IRS Appendix A for locations.

**Categories of individuals covered by the system:** Categories of individuals on whom records are maintained are taxpayers who have a business in Airways, Motor Vehicles, Wagering, Beer/etc., or Coin Operated Amusement Devices; as well as those responsible for Gift Tax or U.S. Estate Tax. The tax return forms are: 4638, 709, 706, 2290.

**Categories of records in the system:** The categories of records maintained are abstracts of tax and entity modules containing a credit (TC608) or debit (TC388) that is written off when the module is removed from the RMF (magnetic tape) to the RMF (microfilm) 608 and 388 Retention Register. This register shows the taxpayer's name, identification number, specific tax returns, amount of credit or debit that has been written off, tax years and other transactions which have been recorded relative to the module before removal from the RMF (magnetic tape).

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Microfilm Tape.

**Retrievability:** EIN or SSN, Name, Tax Period, Type of Tax (explained in the Research Operations Handbook).

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** The policies and practices regarding storage, retention, and disposal are as specified in the Records Retention Handbook.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.050**

**System name:** Residual Returns Files, ACTS: R—Treasury IRS.

**System location:** Internal Revenue Service Centers and Federal Records Centers (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who file Forms: 4638—Federal Use Tax Return on Civil Aircraft, 2290—Federal Use Tax Return on Highway Motor Vehicles, 11—Special Tax Return, 11B—Special Tax Return, 11C—Special Tax Return and Application for Registry—Wagering, 730—Tax on Wagering.

**Categories of records in the system:** Forms filed by the taxpayer and case documents determined by the Service to be related.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103) and as necessary to report apparent violations of law to appropriate law enforcement agencies.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These are paper document files.

**Retrievability:** Documents are stored and retrieved by Document Locator Numbers.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** Retention and Disposal Instruction for paper documents in these files is as specified in the Records Disposition Handbook, Service Center, IRM 1 (15) 59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.051**

**System name:** Return of Initial Excise Taxes on Private Foundations, Foundations Managers, and Disqualified Persons File, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers and Federal Records Centers, (see IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who file Forms: 4720—Retention of Initial Excise Taxes on Private Foundations, Foundation Managers and Disqualified Persons.

**Categories of records in the system:** Forms filed by the taxpayer and case documents determined by the Service to be related.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These are paper document files.

**Retrievability:** Documents are stored and retrieved by Document Locator Numbers.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook IRM 1 (16) 41.

**Retention and disposal:** Retention and Disposal Instruction for paper documents in these files is as specified in the Records Disposition Handbook, Service Center, IRM 1 (15) 59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officals maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are no subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.052**

**System name:** Social Security Administration's Current Earnings File (SSA DSF), ACTS: R—Treasury/IRS.

**System location:** National Computer Center (NCC), Martinsburg, W. VA.

**Categories of individuals covered by the system:** Recipients of wages subject to social security taxes and earnings from self employment.

**Categories of records in the system:** Records maintained are records representing certain wages and self employment earnings. Information included on each record identifies the recipient of the income (name control, taxpayer identifying number and other indicators relating to payee identification and identifies the type(s) and amount(s) of income.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The magnetic tape in SSN sequence.

**Retrievability:** By SSN and name control.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** To be established by IRM 1(15)59, Records Disposition Handbook.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS), National Office. Officials maintaining the system—Directors, Internal Revenue Service Centers. See IRS Appendix A for locations.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themeslves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revnue Service Center servicing the area in which the individual resides. See IRS Appendix A for locations.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. See IRS Appendix A for locations.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Information received from Social Security Administration.

### Treasury/IRS 22.053

**System name:** Statistics of Income Individual Selection Sheet, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayers whose returns are selected by pre-determined stratification and random selection within groups of states.

**Categories of records in the system:** Printouts developed by the Service showing both taxpayer-provided and Service-generated data concerning selected items of tax return data.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents

**Retrievability:** By SSN, Document Locator Number.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** Retained by Service Center for one year, then shipped to warehouse until National Office orders destruction.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

### Treasury/IRS 22.054

**System name:** Subsidiary Accounting Files, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers and Dsitrict Offices. (See IRS Appendix A.)

**Categories of individuals covered by the system:** The categories of individuals on whom records are maintained are taxpayers affected by one or more of the transactions reflected in the categories of records listed below.

**Categories of records in the system:** The types of records maintained in the system are documents containing entity information (name, address, taxpayer identification number or employer identification number and other information necessary to identify the taxpayer) and accounting information relevant to one of the following categories: funds held pending, disposition and not applied to the taxpayer's liability at present, properties, tangible or intangible, now in the custody of the Interal Revenue Service, counterfeit money, misappropriations or robbery of Internal Revenue Service funds, credits which cannot be applied to a specific taxpayer account at this time, accounts transferred to other Service Centers or agencies, substantiation for the receipt of funds collected by the Service for other agencies, abatements or assessments of tax on individuals, deposits received from taxpayers, refunds to taxpayers, taxpayer accounts written off by the Service as uncollectible, credits allowed taxpayers requiring special consideration due to processing constraints, litigation, seized and acquired property and Offers-in-Compromise.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Subsidiary Accounting Files consist of paper documents stored in files.

**Retrievability:** Records are retrievable by Social Security No. and by name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** Records are retired to the Records Center and are retrieved by request from authorized individuals where account substantiation is necessary. Policies regarding disposal are as specified in the Records Retention Handbook published by the Service.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are no subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account. Some Justice Department investigations are an additional source for the information contained in litigation case files.

**Treasury/IRS 22.058**

**System name:** Tentative Carryback Allowance File; ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayers who have filed for a tentative carryback adjustment.

**Categories of records in the system:** records of tentative carryback adjustment Form 6702, including taxpayer name, address, and identifying number, tax years involved, amounts of tax decrease, and date Notice of Disallowance (if any) mailed.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These are papet document files

**Retrievability:** Taxpayer name and/or identification number.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** Retention and Disposal Instruction for paper documents in these files is as specified in the Records Disposition Handbook, Service Centers, IRM 1 (15) 59-206.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedure for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.059**

**System name:** Unidentified Remittance File, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers. See IRS Appendix A for locations.

**Categories of individuals covered by the system:** Remittances which have been received but cannot be positively identified, either as to the taxpayer who sent it or the tax period to which it is to be applied.

**Categories of records in the system:** Each record contains a fourteen digit unidentified remittance (UR) control number, the amount, received date, and all known identifying data. In addition, the URF contains a record of all doubtfully applied Estimated Tax (ES) credits. The ES record contains the taxpayer's name, address, type of payment, taxpayer identification number, tax period, received date, money amount, and the transaction document locator number (DLN).

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** This file is used only to report Revenue Receipts Breakout and total amount shown on General Ledger to U.S. Treasury. The file is an internal file and contains a record of each remittance which is received but cannot be positively identified, either as to the taxpayer who sent it or the tax period to which it is to be applied.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Disk Storage

**Retrievability:** Remittance amount, Unidentified Remittance Control Number, taxpayer name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** 180 days after the amount is reduced to zero balance.

**System manager(s) and address:** Offical prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Indivduals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries, should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Remittances received from taxpayers that cannot be positively identified either as to the taxpayer who sent it or the type of tax to which it is to be applied.

**Treasury/IRS 22.060**

**System name:** Unit Ledger Cards, ACTS: R—Treasury/IRS.

**System location:** Internal Revenue Service Centers and Records Center.

**Categories of individuals covered by the system:** Records are maintained on taxpayers having accounts with the Internal Revenue Service which are not compatible with normal master file processes, e.g.: penalties, transferee assessments, termination assessments, excise protest accounts, RMF overflow accounts, culpable and nonpetitioning spouses, Forms 1042, 1040-NR, 926, 5330, 4720, 990-AR (Penalty) and any pre-ADP returns.

**Categories of records in the system:** The categories of records maintained are taxpayer entity records (name, address, taxpayer identification number or employer identification number and other indicators relevant to entity maintenance) and records containing tax module information (the tax return, the tax period, the balance due or credit balance, and transactions which have been recorded relative to the module).

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 301.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The unit ledger cards are a card file.

**Retrievability:** Information is retrievable by Taxpayer Identification Number.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** Disposition is prescribed by the appropriate Records Control Schedule.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 22.061**

**System name:** Wage and Information Document (WAID) File; ACTS: R—Treasury/IRS.

**System location:** National Computer Center, Martinsburg, W. Va.

**Categories of individuals covered by the system:** recipients of various types on income: wages; dividends; interest; rents and royalties; medical payments; capital gains distributions; non-taxable distributions' pensions and annuities; patronage dividends, distributions, and allocations; and prizes, gambling winnings and miscellaneous income.

**Categories of records in the system:** Records maintained are records representing certain wage and information returns: Forms W-2, W-2P, 1087 and 1099; and records of agricultural subsidy payments. Information included on each record identifies the recipient of the income (name, address, taxpayer identifying number, and other indicators relating to payee identification), identifies the income payer (very similar information), and identifies the type(s) and amount(s) of income.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic tape in social security number sequence.

**Retrievability:** By taxpayer social security number and name control.

**Safeguards:** Safeguards will not be less than provided by the Physical Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** Until tax year 1974, only until processed; after tax year 1974, two years; then magnetically erased.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS), national office. Officials maintaining the system—Directors, Internal Revenue Service Centers. See IRS Appendix A for locations.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 24.004**

**System name:** Audit Trail File, Data Services: A—Treasury/IRS.

**System location:** Internal Revenue Service Centers (see IRS Appendix A).

**Categories of individuals covered by the system:** Employees who accessed a specific taxpayer's account.

**Categories of records in the system:** A record log of every transaction posted to the Integrated Data Retrieval System (IDRS) according to the employee who input it and the terminal through which it posted.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosures may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404, 6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic Tape

**Retrievability:** By employee number

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Permanent retention.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner Data Services. Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Computer statistical record of all transactions input to the Integrated Data Retrieval System.

**Treasury/IRS 24.013**

**System name:** Combined Account Number File, Data Services: Treasury/IRS.

**System location:** Internal Revenue Service Centers. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Individuals and businesses having specific, current business with IRS.

**Categories of records in the system:** Taxpayer entity records (name, address, taxpayer identification number, and filing requirements related to entity liability); and tax modules (specific tax returns, tax years, and transactions which have been recorded relative to the module) when specifically requested by a service center, or if a notice for balance of tax due has been issued; a specific tax period is in taxpayer delinquent account status (TDA); a specific tax period is either credit or debit balance; no return has posted and the return due date (RDD) has passed; or when a specific tax period is in taxpayer delinquent return (TDI) status.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Disk storage.

**Retrievability:** Social security number or employer identification number.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** The policies and practices regarding storage, retention and disposal are governed by the principle that a specific tax period will be retained on the file dependent upon specified criteria prescribed in the Internal Revenue Manual and in various Accounts and Data Processing Handbooks (ADP Handbooks). The disposal of documents output from this file is specified in the Records Retention Handbook published by the Service and in the Internal Revenue Manual and in various Accounts and Data Processing Handbooks.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner Data Services. Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides. (See IRS Appendix A.)

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 24.014**

**System name:** Discriminant Function File (DIF), Data Services: Treasury/IRS.

**System location:** Internal Revenue Service Centers. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Individuals whose Forms 1040 and 1040A have a DIF Score higher than a cutoff score determined by Audit Division, indicating high audit potential. The DIF Score is the computation of Audit potential, based on formulae prescribed by Audit.

**Categories of records in the system:** Document Locator Number of the return, the Regional and District Offices of the taxpayer, the taxpayer's DIF Score and data from the individual's Income Tax Return needed to conduct an audit of his return.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** By magnetic tape and computer printout.

**Retrievability:** By individual's Social Security Number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Retained for three years. Disposed of thereafter.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner Data Services. Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purpose of determining, if the system contains a record pertaining to a particular individual.

**Record access procedures:** This System of records may not be accessed for the purpose of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 24.017**

**System name:** Employer Inquiry Look-Up for TDA Inquiries, Data Services: A—Treasury/IRS.

**System location:** Internal Revenue Service Centers. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Individual taxpayers who have paid Federal Insurance Contributions Act (FICA), wages to the Social Security Administration (SSA) through the 3rd quarter of the year and those taxpayers who file Federal Individual Income Tax returns Form 1040 and 1040A through the Individual Master File (IMF) Delinquency and Underreporting Program (WAID).

**Categories of records in the system:** Taxpayer's name, taxpayer's address, taxpayer's identification number, taxpayer's wages, taxpayer's marital status, taxpayer's employer/s name/s, employer's address, employer's identification number, tax period and other indicators relating to the program operation.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic tape.

**Retrievability:** Tape search by taxpayer name or identity number.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** The file is maintained approximately for six months and then destroyed and recreated as updated information is received from SSA or WAID.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the areas in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 24.028**

**System name:** IDRS Security Profile System, Data Services: Treasury/IRS.

**System location:** Internal Revenue Service Centers (See IRS Appendix A).

**Categories of individuals covered by the system:** Individual employees on whom records are retained.

**Categories of records in the system:** A record log of the employees (IDRS users) and containing pertinent data for identifying each user.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The file is used to verify the employee's authorization to access records retained on IDRS. It is so used at the moment of attempted access to the computer files.

The file is used to generate the identifying employee number of the using employee to be recorded on the computer retained disk files or on printed matter produced by the computer for purposes of case control or document routing.

The file is used in connection with computerized security routines to produce printed reports that are used by IRS internal security personnel to monitor use of IDRS.

Use is restricted to IRS personnel and there are no routine uses in connection with other Federal agencies.

For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Disk storage and magnetic tape backup.

**Retrievability:** By social security number only.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** The records are updated daily or weekly depending on the activity.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner Data Services. Officials maintaining the system—Directors, Internal Revenue Service Centers (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Information supplied by the IRS employee on standard personnel forms.

### Treasury/IRS 24.029

**System name:** Individual Account Number File, Data Services: A—Treasury/IRS.

**System location:** Internal Revenue Service Centers (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals having specific, current business with IRS.

**Categories of records in the system:** Taxpayer entity records (name, address, taxpayer identification number, and filing requirements related to entity liability); and tax modules (specific tax returns, tax years, and transactions which have been recorded relative to the module) when specifically requested by a service center, or if a notice for balance of tax due has been issued; a specific tax period is in taxpayer delinquent account status (TDA); a specific tax period is either credit or debit balance, no return has posted and the return due date (RDD) has passed; or when a specific tax period is in taxpayer delinquent return (TDI) status.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Disk storage.

**Retrievability:** Social security number.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** The policies and practices regarding storage, retention and disposal are governed by the principle that a specific tax period will be retained on the file dependent upon specified criteria prescribed in the Internal Revenue Manual and in various Accounts and Data Processing Handbooks (ADP Handbooks). The disposal of documents output from this file is specified in the Records Retention Handbook published by the Service and in the Internal Revenue Manual and in various Accounts and Data Processing Handbooks.

**System manager(s) and address:** Officials prescribing policies and practices—Assistant Commissioner Data Services. Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

### Treasury/IRS 24.030

**System name:** Individual Master File (IMF); Data Services—Treasury/IRS.

**System location:** National Computer Center (NCC), Martinsburg, West Virginia.

**Categories of individuals covered by the system:** Taxpayers who file Federal Individual Income Tax Returns (i.e. Forms 1040, 1040A).

**Categories of records in the system:** Taxpayer entity records (name, address, identification number (SSN) and other indicators pertaining to entity maintenance, including Zip Code), and tax modular records which contain all records relative to specific tax returns for each applicable tax period or year. Recorded here are tax transactions such as tax amount, additions, abatements of tax payments, interest and like type transactions recorded relative to each tax module.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** By identification number and alphabet.

**Storage:** Magnetic Tape.

**Safeguards:** Safequards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in the Records Retention Handbook published by the Service.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner Data Services. Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may

inquire in accordance with instructions appearing at 31 CFR Part I, Subpart Cd Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.(See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 24.046**

**System name:** Residual Master File (RMF) Data Services—Treasury/IRS.

**System location:** Internal Revenue Service Centers (Currently there are 10 such centers). See IRS Appendix A for locations.

**Categories of individuals covered by the system:** Persons in a sole proprietary role who file Excise Tax Returns (Form 11), Wagering Returns (Form 11C), Highway Use Returns (Form 2290), and Airways Use Returns (Form 4638) and Estate and Gift Taxes (Form 706 and 709), the latter can be individuals not in a sole proprietorship role.

**Categories of records in the system:** Taxpayer entity records (name, address, identification name (TIN) which may be either EIN or SSN, and other indicators pertaining to entity maintenance, including Zip Code), and tax modules which are all the records relative to specific tax returns for each applicable tax period. Recorded are tax transactions such as tax amount, statements/additions to tax, payments, interest and like type transactions relative to each tax module.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic Tape.

**Retrievability:** By name, type of tax, and identifying number.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in the Records Retention Handbook published by the Service.

**System manager(s) and address:** Official prescribing policies and practices, Assistant Commissioner Data Services. Officials maintaining the system, Directors, Internal Revenue Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with Instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the individual resides.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with Instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Internal Revenue Service Center servicing the area in which the Individual resides.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Tax returns and other filings made by the individual and agency entries made in the administration of the individual's tax account.

**Treasury/IRS 24.057**

**System name:** Taxpayer Delinquent Investigation Notice File; Data Services: A—Treasury/IRS.

**System location:** Internal Revenue Service Centers. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Individual and business taxpayers relating to taxpayer delinquency investigations and the generation of delinquency notices.

**Categories of records in the system:** Delinquency investigation information on business and individual taxpayers.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic tape.

**Retrievability:** Tape search by identity number or name.

**Safeguards:** Safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** Dependent upon the activity to each taxpayer record.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner Data Services. Officials maintaining the system—Directors, Internal Revenue Service Centers. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual. (See IRS Appendix A.)

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.001**

**System name:** Acquired Property Records, ACTS: C—Treasury/IRS.

**System location:** District Offices. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Delinquent taxpayers whose property has been acquired by purchase by government or right of redemption.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, revenue officer reports.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records are stored in locked facility when not in use.

**Retrievability:** Retrievable by taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** As specified in records disposition Handbook IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—District Directors of Internal Revenue. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains data for government accounting purposes from Service sources.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.002**

**System name:** Adjustment and Payment Tracer Files, ACTS: C—Treasury/IRS.

**System location:** District Offices. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayers against whom tax assessments have been made but who have either offered substantiating evidence for adjustment or proof of payment.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information about basis of assessment, including class of tax, period, dollar figures, TDA or notice, cancelled checks, amended returns, claims, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1 (16) 41.

**Retention and disposal:** In accordance with records disposition Handbook IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—District Directors of Internal Revneue. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.003**

**System name:** Collateral Files, ACTS: C—Treasury/IRS.

**System location:** Districts Offices. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayers against whom tax assessments have been made and who have submitted collateral such as bonds, mortgages, escrow, etc,. to stay collection.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information about basis of assessment, including class of tax, period, dollar figure and collateral submitted.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59. Collateral is returned to taxpayer after collection or adjustment is effected. Collateral forfeited in event of default.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—District Directors of Internal Revenue. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determing if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.023**

**System name:** Defunct Special Service Staff File being retained because of Congressional directive, ACTS: C-Treasury/IRS.

**System location:** National Office. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Individuals suspected of violating the Internal Revenue laws.

**Categories of records in the system:** Internal Revenue Service Master File printouts; returns and field reports; information from other law enforcement government investigative agencies; Congressional Reports, and news media articles.

**Authority for maintenance of the system:** U.S.C. 301, 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** This file is no longer being used by the Internal Revenue Service. The Special Service Staff was abolished August 13, 1973. Disclosure of information contained in this System of Records may be made to the Department of Justice in connection with actual or potential litigation. Access to the System is limited to Congressional Committees and individuals making Freedom of Information requests pertaining to themselves.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained alphabetically by individual and organization contained in vault at IRS National Office.

**Retrievability:** By alphabet

**Safeguards:** Access controls are in conformance with provisions of the physical and Document Security Handbook, IRM 1 (16) 41. No IRS official has access to these records except for retrieval purposes in connection with Congressional or Freedom of Information inquiries and litigation cases.

**Retention and disposal:** Records are being maintained solely for Congressional Committees at their request. When the Congressional Committees have completed their inquiries, the records will be destroyed except for those documents pertaining to pending litigation. Those records will be destroyed upon direction by the Court having jurisdiction over the documents.

**System manager(s) and address:** Assistant Commissioner (ACTS) National Office. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the System of Records contains a record pertaining to themselves may address inquiries to the Assistant Commisssioner (ACTS) National Office. (See IRS Appendix A for location.)

**Record access procedures:** Individuals seeking access to any System of Records may inquire in accordance with the instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (ACTS), National Office. (See IRS Appendix A for location.)

In addition, this System may contain some records provided by other agencies which are exempt from the Access and Contest provisions of the Privacy Act as published in the Notices of the Systems of Records for those agencies.

**Contesting record procedures:** See Access above.

**Record source categories:** News media articles, taxpayers' returns and records, informant and third party information, other Federal agencies and examinations of related or other taxpayers.

**Systems exempted from certain provisions of the act:** Information from an exempt system of records duplicated in this system of records retains the exempt status.

**Treasury/IRS 26.005**

**System name:** File of Persons Making Threats of Force or Forcible Assaults, ACTS:C—Treasury/IRS.

**System location:** District Offices (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals who have or may threaten or assault Collection activity personnel.

**Categories of records in the system:** Names, addresses, taxpayer identification number (if known), physical description (if known) of individuals.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made during judicial processes.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** By name of individual.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** In accordance with records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—District Directors of Internal Revenue. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.006**

**System name:** Form 2209, Courtesy Investigations, ACTS:C—Treasury/IRS.

**System location:** District Offices (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers on whom a delinquent account or delinquency or other investigation is or was located in one IRS district office, but the individual is now living or has assets located in the jurisdiction of another IRS district office.

**Categories of records in the system:** Contains taxpayer name, current and former addresses, taxpayer identifying number, if known. Contains the information, including class of tax, if applicable, or information concerning the action desired to be taken, and chronological investigative history.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records, Magnetic Tape.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—District Directors, Service Center Directors and Data Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.007**

**System name:** Form 2990—Miscellaneous Investigations, ACTS:C—Treasury/IRS.

**System location:** District Offices (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers on whom an investigation has been initiated for purposes of securing information necessary for Federal Tax Administration purposes.

**Categories of records in the system:** Name and address of party that was contacted, taxpayer identifiction number, if known, chronological investigative history and/or information secured. The following types of investigations are included in this system. Form SSA-7010 cases—Notice of Determination of FICA Wages—Issued when SSA obtains evidence that wages paid to claimant have not been recorded on his earnings record. Requests for data needed in proof of claim cases. Applications for discharge of property from tax lien. Service of tax court subpoenas. Complaints of employers failing to provide withholding statements. Recovery of unassessable erroneous refunds. Form SSA-1273 cases—Request for Preferential Investigation. This is a request for preferential treatment (over other SSA cases) on an earnings discrepancy case. Secure application for exemption from self-employment tax. Offers in Compromise and related activities; i.e., follow-up on defaulted installments, secure payment on collateral agreements, etc. Maximize compliance with withholding requirements on aliens' earnings. Other miscellaneous uses.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records, Magnetic Tape.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—District Directors, Service Center Directors and Data Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determing if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.008**

**System name:** IRS and Treasury Employee Delinquency, ACTS:C—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices and Service Centers, National Computer Center and Data Center. (See IRS Appendix A).

**Categories of individuals covered by the system:** IRS and Treasury employees who are shown on the Master file as delinquent in meeting Federal tax requirements.

**Categories of records in the system:** Taxpayer name, social security number, address, fact of IRS or Treasury employment code, District location code.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** by taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—Assistant Commissioner (ACTS), Regional Commissioners, District Directors of Internal Revenue and Service Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.009**

**System name:** Lien Files (Open and Closed), ACTS:C—Treasury/IRS.

**System location:** District Offices (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers on whom Federal Tax Liens have been filed.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information about basis of assessment including class of tax, period, dollar amount. Open and closed Federal tax liens including: Certificates of Discharge of Property from Federal Tax Lien; Certificates of Subordination; Certificates of Non-Attachment; Exercise of Government's Right of Redemption of Seized Property; Releases of Government's Right of Redemption. Federal tax lien information entered in Treasury Enforcement Communications System. Public lien index maintained pursuant to 26 U.S.C. 6323.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802, 26 U.S.C. 6323.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable), notices of lien and the index thereto are available to the public.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records, Magnetic Tape and Microfiche.

**Retrievability:** By taxpayer name and lien sequence number.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Official maintaining the system—District Directors, Service Center and Data Center Directors and Director of International Operations. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may address inquiries to District Director for each District whose records are to be searched.

**Record access procedures:** This system contains copies of public records, the originals of which are filed in accordance with the laws of each State, the District of Columbia, the Commonwealth of Puerto Rico, or possessions of the United States. See Notification above.

**Contesting record procedures:** See notification above.

**Record source categories:** Taxpayers' Federal Tax Returns.

**Treasury/IRS 26.010**

**System name:** Lists of Prospective Bidders at Internal Revenue Sales of Seized Property—ACTS:C—Treasury/IRS.

**System location:** District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals who have requested that they be notified of Internal Revenue sales of seized property.

**Categories of records in the system:** Name and address and phone number (if provided).

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made to other parties as necessary in the administration and enforcement of law as authorized by 26 U.S.C. 7801 and 7802. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records. File cabinets.

**Retrievability:** By name of Prospective Bidder.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—District Directors of Internal Revenue determine if need for this system exists. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the District Director of Internal Revenue Service servicing the area in which the individual resides.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire inaccordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Director of Internal Revenue Service servicing the areas in which the individual resides.

**Contesting record procedures:** See Access above.

**Record source categories:** Supplied voluntarily by the subject prospective bidder.

**Treasury/IRS 26.011**

**System name:** Litigation Case Files, ACTS: C—Treasury/IRS.

**System location:** District Offices (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers on whom Federal tax assessments have been made but against whom litigation has been initiated or is being considered by the government or who have instituted suits against the government.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information about basis of assessment, including class of tax, period, and dollar amount. This file includes: Suit to Reduce Tax Claim to Judgement; Suit for Failure to Honor a Levy; Suit to Enforce Federal Tax Lien; Suit Against Transferee; Suit to Set Aside Fraudulent Transfer; Suit to Recover Erroneous Refund; other suits include those which the United States may intervene to assert a Federal Tax Lien; a proceeding to require opening of a safe deposit box, etc. The following suits against the United States are also included in this file: Quiet Title Suit; Foreclosure of Mortgage or other Lien; Partition; Condemnation; Interpleader; Refund Suits Involving 100-Percent Penalty Assessments; Injunction Suits Under Freedom of Information Act. Also included in Litigation Files are: Individuals against whom bankruptcy proceedings are pending; decedent estates in probate with outstanding Federal tax labilities; individuals executing Assignments for the Benefit of Creditors; individuals in Receivership Proceedings; individuals conducting a bulk sale; summons referrals; subpoena files; advisory opinions; revenue officer reports; and various other legal instruments and correspondence. Disclosure may be made during judicial processes.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—District Directors of Internal Revenue. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/26.012**

**System name:** Offer in Compromise (OIC) File, ACTS: C—Treasury/IRS.

**System location:** District Offices, Service Center, Regional Offices, and National Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who have submitted an offer to compromise a liability imposed by the Internal Revenue Code.

**Categories of records in the system:** Form 2515, used to control offer cases, contains space for entering taxpayer name, address, taxpayer identification number, and all other pertinent information for identifying and assigning the OIC investigation. The file contains all records, documents, reports and work papers relating to the assignment, investigation, review and adjudication of the offer. This includes such items as the original offer, results of property records checks, interviews with third parties and the taxpayer, collateral income agreements, financial statements, tax return copies, and other information submitted by the taxpayer.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and to the extent necessary to permit public inspection of any accepted offer-in-compromise as required by 26 U.S.C. 6103(K)(1).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records, Magnetic Tape.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices Assistant Commissioner (ACTS). Officials maintaining the system Regional Commissioners, Service Center Directors, District Directors and Director, Data Center. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported. If an offer is accepted, an abstract and statement which identifies the taxpayer, the liability, the amount compromised and the basic circumstances of the case is made available for public inspection in accordance with EO 10386 and EO 10906.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.013**

**System name:** One Hundred Percent Penalty Cases, ACTS: C—Treasury/IRS.

**System location:** District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals against whom Federal tax assessments have been made or are being considered as a result of their being deemed responsible for payment of unpaid corporation withholding taxes and social security contributions.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information about basis of assessment, including class of tax, period, dollar figures, waiver extending the period for asserting the 100-percent penalty (if any) and correspondence.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records, Magnetic Tape.

**Retrievability:** By individual or corporation name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices Assistant Commissioner (ACTS). Officials maintaining the system District Directors, Service and Data Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.014**

**System name:** Record 21, Record of Seizure and Sale of Real Property. Acts:C—Treasury/IRS.

**System location:** District Offices (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals against whom tax assessments have been made and whose real property was seized and sold to satisfy their tax liability. Also name and address of purchaser.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information about basis of assessment, including class of tax, period, dollar amounts, property description.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The contents of this System of Records evidences chain of title to real property and is a matter of public record.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, file cabinets.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices (Assistant Commissioner (ACTS)), Officials maintaining the system (District Directors of Internal Revenue). (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may address inquiries to District Director for each District whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may address inquiries to or appear in person at the office of District Director for each District whose records are to be searched.

**Contesting record procedures:** See Access above.

**Record source categories:** This System of Records evidences chain of title to real property and is a matter of public record. (See Category of Record above).

**Treasury/IRS 26.015**

**System name:** Records being maintained at the request of Congressional Committees. ACTS:C—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals who have previously been the subject of Collection case assignments and/or individuals who have been identified as potential tax delinquents. Includes Former Sensitive Case Files and various returns compliance files which are normally not retained.

**Categories of records in the system:** Names, addresses, taxpayer identification number, class of tax, period, location of levy sources (if known), other financial data (if known), dollar figures (if known), and correspondence (if any).

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records, file cabinets.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Records will be destroyed when no longer required by Congressional Committees.

**System manager(s) and address:** Official prescribing policies and practices (Assistant Commissioner (ACTS)), Officials maintaining the system—Director, Collection Division; ARCs (ACTS); District Directors of Internal Revenue (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.016**

**System name:** ACTS:C—TREASURY/IRS—Returns Compliance Programs (RCP).

**System location:** District Offices and Service Centers (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers who may be delinquent in filing or paying Federal taxes.

**Categories of records in the system:** Records consist of name, address, taxpayer identification number (if known) and information concerning the potential tax liability. Returns Compliance Programs involve any type of Federal tax administered by the Collection Division and are conducted in accordance with Section 7601 of the Internal Revenue Code. RCP programs can be initiated by the National Office, Regional Offices, or by individual districts. Disclosure may be made during judicial processes.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records, Magnetic Tape.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices Assistant Commissioner (ACTS), Officials maintaining the system District Directors, Service and Data Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.017**

**System name:** Seized Property Records, ACTS:C—Treasury/IRS.

**System location:** District Offices (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers whose property has been seized for subsequent sale by IRS to satisfy tax liabilities.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, copy of Notice of Federal Tax Lien, information about basis of assessment, including class of tax, period, dollar amount, and Revenue Officer reports.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records, Magnetic Tape.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices, Assistant Commissioner (ACTS), Officials maintaining the system, District Directors, Service and Data Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.018**

**System name:** Tax Collection Waiver Form 900 Files, ACTS: C—Treasury/IRS.

**System location:** District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers for whom tax assessments exist and for whom statutory collection period has been extended by waiver.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information about basis of assessment based on TDA, including class of tax, period, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records, file cabinets.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS), Officials maintaining the system, District Directors of Internal Revenue. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.019**

**System name:** TDA (Taxpayer Delinquent Accounts), ACTS C—Treasury/IRS.

**System location:** District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers on whom Federal tax assessments have been made.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information about basis of assessment, including class of tax, period, dollar amounts, chronological investigative history, etc. This system includes Part Payment Files, Large Dollar Reports; No Activity Reports; TDA Register; Uncollectable Accounts Register; Uncollectable Accounts Register (over 25,000); Advance Dated Remittance Check Files; Uncollectable Accounts Files; File of taxpayer names entered in the Treasury Enforcement Communications System.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Disc and paper records, and magnetic tape.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices, Assistant Commissioner (ACTS), Officials maintaining the system, District Directors, Director International Operations, Service and Data Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes if determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.020**

**System name:** TDI (Taxpayer Delinquency Investigation) Files, ACTS: C—Treasury/IRS.

**System location:** District Offices and Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers believed to be delinquent in filing Federal tax returns.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information from previously filed returns, information about the potential delinquent return(s), including class of tax, chronological investigative history.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records and magnetic tape.

**Retrievability:** by taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices, Assistant Commissioner (ACTS), Officials maintaining the system, District Directors, Service and Data Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system of records has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.021**

**System name:** Transferee Files, ACTS: C—Treasury/IRS.

**System location:** District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Includes taxpayers on whom tax assessments have been made but who have allegedly transferred their assets in order to place them beyond the reach of the government.

**Categories of records in the system:** Taxpayer name, address, taxpayer identification number, information about basis of assessment, including class of tax, period, dollar amounts. Also the name, address, taxpayer identification number and related information about transferee.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Record, Magnetic Tape.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices, Assistant Commissioner (ACTS). Officials maintaining the system, District Directors, Service and Data Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 26.022**

**System name:** Delinquency Prevention Programs, ACTS:C—Treasury/IRS.

**System location:** District Offices. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayers having a history of Federal tax delinquency.

**Categories of records in the system:** Taxpayer name, taxpayer identification number, address, filing requirements, chronological investigative history.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records and Magnetic Tape.

**Retrievability:** By taxpayer name.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** As specified in records disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Official prescribing policies and practices—Assistant Commissioner (ACTS). Officials maintaining the system—District Directors, Service and Data Center Directors. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 30.005**

**System name:** Accident Investigation Files System Administration—Treasury/IRS.

**System location:** National Office, Regional Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals involved in accidents involving either property damage of over

500.00 or any personal injury.

**Categories of records in the system:** Information consisting of injuries, damages, dollar estimate, causes and conditions of accidents, interviews and statements pertaining to IRS employees and private individuals involved in accidents which result in over

500.00 in property damage or personal injury to either party.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—National Office—file folders, Regional Offices—card file. Retrievability—indexed by name. Safeguards—records are kept in offices which are locked or guarded during non-work hours. Retention and disposal—National Office—records are stored in the Protective Programs Branch for a period of three years. They are then transferred to the Federal Records Center and destroyed seven years after case file year.

**System manager(s) and address:** National Office—Safety Management Officer, Protective Programs Branch, Regional Offices (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each office whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each office whose records are to be accessed or contested.

**Record source categories:** The information originates from the IRS Inspection Branch.

**Treasury/IRS 30.002**

**System name:** Employee Administrative Files, Tax Administration, Advisory Services Division—Treasury/IRS.

**System location:** National Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees of the TAAS Division, both current and former.

**Categories of records in the system:** Overseas Employee Work Folders (active and inactive), Headquarters Staff Employee Work Folders (active and inactive), Official Passport and Control Card File, ID Cards (AID). Maintained for reference and administrative processing purposes; for selection and nomination for overseas assignments.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper.

**Retrievability:** By individual name.

**Safeguards:** Files are kept in a locked file or locked room with limited access by division employees.

**Retention and disposal:** Obsolete files are destroyed when further assignments with the division are considered unlikely. Passports are returned to State Department. ID's are returned to Agency for International Development.

**System manager(s) and address:** Director, Tax Administration Advisory Services Division, National Office (See IRS Appendix A).

**Notification procedure:** See system manager above.

**Record access procedures:** See system manager above.

**Contesting record procedures:** See system manager above.

**Record source categories:** From the individual, and from standard Personnel and other governmental administrative forms relating to the individual.

**Treasury/IRS 30.001**

**System name:** Personal Data on Official Contacts, Tax Administration Advisory Services Division—Treasury/IRS (See IRS Appendix A).

**System location:** National Office.

**Categories of individuals covered by the system:** Selected officials and work contacts in: IRS, AID, State Department; and other Government agencies; the Inter-America Center of Tax Administrators; foreign governments; international organizations; and educational institutions in the U.S.

**Categories of records in the system:** Locator Card Files of official contacts (5); Liason Listing of official training program contacts; biannual international tax advisors listing; TAAS advisors and National Office staff listing; bio-data sketches on individuals (IRS and others). Maintained for quick reference in order to locate and contact an individual, and to keep record of personal information for use in connection with official business.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper

**Retrievability:** By individual name.

**Safeguards:** Access limited to authorized persons.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** Director, Tax Administration Advisory Services Division, National Office (See IRS Appendix A).

**Notification procedure:** See System Manager above.

**Record access procedures:** See System Manager above.

**Contesting record procedures:** See System Manager above.

**Record source categories:** From the individual, from the organization with which he is associated, or from other knowledgeable experts in the field of Tax Administration.

**Treasury/IRS 30.003**

**System name:** Requests for Printed Tax Materials Including Lists, Administration—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers (See IRS Appendix A).

**Categories of individuals covered by the system:** Files include those individuals and/or businesses that request various IRS printed materials such as Package X, TIRs, reproduction proofs, etc.

**Categories of records in the system:** Letter or order blank submitted by the individual and/or business and any related correspondence. A cross reference index may also be developed to identify and control requests.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in the system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—magnetic tapes, paper records or mailing plates. Retrievability—alphabetically or numerically. Safeguards—not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal—names dropped as system is updated.

**System manager(s) and address:** Chief, Publishing Services Branch A:FM:P National Office, and Chief, Administration in Regional Offices, District Offices and Service Centers (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each office whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each office whose records are to be accessed or contested.

**Record source categories:** The information is supplied by the individual and/or company making the request. The Service adds data pertaining to the fulfillment of the request.

**Treasury/IRS 30.004**

**System name:** Security Violations, Administration—Treasury/IRS.

**System location:** Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Violators of IRS Security Regulations.

**Categories of records in the system:** Name of violator, circumstances of violation (date, time, actions of violator, etc), supervisory action taken.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—file folder (notices of violation); 3 x 5 inch card file. Retrievability—3 x 5 inch card file—name; lateral file cabinets, access by PPO staff only. Retention and disposal—3 x 5 inch card file—indefinite; file folder—3 years. On-site location: 3 x 5 inch card file—indefinite; file folder—3 years (1 year in PSS Office, 2 years in Records Holding area).

**System manager(s) and address:** Chief, Facilities Management Branch, Service Centers. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Service Center Director for each Service Center whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Service Center Director for each Service Center whose records are to be accessed or contested.

**Record source categories:** Contract Guard Force.

### Treasury/IRS 32.001

**System name:** Travel Expense Record, Administration—Treasury/IRS.

**System location:** National Office, Regional Offices and District Offices. See IRS Appendix A for Locations.

**Categories of individuals covered by the system:** All IRS employees who have incurred travel or moving expenses in conjunction with official business.

**Categories of records in the system:** Records consist of travel advances, personal travel vouchers, household move vouchers, Forms W-2, schedule of disbursements, GAO decisions/rulings, Transportation Requests, Overdue Notices, Certification of Deposits, Government Bills of Lading & Form 2221, (Schedule of Collections). Records are for the purpose of maintaining accurate financial accounting of travel and moving expenses of employees.

**Authority for maintenance of the system:** GAO Policy and Procedures Manual for Guidance of Federal Agencies, Title 2, Chapter 2, Sections 5 & 6.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—locked files. Retrievability—indexed in alphabetical order or assigned numerical sequence. Safeguards—access is restricted to designated Fiscal Management employees, to individuals concerned on a need-to-know basis, and to administrative offices through the authority of the Travel Management Supervisor. As required, IRS Internal Audit and Security has access to the files. Retention and Disposal—retired after 3 years to Federal Records Center; disposed in accordance with Records Retention Handbook.

**System manager(s) and address:** Chief, Accounting Section, IRS National Office or Chief, Fiscal Section, IRS Regional Office. See IRS Appendix A for Locations.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR, Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager.

**Contesting record procedures:** See Access above.

**Record source categories:** Information supplied by employees and by GAO as required.

### Treasury/IRS 32.002.

**System name:** Payroll/Personnel System, Administration—Treasury/IRS. (See Related System Treasury/OS 00.054)

**System location:** IRS Data Center, National Office, Regional Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Current and Former IRS Employees. IRS also processes payroll data relating to current or former employees of the Bureau of Alcohol, Tobacco and Firearms, Secret Service, Customs, and the Office of the Secretary of the Treasury (exchange stabilization fund). See information contained in notices published by Department of the Treasury constituent units whose payroll is serviced by this system.

**Categories of records in the system:** Data storage and file records system for processing payroll and personnel actions, consisting of records of time and attendance, leave, tax withholding, bond purchase and issuance, emergency salaries, overtime and holiday pay, optional payroll deductions, and minority group designator codes. Aside from payroll processing, recorded personnel data is available on a need to know basis to personnel offices in accordance with Civil Service Commission, Treasury and IRS regulations.

**Authority for maintenance of the system:** 5 U.S.C. 301, 6 USC. (Chapter 1, Section 2), GAO Policy and Procedures manual for Guidance of Federal Agencies.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. Aside from payroll processing, recorded personnel data is available on a need to know basis to personnel offices in accordance with Civil Service Commission, Treasury and IRS regulations. Separations may be reported to State Unemployment Agencies. This System is used to furnish payroll and personnel data, information and statistics to the Civil Service Commission and other requesting agencies. It is also used to generate the necessary payroll information, deductions and allotments to pay the employees on a biweekly basis and to furnish the necessary payroll information to concerned agencies required by law. The basic payroll and personnel master file provides input to management information systems, as well as related accounting and budget systems. For additional routine uses see Appendix AA and routine uses published for system Treasury/OS 00.054.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—data files maintained on magnetic tape; folder records maintained in file cabinets. Retrievability—indexed by social security number or by name. Safeguards—access controls are not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Retention and disposal—retired after 3 years to the Federal Records Center; disposed of after 56 years.

**System manager(s) and address:** Personnel Data: Director; Personnel Division, IRS National Office. Payroll Data: Chief, Administration Systems Management Staff, IRS National Office. (See IRS Appendix A).

**Notification procedure:** Individuals seeking information pertaining to these records may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to: Assistant Commissioner (Administration), IRS National Office.

**Record access procedures:** Same as "notification" above.

**Record source categories:** Information is compiled from the existing master records, i.e. employees' official personnel folders. Information also provided by payroll coordinators and administrative officers.

### Treasury/IRS 32.003

**System name:** Schedules of Collections and Schedules of Canceled Checks, Administration—Treasury/IRS.

**System location:** National Office and Regional Offices. See IRS Appendix A for Locations.

**Categories of individuals covered by the system:** Employees of Internal Revenue Service.

**Categories of records in the system:** Checks received from employees in connection with jury duty and overpayments. System maintained to place all collections under security control promptly upon receipt and to record amount of deposit to general ledger control accounts.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—records maintained in locked file cabinet. Retrievability—indexed by name. Safeguards—access controls are not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Retention and disposal—records are maintained until transferred to the Federal Records Center to be retained in accordance with the Records Retention Manual.

**System manager(s) and address:** Chief, Accounting Section, National Office or Chief, Fiscal Section, Regional Offices. See IRS Appendix A for Locations.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR, Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each office whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR, Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each Office whose records are to be accessed or contested.

**Contesting record procedures:** See Access above.

**Record source categories:** Employees, District Directors, Regional Commissioners.

**Treasury/IRS 32.004**

**System name:** Scholarship Program Cost Record, Administration—Treasury/IRS.

**System location:** Regional Offices (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees in the IRS Scholarship Program.

**Categories of records in the system:** Actual and estimated expenditure per student for purposes of monitoring and controling costs.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—in file cabinet. Retrievability—indexed by District (within District, individual recipients indexed by name). Safeguards—employees in the Budget and Reports Section have access to records. Retention and disposal—records maintained for 2 years and then disposed.

**System manager(s) and address:** Chief, Budget and Reports Section, Fiscal Management Branch, IRS Regional Offices. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each office whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR, Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each office whose records are to be accessed or contested.

**Contesting record procedures:** See Access above.

**Record source categories:** Information provided by employees concerned.

**Treasury/IRS 34.009**

**System name:** Accident Reporting Files System—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers, IRS Data Center, National Computer Center. (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees of the Internal Revenue Service and non-Federal employees.

**Categories of records in the system:** Information consists of conditions surrounding accident, injuries, and damages pertaining to Internal Revenue Service employees' accidents while on duty and non-Federal employees who suffered an accident on IRS space or who were employed through a temporary manpower agency.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—file folders; card file. Retrievability—indexed by name. Safeguards—records are kept in offices which are locked or guarded during non-working hours. Retention and disposal—records are stored in the Protective Programs Branch for three years and are then transferred to the Federal Records Center. Records are destroyed seven years after case file year.

**System manager(s) and address:** For National Office—Safety Management Officer, Protective Programs Branch, Facilities Management Division, National Office. For Regional and District Offices—Chief, Facilities Management Branch, appropriate Regional or District office. (See IRS Appendix A).

**Notification procedure:** Same as System Manager above. Name must be provided to ascertain whether or not the system has a record pertaining to the individual.

**Record access procedures:** Individuals may go to Internal Revenue Service Regional Office to gain information on procedures for gaining access to and contesting records of this system. The Regional Protective Programs Officer is the official to be contacted.

**Contesting record procedures:** See access above.

**Record source categories:** Information originates from the employee involved in the accident and his/her supervisor or the nonfederal employee involved and, sometimes, a witness or an accident investigation.

**Treasury/IRS 34.010**

**System name:** Damage and Injury Claims Files System—Treasury/IRS.

**System location:** National Office and Regional Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Internal Revenue Service employees and private individuals acting as claimants against the Service. Private parties against which the Service has a claim.

**Categories of records in the system:** Claims consisting of information on dollar amounts of claims of property damage and personal injuries and estimated property damage related to the Federal Claims Collection Act, Federal Tort Claims Act, the Military Personnel and Civilian Employees Claims Act of 1964, and the Small Claims Act.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—file folders and card file. Retrievability—indexed by name. Safeguards—access to

the records is restricted to official use of Internal Revenue Service employees. Records are kept in offices which are locked or guarded during non-work hours. Retention and disposal—records are kept for three years and then are transferred to the Federal Records Center where they are destroyed seven years after the case file date.

**System manager(s) and address:** For National Office—Safety Management Officer, Protective Programs Branch, Facilities Management Division. For Regional Offices—Chief, Facilities Management Branch, appropriate Regional Office. (See IRS Appendix A).

**Notification procedure:** Same as for National Office above. Individual must submit the name of the party or individual involved in the claim to determine whether or not the system contains a record pertaining to the party or individual.

**Record access procedures:** Individuals may go to IRS Regional Office to gain information for procedures for gaining access and contesting records of this system. The Regional Protective Programs Officer is the official to be contacted.

**Contesting record procedures:** See Access above.

**Record source categories:** Information originates from private individuals, private parties, Internal Revenue Service employees, and Internal Revenue Service officials.

**Treasury/IRS 34.011**

**System name:** Driver Licensing Files System—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers, IRS Data Center, National Computer Center. (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees of the Internal Revenue Service.

**Categories of records in the system:** Information consists of personal information on driving records relating to motor vehicle records of IRS drivers.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—file folders. Retrievability—indexed by name. Safeguards—records are kept in offices which are locked or guarded during non-work hours. Retention and disposal—records are actively maintained as long as license is in effect.

**System manager(s) and address:** Chief, Facilities Management in the appropriate office. (See IRS Appendix A).

**Notification procedure:** Same as System Manager above. Name of person must be submitted.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Information originates from IRS motor vehicle drivers.

**Treasury/IRS 34.001**

**System name:** Economic Stabilization Program Closed Case Files—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals acting as sole proprietorships or partnerships involved in any pursuit subject to the Economic Stabilization Program.

**Categories of records in the system:** Case files for the period 1971 through 1974 originating from the investigation of complaints alleging violation of the Stabilization program or in granting or denying of exception/exemption requests.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The Economic Stabilization Program terminated on June 30, 1974. Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—stored in cartons in servicing Federal Records Centers. Retrievability—indexed alphabetically by name. Safeguards—Federal Record Center security with access restricted to Internal Revenue Service employees. Retention and Disposal—to be destroyed in the years 1976 through 1979 (five years after the end of the case file year).

**System manager(s) and address:** Director, Disclosure Operations Division, National Office; Regional Offices and District Offices. (See IRS Appendix A).

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Letters from the public, applications from individuals, investigative reports, disclosure statements, determination letters, legal appeals and notifications of decisions.

**Treasury/IRS 34.002**

**System name:** Economic Stabilization Program Special Correspondence Files—Treasury/IRS.

**System location:** National Office.

**Categories of individuals covered by the system:** Congressmen, government officials and private individuals.

**Categories of records in the system:** Congressional, public officials, and private individuals' correspondence pertaining to Stabilization activities for the period 1971 through 1974 which is not part of a case file.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The Economic Stabilization Program terminated on June 30, 1974. Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—stored in cartons in the Washington National Records Center. Retrievability—filed alphabetically by name. Safeguards—Federal Records Center security with access limited to Internal Revenue Service employees. Retention and Disposal—the records are to be transferred to the National Archives in 1979 as historical records.

**System manager(s) and address:** Director, Disclosure Operations Division, National Office.

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Queries for information, interpretations and rulings originating either from Congressmen, public officials or private individuals.

**Treasury/IRS 34.012**

**System name:** Emergency Preparedness Cadre Assignments and Alerting Rosters Files System—Treasury/IRS.

**System location:** National Office, Regional Offices, and Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Key IRS, Treasury and FPA personnel.

**Categories of records in the system:** Cadre assignments—personal information on employees, i.e., name, address, phone number, family data, security clearance, relocation assignment, etc. Alerting rosters—current listing of individuals by name and title stating their work and home address and phone numbers.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—individual forms and correspondence kept in file folders. Retrievability—cadre assignments are filed by relocation site and allerting rosters by title of list. Safeguards—records are kept in a secured office. Retention and disposal—records are kept as required by Records Disposition Handbook.

**System manager(s) and address:** For National Office—Chief, Protective Programs Branch, Facilities Management Division. For Regional Offices—Chief, Facilities Management Branch, Appropriate Region. For Service Centers—Director, Appropriate Service Center, Protective Programs Officer. (See IRS Appendix A).

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Provided by individuals themselves.

**Treasury/IRS 34.003**

**System name:** Employee Accountability for Personal Property and Miscellaneous Items—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers, IRS Data Center and National Computer Center. (See IRS Appendix A).

**Categories of individuals covered by the system:** All Employees.

**Categories of records in the system:** Receipts for Government property and miscellaneous items issued to employees.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution of civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—maintained in locked filing cabinets. Retrievability—indexed alphabetically by name. Safeguards—access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal—receipts are destroyed upon return of property.

**System manager(s) and address:** Chief, National Office Facilities Branch, National Office; Regional Offices, District Offices, Service Centers, IRS Data Center and National Computer Center. (See IRS Appendix A).

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Information is provided by individuals who receive property, such as credit cards, identification cards, pocket commissions, Government driver's licenses, keys, etc.

**Treasury/IRS 34.004**

**System name:** Executive Resources Information System—Treasury/IRS.

**System location:** National Office.

**Categories of individuals covered by the system:** IRS Executives at GS-15 and above.

**Categories of records in the system:** A time-share computer data base containing biographical data, current job status, and position availability of IRS Executives.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The system is used to assist the Executive Resources Board to make selections for vacant executive positions. Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—maintained on computer disk file. Retrievability—indexed by name. Safeguards—access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal—records maintained until employee leaves IRS at which time that record is deleted from the file.

**System manager(s) and address:** Executive Secretary, Executive Resources Board, National Office.

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Information supplied by IRS Executive and taken from SF 50's and SF 52's.

**Treasury/IRS 34.013**

**System name:** Identification Media Files System for Employees—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers, IRS Data Center, National Computer Center. (See IRS Appendix A).

**Categories of individuals covered by the system:** IRS employees having one or more items of identification.

**Categories of records in the system:** Records contain individual's name, home address, SSN, physical description, and other personal information and reports on loss, theft, or destruction of pocket commissions, enforcement badges and other forms of identification.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—correspondence file folders; 3 x 5 inch card files computer memory. Retrievability—Indexed separately by name and Identification Media serial number. Access controls—access to the records is restricted to official use of Internal Revenue. The files are stored in locked security containers in offices which are locked or guarded during non-work hours. Access controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal—the records are destroyed 3 years after last entry turn-in.

**System manager(s) and address:** Security Program Manager, Protective Programs Branch, Facilities Management Division, National Office.

**Notification procedure:** Individual's name, SSN, address and type of ID media, plus the approximate date that he/she was issued and/or turned in the particular item of identification, would have to be furnished the Service office that issued the item for them to be able to ascertain whether or not their system contains a record about the individual. (See IRS Appendix A).

**Record access procedures:** By writing or visiting applicable Service office.

**Contesting record procedures:** See Access above.

**Record source categories:** Information was furnished by each individual at the time they received the particular item of identification.

**Treasury/IRS 34.014**

**System name:** Motor Vehicle Registration and Entry Pass Files System—Treasury/IRS.

**System location:** Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals requiring continued access to the facility and parking area violators.

**Categories of records in the system:** Name of employee, registered owner of vehicle, branch, telephone, description of car, license number, employee's signature, name and expiration date of insurance, parking violations, decal number.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—file folders and card file. Retrievability—indexed by name. Safeguards—records are kept in a secured container in a secured office. Retention and disposal—records are kept until obsolete.

**System manager(s) and address:** Protective Programs Officer, appropriate Service Center. (See IRS Appendix A).

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Information is supplied by individual except for parking violations information which is supplied by the security guard personnel.

**Treasury/IRS 34.005**

**System name:** Parking Space Application and Assignment—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers, IRS Data Center and National Computer Center. (See IRS Appendix A).

**Categories of individuals covered by the system:** Internal Revenue Service employees who apply for assignment of carpool or reserved parking spaces.

**Categories of records in the system:** Contains the name, grade, position title, organization, vehicle identification, arrival and departure time, and service computation date of individual or principal carpool applicant. Contains name, place of employment, duty telephone, vehicle license number and service computation date of applicants, individuals or carpool members, for parking spaces.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—maintained on an 8-1/2 x 10 inch or other local form. Retrievability—indexed by name of individual or principal carpool applicant. Safeguards—records are maintained in a file cabinet in a locked room. Retention and Disposal—Records are maintained for a period of not more than one year. Previous years' records are destroyed after each parking review.

**System manager(s) and address:** Chief, National Office Facilities Branch, National Office; Regional Offices, District Offices, Service Centers, IRS Data Center and National Computer Center. (See IRS Appendix A).

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Individuals applying for parking spaces.

**Treasury/IRS 34.015**

**System name:** Personnel Identification Files System for service centers—Treasury/IRS.

**System location:** Service centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Federal and non-Federal personnel working in or visiting a particular service center.

**Categories of records in the system:** Records contain individual's name, home address, SSN and other such personal information. Visitor registers contain names and addresses of all visitors to the facility. Restricted area registers contain the names of all persons who visited the particular restricted area. Forms file contains the name of individuals who have lost or forgotten their badge.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—5 x 8 inch card file, 8 x 11 inch sheets. Retrievability—indexed separately by name and serial number for cross reference purposes. Registers filed by date. Access controls—access to the records is restricted to official use of Internal Revenue Service. The files are kept in offices which are locked or guarded during non-work hours. Retention and disposal—the records are destroyed 3 years after last entry turn-in.

**System manager(s) and address:** Security Program Manager, Protective Programs Branch, Facilities Management Division, National Office.

**Notification procedure:** Individual's name, SSN and address, plus the inclusive date(s) that he/she visited or was assigned to a particular service center, would have to be furnished to a center for them to be able to ascertain whether or not their system contains a record about the individual. (See IRS Appendix A).

**Record access procedures:** By writing or visiting applicable service center.

**Contesting record procedures:** See Access above.

**Record source categories:** Information was furnished by each individual at the time he/she made application for a permanent or temporary badge to enter a center.

**Treasury/IRS 34.006**

**System name:** Property Pass for Government Property—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers, IRS Data Center and National Computer Center. (See IRS Appendix A).

**Categories of individuals covered by the system:** All individuals removing property from IRS space.

**Categories of records in the system:** Description of property and reason for removal.

**Authority for maintenance of the system:** FPMR (41 CFR) 101-19.108.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—maintained on various sized forms. Retrievability—indexed by name. Safeguards—access controls will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal—destroyed when property is returned.

**System manager(s) and address:** Chief, National Office Facilities Branch, National Office; Regional Office, District Offices, Service Centers, IRS Data Center and National Computer Center. (See IRS Appendix A).

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Individual requesting a property pass.

**Treasury/IRS 34.007**

**System name:** Record of Government Books of Transportation Requests—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers, IRS Data Center, and National Computer Center. (See IRS Appendix A).

**Categories of individuals covered by the system:** IRS employees issued Transportation Requests.

**Categories of records in the system:** Form 496, alphabetical card record by name of the serial numbers of Transportation Requests issued to the employee; and Form 4678, numerical list by serial number listing the name of the employee to whom issued.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with

requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—maintained in card file box or file cabinets. Retrievability—by name or serial number. Safeguards—access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal—retained and disposed in accordance with Records Disposition Handbook, IRM 1(15)59-301 (GRS-9).

**System manager(s) and address:** Administrative Officers, National Office; Regional Offices, District Offices, Service Centers, IRS Data Center and National Computer Center. (See IRS Appendix A).

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Government Books of Transportation Requests and employees to whom Books were issued.

**Treasury/IRS 34.008**

**System name:** St. Louis District Office and Other Selected Economic Stabilization Program Closed Case Files—Treasury/IRS.

**System location:** St. Louis Federal Records Center, 111 Winnebago Street, St. Louis, Mo. 63118.

**Categories of individuals covered by the system:** Individuals acting as sole proprietorships or partnerships involved in any pursuit subject to the Economic Stabilization Program.

**Categories of records in the system:** Case files for the period 1971 through 1974 originating from the investigation of complaints alleging violation of the Stabilization program or in granting or denying of exception/exemption requests.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The Economic Stabilization Program terminated on June 30, 1974. Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—stored in cartons in the St. Louis Federal Records Center. Retrievability—indexed alphabetically by name. Safeguards—Federal Records Center security with access limited to Internal Revenue Service employees. Retention and Disposal—the records are to be transferred to the National Archives in 1979 as historical records.

**System manager(s) and address:** Director, Disclosure Operations Division, National Office.

**Notification procedure:** Same as System Manager above.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Letters from the public, applications from individuals, investigative reports, disclosure statements, determination letters, legal appeals and notifications of decisions.

**Treasury/IRS 34.016**

**System name:** Security clearance files system—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees of the Internal Revenue Service requiring a security clearance, having their security clearance cancelled or transferred and individuals who have violated IRS security regulations.

**Categories of records in the system:** Records contain individual's name, employing office, date of security clearance, level of clearance, reason for clearance, and any changes in such clearance. Security violations records contain name of violator, circumstance of violation and supervisory action taken.

**Authority for maintenance of the system:** 5 USC 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To provide information to agencies and individuals on a need-to-know basis to determine the current status of an individual's security clearance. Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage—correspondence file folders; 3 x 5 inch card file. Retrievability—indexed by name. Access controls—stored in locked security container in offices which are locked or guarded during non-work hours. Access controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Retention and disposal—correspondence files relating to administration and operation of the Personnel Security Clearance Program are disposed after 2 years. Personnel Security Clearance Status files maintained in security unit to show the security clearance status of individuals in the form of lists or rosters are disposed when superceded or obsolete.

**System manager(s) and address:** Security Program Manager, Protective Programs Branch, Facilities Management Division, National Office.

**Notification procedure:** Chief, Protective Programs Branch, Facilities Management Division, National Office. Full name, to include previous names used, date of birth and current status should be provided with inquiry.

**Record access procedures:** Same as System Manager above.

**Contesting record procedures:** Same as System Manager above.

**Record source categories:** Information is provided by the employee, his/her supervisor or employee's personnel record. Security violation information is obtained from a variety of sources, such as guard reports, security inspections, supervisor's reports, Internal Audit Reports, etc.

**Treasury/IRS 36.001**

**System name:** Appeals, Grievances and Complaints Records, Administration—Treasury/IRS.

**System location:** National, Regional and District Offices, POD's, Service Centers, The National Computer Center and The IRS Data Center, (See Appendix A.).

**Categories of individuals covered by the system:** Applicants for Federal employment, current and former Federal employees, agencies, and annuitants who appeal a determination made by an official of an agency or the Civil Service Commission to the Civil Service Commission, a Board established to adjudicate appeals, or an agency.

**Categories of records in the system:** This system of records contains information or documents relating to a decision or determination made by an agency or the Commission affecting an individual. The records consist of the initial appeal or complaint, letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, instructions to an agency about action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

**Authority for maintenance of the system:** Title 5, U.S.C., Sections 1302, 3301, 3302, 4308, 5115, 5338, 5351, 5388, 7151, 7154, 7301, 7512, 7701, 8347, Executive Order 9830, 10577, 10987, 11222, 11478, 11491, and P.L. 93-259.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records and information in the records may be used: (a) To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance. (b) To request information from a federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (c) To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter. (d) Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation and in connection

with requests for legal advice. Disclosure may be made during judicial processes. (e) Routine disclosure may be made to other agencies to the extent provided by law or regulation and as necessary to report apparent violations of law to appropriate law enforcement agencies. (f) These records may also be used to refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to any other appropriate agency, whether federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto. (g) These records may also be disclosed to the Civil Service Commission for the purpose of properly administering Federal Personnel Systems in accordance with applicable laws, Executive Orders and regulations. (h) For additional uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These records are maintained on card files, flat paper, lists, forms, folders, binder, microfilm and microfiche, punch card, and tape.

**Retrievability:** These records are indexed by the names of the individuals on whom they are maintained.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. This is also in conformance with existing CSC regulations.

**Retention and disposal:** All records are disposed of in conformance with established retention schedules, IRM 1(15)59-301, General Records Schedule.

**System manager(s) and address:** (a) EEO Discrimination Complaint Records—IRS EEO Officer, National Office; (b) all other records. Director, Personnel Division, National Office. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to: District Director for each District whose records are to be searched; Service Center Director for each Service Center whose records are to be searched; Director, National Computer Center (for computer center employees only); Director, Data Center (for data center employees only); Regional Commissioner for each Regional Office whose records are to be searched; Director, Personnel Division, National Office; Assistant Commissioner (Admin.), National Office; Regional Counsel for each region whose records are to be searched; Director, Disclosure Division for records in the National Office of Chief Counsel; or other appropriate official. (See IRS Appendix A for Locations). Individuals should provide their name, date of birth, agency in which employed, and the approximate date, and the kind of action taken by the agency when making inquiries about records.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the appropriate official listed above. Individuals should provide their name, date of birth, POD, approximate date, and the kind of action taken by the agency when requesting access to, or contest of, records.

**Contesting record procedures:** See Access.

**Record source categories:** (a) Individual to whom the record pertains. (b) Agency and/or Commission officials. (c) Affidavits or statements from employee. (d) Testimonies of witnesses. (e) Official document relating to the appeal, grievance, or complaints. (f) Correspondence from specific organization or persons.

**Treasury/IRS 36.002**

**System name:** Employee Activity Records, Administration—Treasury/IRS.

**System location:** National, Regional, and District Offices, POD's, Service Centers, The National Computer Center, and The IRS Data Center (See Appendix A.).

**Categories of individuals covered by the system:** Current and former employees of the Internal Revenue Service.

**Categories of records in the system:** This system contains records and information relating to voluntary employee activities and functions which are not directly related to the mission of the IRS or any of its functional components. These records will contain the names of participants and such other information only to the extent that it is necessary for the operation of the activity.

**Authority for maintenance of the system:** Title 5, U.S.C., Section 302.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These records are maintained on flat paper, card files, lists, and in folders, and binders.

**Retrievability:** These records are indexed by the name of the individuals on whom they are maintained.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. This is in conformance with existing CSC regulations.

**Retention and disposal:** indefinite.

**System manager(s) and address:** Supervisor of the organizational segment participating in the activity.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the system manager or the individual designated to maintain the record. Inquiring individuals need only provide their name.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the system manager or the individual designated to maintain the record. Inquiring individuals need only provide their name.

**Contesting record procedures:** See Access.

**Record source categories:** Information is derived only from the individual to whom the record pertains.

**Treasury/IRS 36.003**

**System name:** General Personnel Records (Official Personnel Folder and records related thereto), Administration—Treasury/IRS.

**System location:** National, Regional and District Offices, POD's, Service Centers, the National Computer Center and the Data Center. (See Appendix A.).

**Categories of individuals covered by the system:** Prospective, current and former employees of the IRS.

**Categories of records in the system:** This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed in the Federal service. These records contain data on individuals required by the Civil Service Commission (CSC) and maintained in the Official Personnel Folder (OPF). The OPF may also contain letters of commendation; awards from non-federal organizations; recommendations for Federal awards; awards; reprimands; adverse or disciplinary charges; records relating to life insurance, health benefits, designation of beneficiary; training; performance ratings; and other records which CSC and IRS require or permit to be maintained in the OPF.

**Categories of records in the system:** This system also includes records which are maintained in support of a personnel action such as a position management or position classification action. Other records maintained about an individual in this system are evaluation records; suggestion files; award files; financial and tax matters; back pay files; jury duty records; special emphasis programs records, such as Upward Mobility; outside employment statements; clearance upon separation; Unemployment Compensation records; adverse and disciplinary action files; supervisory files; records relating to personnel actions correcting a pay problem; employment of relatives; furlough/recall records; emergency notification, employee locator and current address records; other information relating to the status of an individual; and correspondence files pertaining to any personnel information contained in this notice.

The records within this system may also be contained in TR/IRS 32,002, payroll/personnel system.

**Authority for maintenance of the system:** Title 5, U.S.C. Section 1302, 2951, 4118, 4308, 4506, and Executive Order 10561, September 13, 1954.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records is used or a record may be used: (a) To provide information to a prospective employer of an IRS employee or former IRS employee. (b) To provide data for the automated Central Personnel Data File (CPDF). (c) To provide data to update Federal Automated Career Systems (FACS), Executive Inventory File, and security investigations index on new hires, adverse actions, and terminations. (d) Disclosure of information to a Federal, state, or local agency, other organization, or individual in order to obtain relevant and pertinent information about an individual which is necessary for the hiring or retention of an individual; letting of a contract; or the issuance of a license, grant or other benefit. (e) To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses. If necessary, obtain relevant information or other pertinent information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. (f) Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. (g) Routine disclosure may be made to other agencies to the extent provided by law or regulation and as necessary to report apparent violations of law to appropriate law enforcement agencies. (h) Information in these records is used or a record may be used to refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to any other appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto. (i) These records may also be disclosed to the Civil Service Commission for the purpose of properly administering Federal Personnel Systems in accordance with applicable laws, Executive Orders, and regulations. (j) Routine disclosure may be made to hospitals and similar institutions or organizations involved in voluntary blood donation activites. (k) Routine disclosure may be made to educational institutions which are involved in the cooperative education program. (l) Disclosure to a Federal, state, or local agency so that the agency may adjudicate an individual's eligibility for a benefit, such as a state unemployment compensation board, housing administration agency and Social Security Administration. (m) Additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on magnetic tape, discs, punched cards, flat paper, lists, card files, forms, folders, binders, microfilm and microfiche.

**Retrievability:** Records are indexed by any combination of name, birth date, Social Security Number, or identification number.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. This is also in conformance with existing CSC regulations.

**Retention and disposal:** All records are disposed of in conformance with established retention schedules, IRM 1(15)-59-301, General Records Schedule.

**System manager(s) and address:** Director, Personnel Division.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to: District Director for each District whose records are to be searched; Service Center Director for each Service Center whose records are to be searched; Director, National Computer Center (for computer center employees only); Director, Data Center (for data center employees only); Regional Commissioner for each Regional Office whose records are to be searched; Director, Personnel Division, National Office; Assistant Commissioner (Admin.), National Office; Regional Counsel for each region whose records are to be searched; Director, Disclosure Division for records in the National Office of Chief Counsel; or other appropriate official; (See Appendix A.). Inquiries should include name, date of birth, social security number and POD.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the appropriate official listed above. Former IRS employees who wish to gain access to their records should direct such a request in writing, including their name, date of birth, and Social Security Number, to: National Personnel Records Center, General Services Administration, 111 Winnebago St., St. Louis, Missouri 63118.

**Contesting record procedures:** See Access.

**Record source categories:** Information in this system of records either comes from the individual to whom it applies or is derived from information he supplied, except information provided by agency officials.

**Treasury/IRS 36.005**

**System name:** Medical Records, Administration—Treasury/IRS.

**System location:** (1) Applicants and current IRS employees: National, Regional and District Offices, POD's, the National Computer Center and the Data Center (See Appendix A.). (2) Former IRS employees: National Personnel Records Center, 111 Winnebago Street, St. Louis, Missouri 63118. Records may also be maintained in the National Regional and District Offices, POD's, Service Centers, the National Computer Center and the Data Center (See Appendix A.).

**Categories of individuals covered by the system:** (1) Applicants for IRS employment. (2) Applicants rejected on medical grounds. (3) Applicants for disability retirement under the Civil Service Retirement Law. (4) IRS employees. (5) Former IRS employees.

**Categories of records in the system:** (1) Applications for IRS employment containing information relating to an individual's medical qualifications to hold a position in the IRS. (2) Applications rejected on medical grounds. Information relating to an applicant's rejection for a position because of medical reasons. (3) Disability retirement records. Information relating to an individual's capability (physical and mental) to satisfactorily perform the duties of the position he or she holds or held. (4) Health unit medical records (Federal civilian employees). Information relating to an employee's participation in an occupational health services program. (5) Qualification examinations (Federal employees). Information relates to pre-employment, or periodic re-qualification medical examinations to assure that the incumbent are qualified (physically and mentally) to satisfactorily perform the duties of the position. (6) Fitness-for-duty examinations. Information relating to a medical examination to determine an individual's physical or mental condition with respect to ability to satisfactorily perform the duties of the position held. (7) Alcohol/drug employee assistance records. Information relating to employee participation in the Federal Civilian Alcoholism and Drug Abuse Program. (8) Injury Compensation Records. Information relating to on-the-job injuries of employees and former employees. (9) Records relating to the Blood Donor Program.

**Authority for maintenance of the system:** Medical Information relating to the Retirement, Life Insurance and Health Benefits Programs—5 USC, Chapters 81, 87 and 89. Information for Federal employment—5 USC 3301. Information relating to the Alcoholism, Drug Abuse and Employee Assistance Programs—Public Laws 91-616 and 92-255 as amended by Public Law 93-282 in regard to confidentiality of patient records. Information relating to the Occupational Health Program (5 USC 7901).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Information may be provided to other Federal agencies responsible for other Federal benefits programs administered by the Office of Workmen's Compensation Programs; Retired Military Pay Centers; Veterans Administration; Social Security Administration; Civil Service Commission; Private contractors engaged in providing benefits under Federal contracts. (b) Disclosure of information may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in requests for legal advice. (c) Disclosure may be made during judicial processes. (d) Disclosure may be made to other agencies to the extent provided by law or regulation. (e) Disclosure may be made to the appropriate Federal, state or local agency where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature. (f) Disclosure may be made to Federal, state, or local agencies in order to obtain or release relevant and pertinent information to an agency decision concerning the hiring or retention of an individual, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit. (g)

Disclosure may be made to the Public Health Service. (h) Disclosure may be made to an individual's private physician where medical considerations or the content of medical records indicate that such release is appropriate. (i) Disclosure may be made to an agency designated employee representative where such representative is required by the Civil Service Commission. (j) Disclosure may be made to hospitals and similar institutions or organizations participating in blood donor activities. (k) Additional routine uses are listed in Appendix AA. (l) Disclosure of Alcoholism, Drug Abuse, and Employee Assistance records are limited under Public Laws 91-616, 92-255, and 93-282.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on magnetic tape, discs, flat paper, lists, forms, folders, card files, microfilm and microfiche.

**Retrievability:** Records are indexed by name, social security number, date of birth, and/or claim number.

**Safeguards:** Access controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** All records are disposed of in conformance with established retention schedules, IRM 1(15)59-301, General Records Schedule.

**System manager(s) and address:** Director, Personnel Division, National Office; Director, Administrative Services Division, National Office and Regional Counsels. (See IRS Appendix A for Locations).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to: District Director for each District whose records are to be searched; Service Center Director for each Service Center whose records are to be searched; Director, National Computer Center (for computer center employees only); Director, Data Center (for data center employees only); Regional Commissioner for each Regional Office whose records are to be searched; Director, Personnel Division, National Office; Assistant Commissioner (Administration), National Office; Regional Counsel for each region whose records are to be searched; Director, Disclosure Division for records in the National Office of Chief Counsel; or other appropriate official. (See IRS Appendix A for Location). Former employees should direct inquiries to: The National Personnel Records Center, 111 Winnebago Street, St. Louis, Missouri 63118. Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name and address of office in which currently or formerly employed in the Federal service, and annuity account number, if any has been assigned.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the appropriate official listed above.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) The individual to whom the record pertains. (2) Private physicians. (3) Medical institutions. (4) Office of Workers' Compensation Programs. (5) Military Retired Pay Systems Records. (6) Federal civilian retirement systems other than Civil Service Retirement System. (7) General Accounting Office pay, leave allowance cards. (8) CSC Retirement, Life Insurance and Health Benefits Records System. (9) CSC Personnel Management Records System.

**Treasury/IRS 36.008**

**System name:** Recruiting, Examining and Placement Records, Administration—Treasury/IRS.

**System location:** National, Regional and District Offices, POD's, The National Computer Center and The Data Center, (See Appendix A.).

**Categories of individuals covered by the system:** Applicants for IRS employment, current and former employees.

**Categories of records in the system:** These records contain information relating to education, training, employment history and earnings, tests, results of written tests, test scores, evaluations, appraisals of potential, interview records, responses to test items and questionnaires, honors, and awards or fellowships. Other information maintained in the records includes military service, date of birth, birthplace, SSN, home address. Records may also be maintained on suitability determinations, employee participation in special emphasis placement and recruiting programs, and employee turnover records. This system also includes correspondence files relating to the above mentioned records. Personnel research and test validation records are included in this system.

**Authority for maintenance of the system:** Title 5 U.S.C., Sections 1302, 3109, 3301, 3302, 3304, 3306, 3307, 3309, 3313, 3317, 3318, 3319, 3326, 3349, 4103, 5532, 5533, 5723, and Executive Orders 10577 and 11103.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. (2) Routine disclosure may be made to other agencies to the extent provided by law or regulation and as necessary to report apparent violations of law to appropriate law enforcement agencies. (3) These records may also be disclosed to the Civil Service Commission for the purpose of properly administering Federal Personnel Systems in accordance with applicable laws, Executive Orders and regulations. (4) Information in these records is used or a record may be used: (a) to refer applicants to officials of Federal government agencies for purposes of consideration for placement in positions for which an applicant has applied and is qualified. (b) to refer applicants to state and local governments with permission of an applicant for the purpose of employment consideration. (c) to refer current IRS employees to Federal agencies for consideration for transfer, reassignment, and promotion. (d) to refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to any other appropriate agency, whether federal, state, or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule. (e) to request information from a federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (f) To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter. (5) Disclosure may be made to educational institutions in connection with recruiting efforts. (6) Routine uses are limited for those records which are compiled in connection with IRS personnel research and test validation. No personnel decisions are made on the basis of these records, and whenever possible, personal identity is not disclosed. (7) For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on magnetic tapes, punched cards, discs, card files, lists, flat paper, microfilm, microfiche, forms and folders.

**Retrievability:** Records are indexed by name, combination of birth date, special security account number, and an identification number that is applicable.

**Safeguards:** "Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41." This is in conformance with existing CSC regulations.

**Retention and disposal:** All records are disposed of in conformance with established retention schedules, IRM 1(15) 59-301, General Records Schedule.

**System manager(s) and address:** Director, Personnel Division.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to: District Director for each District whose records are to be searched; Service Center Director for each Service Center whose records are to be searched; Director, National Computer Center (for computer center employees only); Director, Data Center (for data center employees only); Regional Commissioner for each Regional Office whose records are to be searched; Director, Personnel Division, National Office; Assistant Commissioner (Admin), National Office;

or other appropriate official. (See Appendix A.). Individuals should provide namec date of birth, social security number, identification number (if known), approximate date of record, and title of examination or announcement with which concerned.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the appropriate official as listed above. This system of records may not be accessed for purposes of inspection or for contest of content of Treasury Forms 4825 (Evaluation of Candidates for Initial Executive Placement) and Treasury Form 4245 (Report of Managerial Potential) prepared prior to September 27, 1975.

**Contesting record procedures:** See Access.

**Record source categories:** Information in this system of records either comes from the individual to whom it applies or is derived from information he or she supplied, except reports from medical personnel on physical qualification; results of examination which are made known to applicants and vouchers supplied by references the applicant lists.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 36.009**

**System name:** Retirement, Life Insurance and Health Benefits Records System, Administration—Treasury/IRS.

**System location:** National, Regional and District Offices, POD's, Service Centers, the National Computer Center, and the IRS Data Center, (See Appendix A.). For former employees: Records Division, Bureau of Retirement, Insurance and Occupational Health, U.S. Civil Service Commission, Boyers, Pennsylvania.

**Categories of individuals covered by the system:** (1) IRS employees who are covered by the Civil Service Retirement System. (2) IRS employees who have either declined or are covered by the Federal Employees' Group Life. Insurance Program or the Federal Employees Health Benefits Program.

**Categories of records in the system:** (1) Documentation of Federal service creditable under the Civil Service Retirement System. (2) Documentation of coverage or declination of coverage under the Federal Employees' Group Life Insurance Program, and the Federal Employees Health Benefits Program. (3) Documentation of claim for refund or for annuity benefits under Civil Service Retirement System. (4) Documentation of claim for survivor annuity or death benefits under Civil Service Retirement System. (5) Medical records supporting claims for disability retirement under the Civil Service Retirement System. (6) Designations of beneficiary for benefits payable under the Civil Service Retirement System or the Federal Employees' Group Life Insurance Program. (7) All other information necessary to enable offices to recruit annuitants for short term assignments and to send them requested publications.

**Authority for maintenance of the system:** Chapters 83, 87, and 89 of Title 5, United States Code.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) Information in this system is used to determine eligibility for coverage and payment of benefits under the Civil Service Retirement System, the Federal Employees' Group Life Insurance Program and the Federal Employees Health Benefits Program. (2) Information in this systems is used to determine the amount of benefit due under the Civil Service Retirement System, the Federal Employees' Group Life Insurance Program and the Federal Employees Health Benefits Program. (3) Information in this system is used to transfer to Office of Workers' Compensation Programs, Veterans Administration Pension Benefits Program, Social Security Old Age, Survivor and Disability Insurance and Medicare Programs, and Federal civilian employee retirement systems other than the Civil Service Retirement System, when requested by that program or system or by the individual covered by this system of records, for use in determining an individual's claim for benefits under such system. (4) Information in this system is used to transfer information necessary to support a claim for life insurance benefits under the Federal Employees' Group Life Insurance Program to the Office of Federal Employees' Group Life Insurance, 4 East 24th Street, New York, N.Y. 10010. (5) Information in this system is used to transfer information necessary to support a claim for health insurance benefits under the Federal Employees Health Benefits Program to a health insurance carrier or plan participating in the program. (6) Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation and in connection with requests for legal advice. Disclosure may be made during judicial processes. (7) Routine disclosure may be made to other agencies to the extent provided by law or regulation and as necessary to report apparent violations of law to appropriate law enforcement agencies. (8) Information in this system is used to refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to any other appropriate agency, whether Federal, State or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (9) Information in this system is used to request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a license, grant or other benefit. (10) Information in this system is used to provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter. (11) These records may also be disclosed to the Civil Service Commission for the purpose of properly administering Federal Personnel Systems in accordance with applicable laws, Executive Orders and regulations. (12) Disclosure may be made to an agency designated employee representative when such representative is required under Civil Service Commission regulations. (13) Disclosure may be made to hospitals and similar institutions to verify an employee's coverage in the Federal Employees Health Benefits Program. (14) Additional routine uses in Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained on magnetic tapes, punched cards, discs, forms, flat paper, card files, lists, folders, microfilm and microfiche.

**Retrievability:** Records are indexed by name, social security number, birth date, and by annuity or death claim number.

**Safeguards:** Access Controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. This is also in conformance with existing CSC regulations.

**Retention and disposal:** All records are disposed of in conformance with established retention schedules, IRM 1(15)59-301, General Records Schedule.

**System manager(s) and address:** Director, Personnel Division, National Office, Director, Administrative Services Division, National Office and Regional Counsels (See IRS Appendix A for Locations.).

**Notification procedure:** (1) Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR, Part 1, Subpart C, Appendix B. Inquiries should be addressed to: District Director for each District whose records are to be searched; Service Center Director for each Service Center whose records are to be searched; Director, National Computer Center (for computer center employees only); Director, Data Center (for data center employees only); Regional Commissioner for each Regional Office whose records are to be searched; Director, Personnel Division, National Office; Assistant Commissioner (Administration), National Office; Regional Counsel for each region whose records are to be searched; Director, Disclosure Division for records in the National Office of Chief Counsel; or other appropriate official. (See IRS Appendix A for Locations.) (2) If the individual is retired from Federal service he should direct inquiries to: Director, Bureau of Retirement, Insurance, and Occupational Health, U.S. Civil Service Commission, 1900 H. Street, N.W., Washington, D.C. 20415. (3) If the individual is not retired, but has been separated from Federal service, he should direct inquiries to: National Personnel Records Center, 111 Winnebago Street, St. Louis, Missouri 63118.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the appropriate official listed above.

**Contesting record procedures:** See Access. Individuals requesting information in this system of records should provide their full name, date of birth, social security number, claim number, if assigned, and the POD in which currently or formerly employed.

**Record source categories:** The information in this system is obtained from the following sources: (1) The individual whom the information is about. (2) GAO Pay, Leave and Allowance Records System. (3) CSC Personnel Management Records System. (4) GSA National Personnel Records Center. (5) CSC Medical Records System. (6) Federal civilian retirement systems other than Civil Service Retirement System. (7) Military retired pay system records. (8) Office of Workers' Compensation Programs. (9) Veterans Administration Pension Benefits Programs. (10) Social Security Old Age, Survivor and Disability Insurance and Medicare Programs.

**Treasury/IRS 38.001**

**System name:** General Training Records, Administration—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices, Service Centers (See Appendix A.).

**Categories of individuals covered by the system:** IRS employees who have participated (students, instructors, program managers, etc.) in training activities. Other Federal or non-Government individuals who have assisted (instructors, course developers, or interpreters) for training programs.

**Categories of records in the system:** Variety of records containing information about an individual related to training; such as: course rosters, student registrations, nomination forms, course evaluations, instructor lists, individual development plans, counseling records, examination materials, payment records, and other recordations of training necessary for reporting and evaluative purposes. Some records within this system may also be contained in TR/IRS 36.003, General Personnel Records.

**Authority for maintenance of the system:** Chapter 41, Title 5 USC; EO 11348; and FPM 410.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information in these records is used or a record may be used to: (a) provide input data for the automated Training CPDF at the Civil Service Commission; (b) Prepare statistical and narrative reports as required by the Department of Treasury, IRS officials or such other government agencies as may have need of general training information; (c) evaluate and determine effectiveness of training programs; (d) monitor student progress and determine individual training needs; (e) assist managerial personnel by providing easily accessible training histories of their employees; (f) provide data for determining efficient staffpower utilization; (g) assist employees, should an emergency arise while they are attending a training session, by disclosing to qualified medical personnel "emergency information" voluntarily supplied by students on course registration forms. Routine disclosure of information contained in this system may be made available to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records may be maintained on computer tapes, index cards, forms, or flat paper.

**Retrievability:** Computer records are indexed by social security account numbers, name of course title, other records are indexed by name or course title.

**Safeguards:** Individual computer records are available to those persons at CSC, Treasury or IRS who are directly involved with the training function.

**Retention and disposal:** All records are disposed of in accordance with established retention schedules. 1(15)59-301, General Records Schedule. Emergency information on registration forms is immediately destroyed when training is completed.

**System manager(s) and address:** Director, Training Division, National Office; Chief, Training Branches, Regional and District Offices, and Service Centers (See Appendix A.).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR, Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each office whose records are to be searched, see System Manager.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR, Part 1, Subpart C, Appendix B. Inquiries should be addressed to the System Manager for each Office whose records are to be accessed or contested, see System Manager.

**Contesting record procedures:** See Access.

**Record source categories:** Information taken from participants' registration forms, and other input documents (e.g., Form 5061, Reporting Training and Obligating Funds; and Form 5092, Individual Training Record), and such other forms which may be developed and prescribed by Treasury and IRS Training Personnel.

**Treasury/IRS 42.001**

**System name:** Audit Administrative File—Treasury/IRS

**System location:** Jurisdictional District Office where the individual resides or Service Center where return was examined. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Any taxpayer who is being considered for examination or is being examined for tax determination purposes, i.e., income, estate and gift, excise or employment tax liability.

**Categories of records in the system:** Records containing investigatory materials required in making a tax determination or other verification in the administration of tax laws and all other related sub-files directly related to the processing of the tax case. This system also includes other management material related to a case and used for tax administrative purposes including the appeals process.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosures may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper documents, machine-sensible data media, microfilm.

**Retrievability:** by taxpayer's name and social security number and employer identification number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1 (16)41.

**Retention and disposal:** Indefinite period of retention.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional District Office or service center (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director for each District office or service center whose records are to be searched. This system may contain some records which are exempt from the notification provisions of the Privacy Act. Requesters will not be advised of the existence of records exempt from the notification provisions.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District office or service center whose records are to be accessed or contested. This system may contain some records which are exempt from the Access and Contest provisions of the Privacy Act. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) taxpayer's return. (2) taxpayer's books and records. (3) Informants and third party information. (4) city, state governments. (5) other federal agencies. (6) examinations of related taxpayers. (7) examinations of other taxpayers. (8) taxpayer's representative.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 42.025**

**System name:** Appraisal and Valuation Files—Treasury/IRS.

**System location:** Jurisdictional District Office where individual resides. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Individuals whose examinations warrant an appraisal or valuation of real estate, stock, fees, or any other commodity or service which does not have a readily ascertainable value.

**Categories of records in the system:** Listing of individuals, items valued or appraised, date of valuation or appraisal, and other descriptive matter such as the name of the corporation with regards to stock and a description of the location in terms of real estate.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents, file cabinets, machine-sensible data media and microfilm.

**Retrievability:** By taxpayer's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Indefinite period of retention.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional District Office. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) outside engineer valuation; (2) outside fee appraisers; (3) taxpayer's returns; (4) taxpayer's books and records; (5) taxpayer's representative; (6) trade journals and publications; (7) public records.

**Treasury/IRS 42.008**

**System name:** Audit Information Management System (AIMS)—Treasury/IRS.

**System location:** This system is composed of: (1) Computer files located at each jurisdictional IRS Service Center (where tax return is under examination control). Each jurisdictional district (served by an IRS Service Center) has access to the computer file via video terminals; (2) "A" Register Microfilm located at each jurisdictional district office (taxpayer's place of residence) and at each IRS Service Center (where taxpayer's tax return was filed);(3) Group control card forms 5345 and 5354 (including temporary and interim processing files for management and control purposes), located at each jurisdictional district office. Items described under (2) and (3), above, are subfiles of the Aims System.

**Categories of individuals covered by the system:** Taxpayers whose tax returns are under the jurisdiction of the Audit Division; Examining Officer.

**Categories of records in the system:** Tax return information from the Master File, Tax return status and location changes, Audit Closing information on examined and non-examined tax returns, examining officer's name including related internal management information.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Computer; Microfilm; Paper.

**Retrievability:** Social Security number, taxpayer's name, examining officer's name.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Computer: Agreed cases are eliminated from data base 90 days after case is closed from Audit; unagreed cases are eliminated from data base after tax liability is agreed to. "A" Register Microfilm: six years or earlier. Group control card Forms 5345 or 5354 (for processing control purposes) three years or earlier.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division, National Office. Officials maintaining the system—Each jurisdictional (taxpayer's place of residence) District Director; Each jurisdictional (the Service Center where taxpayer's tax return was filed) IRS Service Center. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each district whose records are to be searched. This system may contain some records which are exempt from the notification provisions of the Privacy Act. Requesters will not be advised of the existence of records exempt from the notification provisions.

**Record access procedures:** Individuals seeking access to any record in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested. This system may contain some records which are exempt from the Access and Contest provisions of the Privacy Act. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory materials compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 42.016**

**System name:** Classification and Audit Selection Files—Treasury/IRS

**System location:** Jurisdictional District Office or related service center where individual resides. (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals whose returns are classified for audit.

**Categories of records in the system:** Listing of individuals or returns and sub-files consisting of financial information and other information considered in classification and selection of an individual's return for examination—individual's request for audit, missing return information, change in accounting method or period, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper documents, computer printouts.

**Retrievability:** by taxpayer's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** until information is associated with return.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional District or service center. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched. This system may contain some records which are exempt from the notification provisions of the Privacy Act. Requesters will not be advised of the existence of records exempt from the notification provisions.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested. This system may contain some records which are exempt from the Access and Contest provisions of the Privacy Act. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Tax returns, (2) Requests from taxpayer, (3) Requests from Collection Division for prompt examination.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 42.021**

**System name:** Compliance Programs and Projects Files—Treasury/IRS.

**System location:** Initiated and maintained in National Office, Regional Offices, or jurisdictional District or service center where taxpayer resides. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers that may be involved in tax evasion schemes or areas of non-compliance grouped by industry, occupation or financial transactions, i.e., return preparers, political contributions, corporate kickbacks.

**Categories of records in the system:** Records pertaining to individuals in project, such as Joint Compliance.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper records, machine-sensible data media and microfilm.

**Retrievability:** by taxpayer's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Indefinite period of retention.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional District or service center. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 42.024**

**System name:** Coordinated Examinations of Large Cases Program—Treasury/IRS.

**System location:** Jurisdictional District Office where taxpayer resides. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayer whose tax audit is identified as part of a large case examination.

**Categories of records in the system:** Alphabetic listing of taxpayers and all other related files including those used for management purposes.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper documents, machine-sensible data media and microfilm.

**Retrievability:** Taxpayer's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Indefinite period of retention.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional District. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched.

This system may contain some records which are exempt from the notification provisions of the Privacy Act. Requesters will not be advised of the existence of records exempt from the notification provisions.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested.

This system may contain some records which are exempt from the Access and Contest provisions of the Privacy Act.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Taxpayer's returns. (2) Annual reports. (3) Corporate minutes. (4) Large case proposed change in key district. (5) Published documents.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 42.027**

**System name:** Data on Foreign Corporations—Treasury/IRS.

**System location:** IRS Data Center, Detroit, Michigan; National Office Audit Division, Washington, D.C.; District Offices; Regional Offices. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Individuals required to file Form 959, United States Information Return with Respect to the Organization or Reorganization of a Foreign Corporation and Acquisition of its stock.

**Categories of records in the system:** Names of individuals filing on foreign holdings.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may

be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic tape in Data Center; Paper at other listed locations, machine-sensible data media and microfilm.

**Retrievability:** By individual name.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Three years or earlier.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division, National Office. Officials maintaining the system—District Directors; Regional Commissioners; Director, Audit Division, National Office; Director, Data Center, Detroit, Michigan. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the System of Records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the System of Records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Form 959 only.

**Treasury/IRS 42.006**

**System name:** Expropriation of Property by Cuban Government.—Treasury/IRS.

**System location:** Director, Audit Division, National Office (See IRS Appendix A).

**Categories of individuals covered by the system:** Owners of property expropriated by the Cuban Government during the period 1959-1964.

**Categories of records in the system:** Names of owners and brief descriptions of property used to verify losses claimed for expropriation of property.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The contents of this System of Records are available to the public pursuant to the Freedom of Information Act, 5 U.S.C. 552.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper materials stored in file folders.

**Retrievability:** Indexed by name of individual owner.

**Safeguards:** Records are maintained in open shelves in an office which is locked during non-office hours.

**Retention and disposal:** No guidelines have been established, but records are expected to be retained until they have served their purpose and then destroyed.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division National Office. Official maintaining the system—Director, Audit Division, National Office. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Director, Audit Division, National Office.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Director, Audit Division, National Office.

**Contesting record procedures:** See Access above.

**Record source categories:** Gaceta Oficial de la Republica de Cuba (Official Gazette of the Republic of Cuba), a public information publication of the Cuban government in which various official actions of the government are recorded.

**Treasury/IRS 42.020**

**System name:** Highway Use Tax Audit Program—Treasury/IRS

**System location:** Internal Revenue Service Centers and district offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers owning trucks that are liable for tax.

**Categories of records in the system:** List of registered trucks and truck owners.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** magnetic tape and computer printout.

**Retrievability:** By taxpayer's name, social security number, and employer's identification number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** retained until tax year examined is completed and then shredded.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Service Center Directors and District Directors (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director for each Service Center or district office whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each district whose records are to be accessed. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** R.L. Polk Company, Detroit Mich.

**Treasury/IRS 42.028**

**System name:** Identity of Taxpayers Using ADP Accounting Records and the Evaluation Thereof—Treasury/IRS.

**System location:** Regional and District Offices; National Office, Audit Division, Washington, D.C. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Any taxpayer who uses a computer to process accounting records and taxpayers for which an ADP record retention evaluation has been made.

**Categories of records in the system:** Name of taxpayer and a description of the types of machine-sensible records the taxpayer has agreed to retain, the retention period and any other related provisions relating to these records. (These records usually pertain to corporations.)

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper.

**Retrievability:** By Taxpayer's Name.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Identification Retention: Information is periodically updated.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division, National Office. Officials maintaining the system—Jurisdictional District Directors (place of taxpayers residence). (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the System of Records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director that made the evaluation or the taxpayers current jurisdiction (place of residence) District Director.

**Record access procedures:** Individuals seeking access to any record contained in the System of Records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director that made the evaluation or the taxpayers current jurisdiction (place of residence) District Director.

**Contesting record procedures:** See Access above.

**Record source categories:** Examining Officers; commercial listing of ADP users; The evaluator and taxpayer during an ADP record retention evaluation.

### Treasury/IRS 42.014

**System name:** Internal Revenue Service employees' returns Control Files—Treasury/IRS.

**System location:** District Office where individual is employed. (See IRS Appendix A).

**Categories of individuals covered by the system:** Any individual who is employed by the Internal Revenue Service.

**Categories of records in the system:** Alphabetic listing of employee, income tax return information including prior audit results and other tax related information.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper documents, machine-sensible data media, microfilm.

**Retrievability:** employee's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** updated periodically and retained as long as individual is employed.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of District or office where individual is employed. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested.

**Contesting record procedures:** See Access above.

**Record source categories:** Employee's tax return.

### Treasury/IRS 42.017

**System name:** International Enforcement Program Files—Treasury/IRS.

**System location:** Jurisdictional District Office where individual resides. (See IRS Appendix A).

**Categories of individuals covered by the system:** Any individual having substantial foreign business activities.

**Categories of records in the system:** Listing of individual, summary of income expenses, financial information as to foreign operations, acquisition of foreign stock, controlling interest of a foreign corporation, organization or reorganization of foreign corporation, etc.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper documents, micro-film, magnetic tape.

**Retrievability:** Individual's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Indefinite period of retention.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional District (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched. This system may contain some records which are exempt from the notification provisions of the Privacy Act. Requesters will not be advised of the existence of records exempt from the notification provisions.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested. This system may contain some records which are exempt from the Access and Contest provisions of the Privacy Act. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) European treaty countries, (2) Individual's tax returns, (3) Examination of related taxpayers, (4) Public sources of information.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

### Treasury/IRS 42.018

**System name:** Married Taxpayers Filing Separately File—Treasury/IRS.

**System location:** Jurisdictional Service Center.

**Categories of individuals covered by the system:** Married individuals who file separate income tax returns.

**Categories of records in the system:** Listing identifying each married individual filing separately.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Computer printout and magnetic tape.

**Retrievability:** By taxpayer's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Disposal of after returns are matched.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division; Officials maintaining the system—Service Center Directors.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1,

Subpart C, Appendix B. Inquiries should be addressed to the Director of the Service Center where the individual filed tax returns.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Service Center Director for each Service Center whose records are to be accessed or contested.

**Record source categories:** Information obtained from taxpayer's return.

**Treasury/IRS 42.015**

**System name:** Open and Closed Narcotics Traffickers Files—Treasury/IRS.

**System location:** Maintained in jurisdictional District Office where taxpayer resides. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayer suspected of being involved as a middle or upper echelon narcotics trafficker and whose return has been or will be examined.

**Categories of records in the system:** Prior audit results, tax related information indicating a possible need for audit action.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper documents, machine-sensible data media and microfilm.

**Retrievability:** by taxpayer's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Indefinite period of retention.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional district. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 42.013**

**System name:** Project Files for the Uniform Application of laws as a result of technical determinations and court decisions. Treasury/IRS.

**System location:** Jurisdictional district office where taxpayer resides. (See IRS Appendix A).

**Categories of individuals covered by the system:** Individuals grouped as to project, i.e., individual shareholders of a corporation where a determination having a tax effect has been made.

**Categories of records in the system:** Listing of individuals and their income tax information.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper documents.

**Retrievability:** by taxpayer's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** retained until project is completed.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional District. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Shareholder records. (2) Individual's tax return. (3) Examination of related taxpayer.

**Treasury/IRS 42.023**

**System name:** Request and Submittal File for Technical Advice, Assistance, Determination or Coordination—Treasury/IRS.

**System location:** Jurisdictional District Office where individual resides. (See IRS Appendix A).

**Categories of individuals covered by the system:** Individual whose return contains questioned or unprecedented technical areas.

**Categories of records in the system:** Narrative fully explaining or interpreting the technical area in question.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper documents.

**Retrievability:** taxpayer's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Indefinite period of retention.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional District. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Revenue agent who examined taxpayer's return. (2) Taxpayer who is not being examined or is initiating a request while under examination. (3) Taxpayer's representative.

**Treasury/IRS 42.019**

**System name:** Runaway Parents List—Treasury/IRS.

**System location:** Internal Revenue Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Parents who have deserted families on public assistance.

**Categories of records in the system:** Identity and financial support information.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** magnetic tape and computer printout.

**Retrievability:** by name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** retained until tax year examined is completed and then shredded.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Service Center Directors. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Service Center whose records are to be searched.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Service Center Director for each Service Center whose records are to be accessed or contested. This system may contain some records which are exempt from the Access and Contest provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Information obtained from state governments.

**Treasury/IRS 42.009**

**System name:** Strike Force—Treasury/IRS.

**System location:** Jurisdictional District Office where taxpayer resides. (See IRS Appendix A).

**Categories of individuals covered by the system:** Files on subject under examination, potential subjects and related taxpayers.

**Categories of records in the system:** Audit records of current and prior examinations of individuals suspected of being involved in illegal activity such as organized crime, information from other sources and agencies and other investigative material.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper documents, machine-sensible data media and microfilm.

**Retrievability:** by taxpayer's name and social security numbers.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Indefinite period of retention.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—District Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records is exempt under the Privacy Act and may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 42.012**

**System name:** Tax Shelter Program Files—Treasury/IRS.

**System location:** National, Regional, and jurisdictional District offices (not necessarily carried out in every district). (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers that may be abusing the tax laws through the use of tax shelters.

**Categories of records in the system:** Tax information relating to the tax shelter for use in determining abuses of tax laws.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7801 and 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper documents, machine-sensible data media and microfilm.

**Retrievability:** taxpayer's name and social security number.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** retained until individual projects are completed.

**System manager(s) and address:** Official prescribing policies and practices—Director, Audit Division. Officials maintaining the system—Director of jurisdictional District. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched.

This system may contain some records which are exempt from the notification provisions of the Privacy Act. Requesters will not be advised of the existence of records exempt from the notification provisions.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested. This system may contain some records which are exempt from the Access and Contest provisions of the Privacy Act. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** (1) Individual's tax return. (2) Related taxpayer's.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 44.003**

**System name:** Appellate Division Case Data Source Document, Form 3564—Treasury/IRS.

**System location:** Director, Appellate Division, National Office; Appellate branch office. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayers.

**Categories of records in the system:** Provides case and work unit control data and printouts.

**Authority for maintenance of the system:** 26 U.S.C. 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, magnetic tape.

**Retrievability:** By taxpayer's name.

**Safeguards:** IRS personnel on need to know basis.

**Retention and disposal:** Generally, six years after case is closed but earlier if no longer needed.

**System manager(s) and address:** Director, Appellate Division, National Office; Assistant Regional Commissioners (Appellate). (See IRS Appendix A.)

**Notification procedure:** See System Manager above.

**Record access procedures:** See System Manager above.

**Contesting record procedures:** See System Manager above.

**Record source categories:** Record clerks and Appellate Conferees.

**Treasury/IRS 44.001**

**System name:** Appellate Case Files—Treasury/IRS.

**System location:** Director, Appellate Division, National Office; Assistant Regional Commissioners (Appellate). (See IRS Appendix A.)

**Categories of individuals covered by the system:** Taxpayers.

**Categories of records in the system:** Tax returns, Revenue Agents' Reports, case correspondence, legal opinions and Appellate closing actions.

**Authority for maintenance of the system:** 26 U.S.C. 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, file cabinets.

**Retrievability:** Name of taxpayer.

**Safeguards:** Locked file cabinets, locked doors, need to know.

**Retention and disposal:** Some retained until action on assignment is completed. Some six-year retention period on closed case file unless needed for reference, or when determined no longer needed, whichever is earlier. Disposal by shredding.

**System manager(s) and address:** Director, Appellate Division, National Office; Assistant Regional Commissioners (Appellate). (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to the individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 44.002**

**System name:** Appellate Appeals Officer Inventory and Unit Time Report, Form 2568—Treasury/IRS.

**System location:** Appellate branch office. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Appellate Appeals Officer.

**Categories of records in the system:** Records time spent on assignments and determines cumulative time on open and closed work units.

**Authority for maintenance of the system:** 26 U.S.C. 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable). For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper.

**Retrievability:** By name of Appellate Appeals officer as to paper storage; by Branch office city as to automated product.

**Safeguards:** IRS personnel on need to know basis.

**Retention and disposal:** Dispose after 2 years.

**System manager(s) and address:** Chief, Appellate Office (see IRS Appendix A.)

**Notification procedure:** See System Manager above.

**Record access procedures:** See System Manager above.

**Contesting record procedures:** See System Manager above.

**Record source categories:** Appellate Appeals Officer.

**Treasury/IRS 46.001**

**System name:** Alphabetical Name File and Index, Intelligence Division—Treasury/IRS.

**System location:** National Office, District Offices, Regional Offices, Service Centers. (See IRS Appendix A.)

**Categories of individuals covered by the system:** (a) informants; (b) subjects of information items; (c) subjects of intelligence investigations; (d) subjects of special interest to the Justice Department; (e) racketeers and associates; (f) subjects of field queries; and (g) foreign bank account holders.

**Categories of records in the system:** Index cards and folders containing identifying details; Letters; Memoranda.

**Authority for maintenance of the system:** 5 USC 301; 26 USC 7602; 26 USC 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, file cabinets.

**Retrievability:** By name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook," IRM 1(16)41.

**Retention and disposal:** As per Record Control Schedules Numbers 5 and 207.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Officials maintaining the system—Regional Commissioners, District Directors, Service Center Directors. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain Provisions of the Privacy Act.

**Treasury/IRS 46.002**

**System name:** Case Management and Time Reporting System, Intelligence Division—Treasury/IRS.

**System location:** National, Regional, and District Offices, Data Center. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Subjects of Intelligence Division Investigations, Special Agents, and U.S. District Court Judges.

**Categories of records in the system:** Personal and financial information developed in open and closed criminal tax investigations, including schedules, listings, memorandums, reports, news articles, inventory controls, income tax returns, assessment records, summaries of case activities, time reports, collateral investigation reports and workpapers, court actions, analyses of sentencing practices, and related materials.

**Authority for maintenance of the system:** 5 USC 301; 26 USC 7602; 26 USC 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information contained in this system of records may be disclosed to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in binders; Magnetic tape; Computer printouts.

**Retrievability:** Name and Case Number.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook," IRM 1(16)41.

**Retention and disposal:** Not established.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Officials maintaining the system—Regional Commissioners; District Directors; Director, Intelligence Division; Director, Data Center. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.003**

**System name:** Confidential Informants, Intelligence Division—Treasury/IRS.

**System location:** District Offices, National Office. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Confidential Informants; Subjects of Confidential Informant's Reports.

**Categories of records in the system:** Memorandums, Index Cards, Related Data.

**Authority for maintenance of the system:** 5 USC 301; 26 USC 7602; 26 USC 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information contained in this system of records may be disclosed to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper.

**Retrievability:** Name or number.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook," IRM 1(16)41.

**Retention and disposal:** Not established.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Officials maintaining the system—District Directors. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.004**

**System name:** Controlled Accounts—Open and Closed, Intelligence Division TC 910/TC 914—Treasury/IRS.

**System location:** Service Centers, Computer Center, District Offices. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Subjects and potential subjects of criminal tax investigation.

**Categories of records in the system:** Intelligence Information and Control Notices; Lists of names and related data; Lists of action taken; Transcripts of account.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Magnetic tape and paper.

**Retrievability:** By name or Social Security Number.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook," IRM 1(16)41.

**Retention and disposal:** Paper destroyed after 1 year. Magnetic tape erased after 3 months.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Officials maintaining the system—District Directors, Service Center Directors, Computer Center Director. (See IRS Appendix A.)

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched. (See IRS Appendix A.)

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched. (See IRS Appendix A.)

**Contesting record procedures:** See Access above.

**Record source categories:** District Office Personnel; Service Center Personnel.

**Treasury/IRS 46.005**

**System name:** Electronic Surveillance File, Intelligence Division—Treasury/IRS.

**System location:** National Office (see IRS Appendix A).

**Categories of individuals covered by the system:** Subjects of electronic surveillance. Individuals who have been subjects of queries by other agencies.

**Categories of records in the system:** Information relating to conduct of electronic surveillance.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper.

**Retrievability:** Names, addresses, and telephone numbers.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook," IRM 1(16)41.

**Retention and disposal:** Permanent; None authorized.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Offi-

cials maintaining the system—Director, Intelligence Division. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.008**

**System name:** Treasury/IRS Intelligence Division, Information and Correspondence Files, Intelligence Division—Treasury/IRS.

**System location:** National Office, District Offices, Regional Offices, Service Centers. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Subjects of correspondence which has been referred to or processed by the Intelligence Division. Other individuals of interest to, or who have had contact with, the Intelligence Division. Individuals potentially dangerous to Service personnel. Service personnel who have been threatened or who have provided armed escort.

**Categories of records in the system:** Correspondence to and from other agencies and individuals. Reports; Identifying data; Fiduciary reports.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, magnetic tape, and microfilm.

**Retrievability:** By name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook," IRM 1(16)41.

**Retention and disposal:** Not established.

**System manager(s) and address:** Official prescribing policies and practices—District Directors, Service Center Directors, Regional Commissioners. Officials maintaining the system—Same. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.007**

**System name:** Information Indexing System, Intelligence Division—Treasury/IRS.

**System location:** District Offices, Data Center, and Service Centers. (See IRS Appendix A.)

**Categories of individuals covered by the system:** Potential subjects of criminal tax investigations.

**Categories of records in the system:** Financial records, newspaper articles, reports from other agencies, and similar leads.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602, 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, magnetic tape, and microfilm.

**Retrievability:** Name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook," IRM 1(16)41.

**Retention and disposal:** Paper shredded after use. Magnetic Tape—erased after 3 years.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Officials maintaining the system—District Directors, Service Center Directors, Data Center Director. (See IRS Appendix A.)

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.009**

**System name:** Information Items, Intelligence Division—Treasury/IRS.

**System location:** District Offices and Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers about whom the Internal Revenue Service has received information alleging a violation of laws within IRS jurisdiction.

**Categories of records in the system:** Copies of income tax returns, special agent's reports, revenue agent's reports, reports from police and other investigative agencies, memorandum of interview, question-and-answer statements, affidavits, collateral request and replies, information items, newspaper and magazine articles and other published data, financial information from public records, case initiating documents and other similar and related documents.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Tape, paper, and microfilm.

**Retrievability:** Name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook," IRM 1(16)41.

**Retention and disposal:** Paper—shredded after use. Microfilm—destroyed after 5 years. Magnetic tape—erased after 3 years.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Officials maintaining the system—Service Center Directors, District Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.010**

**System name:** Joint Compliance Program, Intelligence Division—Treasury/IRS.

**System location:** District Offices; Service Centers; Regional Offices; National Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers in general.

**Categories of records in the system:** Tax returns, public records, lists of names, occupational listings, newspaper articles, trade journals, correspondence from other agencies and the public, and other similar and related data.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, magnetic tape, microfilm.

**Retrievability:** Name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Not established.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Officials maintaining the system—District Directors; Service Center Directors; Regional Commissioners; Director, Intelligence Division. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.011**

**System name:** Land Trust Files, Intelligence Division—Treasury/IRS.

**System location:** District Offices, Service Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Beneficiaries of Land Trusts, Related individuals.

**Categories of records in the system:** Notices of Fiduciary Relationships. Related correspondence.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602, 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, microfilm, magnetic tape.

**Retrievability:** Name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Not established.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Officials maintaining the system—District Directors, Service Center Directors. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to District Director for each District whose records are to be searched and Director, Intelligence Division, National Office. (See IRS Appendix A).

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to District Director for each District whose records are to be searched and Director, Intelligence Division, National Office. (See IRS Appendix A).

**Contesting record procedures:** See Access above.

**Record source categories:** Financial institutions, Fiduciary reports, Notices of Fiduciary Relationships.

**Treasury/IRS 46.013**

**System name:** Project Files, Intelligence Division—Treasury/IRS.

**System location:** National, Regional and District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Potential subjects of criminal tax investigations.

**Categories of records in the system:** Tax returns, master file data, Court records, Congressional reports, reports from other agencies, reports from Special Prosecutor, project reports, statistical data, other personal and financial information.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, magnetic tape, microfilm.

**Retrievability:** Name and Social Security Number; However, retrievability exists only for those projects for which indexing procedures have been provided. Most project files do not have a capacity for retrieval by individual identity.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Not established.

**System manager(s) and address:** Official prescribing policies and practices—Director, Intelligence Division—National Office. Officials maintaining the system—Regional Commissioners; District Directors; and Director, Intelligence Division. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.014**

**System name:** Project Personnel, Intelligence Division—Treasury/IRS.

**System location:** National Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Special Agents.

**Categories of records in the system:** Financial, documentary, memorandums and reports.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable). Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, file cabinet.

**Retrievability:** By name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Indefinite retention.

**System manager(s) and address:** Official prescribing policies and practices, Director, Intelligence Division, National Office, Officials maintaining the system, Director, Intelligence Division, National Office. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.015**

**System name:** Relocated Witnesses, Intelligence Division—Treasury/IRS.

**System location:** National Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Relocated Witnesses.

**Categories of records in the system:** Documentation & Relocation Information.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, file cabinet.

**Retrievability:** By Name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Indefinite retention.

**System manager(s) and address:** Official prescribing policies and practices, Director, Intelligence Division, National Office. Officials maintaining the system, Director, Intelligence Division, National Office. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.016**

**System name:** Secret Service Details, Intelligence Division—Treasury/IRS.

**System location:** District Offices, Service Centers, Regional Offices, National Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Special Agents.

**Categories of records in the system:** Lists of names, and Correspondence.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable). Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, file cabinet.

**Retrievability:** Name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Not established.

**System manager(s) and address:** Official prescribing policies and practices, Director, Intelligence Division, National Office. Officials maintaining the system, District Directors, Service Center Directors, Regional Commissioners, Director, Intelligence Division (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certainprovisions of the Privacy Act.

**Treasury/IRS 46.017**

**System name:** Special Agent Skills Inventory, Intelligence Division—Treasury/IRS.

**System location:** National Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Present and former Special Agents.

**Categories of records in the system:** Personal History; Skills, and Training.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable). Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, file cabinet.

**Retrievability:** Name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Indefinite. No disposal provisions.

**System manager(s) and address:** Official prescribing policies and practices, Director, Intelligence Division, National Office, Officials maintaining the system, District Directors, Director, Intelligence Division. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to District Director for each District whose records are to be searched and Director, Intelligence Division, National Office.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to District Director for each District whose records are to be searched and Director, Intelligence Division, National Office.

**Contesting record procedures:** See Access above.

**Record source categories:** Special Agents.

### Treasury/IRS 46.018

**System name:** Strike Force Disclosure Authorization List, Intelligence Division—Treasury/IRS.

**System location:** National Office, and District Offices.

**Categories of individuals covered by the system:** Names of all entities for which disclosure of information to the Department of Justice has been authorized.

**Categories of records in the system:** Alphabetical list of names. Memorandums from Justice Dept. and Disclosure Staff.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper.

**Retrievability:** By name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Memorandums, permanent. Lists, destroyed after 2 years.

**System manager(s) and address:** Official prescribing policies and practices, Director, Intelligence Division, National Office. Officials maintaining the system, District Directors, Director, Intelligence Division.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

### Treasury/IRS 46.019

**System name:** Tax Practitioner Files, Intelligence Division—Treasury/IRS.

**System location:** District Offices, and Service Centers.

**Categories of individuals covered by the system:** Tax Practitioners, return preparers, and attorneys. Related taxpayers.

**Categories of records in the system:** Letters and miscellaneous types of internal and external correspondence.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable). Disclosure may be made during judicial processes. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, file cabinet.

**Retrievability:** Name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Not established.

**System manager(s) and address:** Official prescribing policies and practices, Director, Intelligence Division, National Office, Officials maintaining the system, District Directors, and Service Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

### Treasury/IRS 46.020

**System name:** Tax Termination File, Intelligence Division—Treasury/IRS.

**System location:** District Offices, Regional Offices, and Service Centers.

**Categories of individuals covered by the system:** Taxpayers whose tax years have been terminated.

**Categories of records in the system:** Income Tax returns, Assessment records, Requests for controls, and Other related documents.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper, magnetic tape, microfilm.

**Retrievability:** Name or Social Security Number.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Indefinite.

**System manager(s) and address:** Official prescribing policies and practices, Director, Intelligence Division, National Office. Officials maintaining the system, District Directors, and Service Center Directors. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 46.021**

**System name:** Training Records, Intelligence Division—Treasury/IRS.

**System location:** National Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Special Agents, and State and local law enforcement personnel.

**Categories of records in the system:** Names, pictures, personal history, and performance data.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable). Disclosure may be made during judicial processes. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper.

**Retrievability:** By Name.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Performance evaluation burned after 3 years. Other records permanent.

**System manager(s) and address:** Official prescribing policies and practices, Director, Intelligence Division, National Office. Officials maintaining the system, Director, Intelligence Division, National Office.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Director, Intelligence Division, National Office.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Director, Intelligence Division, National Office.

**Record source categories:** Students, Instructors, Advisors, Other evaluators.

**Treasury/IRS 46.022**

**System name:** Treasury Enforcement Communications System (TECS), Intelligence Division—Treasury/IRS.

**System location:** National Office.

**Categories of individuals covered by the system:** Fugitives; Subjects of open Special Enforcement Program investigations; Subjects of open Narcotics Traffickers Program investigations; Subject of interest to Special Enforcement Program; individuals on whom both Taxpayer Delinquent Accounts have been issued and notice of Federal Tax Lien filed.

**Categories of records in the system:** Name, Date of Birth, Social Security Number, Address, Identifying details.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602; 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Disc.

**Retrievability:** By name or social security number.

**Safeguards:** Controls will be not less than provided for by the "Access Physical and Document Security Handbook", IRM 1(16)41.

**Retention and disposal:** Cancellation after 2 years.

**System manager(s) and address:** Official prescribing policies and practices, Director, Intelligence Division, National Office. Officials maintaining the system, Director, Intelligence Division, National Office.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 48.001**

**System name:** Disclosure Records, Incorporates records formerly published as systems 48.002, 48.003, 48.004, 48.005 and 48.006. Disclosure—Treasury/IRS.

**System location:** National Office and District Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** (1) Subjects of requests for disclosure initiated by the Department of Justice, including suspects or persons related to the violation of Federal laws; persons who have initiated legal actions against the Federal Government, persons identified as strike force targets or related to organized crime activities, persons under investigation for national security reasons, persons believed by the Internal Revenue Service to be related to violations of Federal laws other than the Internal Revenue Code. (2) Persons under investigation by other executive departments or congressional committees for whom tax information has been requested pursuant to 26 U.S.C. 6103. (3) Persons who are parties to criminal or civil non-tax litigation in which the testimony of IRS employees has been requested. (4) Persons who have applied for Federal employment or presidential appointments for which preemployment tax checks have been requested and applicants for Department of Commerce "E" Awards. (5) Requesters for access to records pursuant to 26 U.S.C. 6103, the Freedom of Information Act, 5 U.S.C. 552, and initiators of requests for access, amendment or other action pursuant to the Privacy Act of 1974, 5 U.S.C. 552a. (6) Individuals identified by or initiating correspondence or inquiries processed or controlled by the Disclosure function or relating to the foregoing subjects.

**Categories of records in the system:** Requests for records, information or testimony, responses to such requests, supporting documentation, processing records, copies of items provided or withheld, control records and related files. Department of Justice, and IRS replies to such requests. (2) Copies of related authorizations to IRS officials permitting such disclosures and, in some instances, their responses. (3) Copies of individuals' tax information, memoranda for file, notations of telephone calls, file search requests, etc.

**Authority for maintenance of the system:** 26 U.S.C. 7801 and 7802, 26 U.S.C. 6103, 5 U.S.C. 301, 552 and 552a.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes, and as necessary to report apparent violations of law to appropriate law enforcement agencies.

Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 404.6103 where applicable). For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in alphabetical or chronological order within subject categories. No centralized index exists. Accountings

of disclosure of tax related records pursuant to 5 U.S.C. 552a(c) or 26 U.S.C. 6103(p)(3) are posted to the Individual Master File and retrievable by Social Security Number, or to the Business Master File and retrievable by Employer Identification Number.

**Retrievability:** Paper records are generally retrievable by name of individual, although category of record and chronological period may be necessary to retrieve some records. The Social Security number is necessary to access accountings of disclosure posted to the Individual Master File. The Employer Identification Number is necessary for access to the Business Master File.

**Safeguards:** Safeguards will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** In accordance with IRM 1(15)59, Records Disposition Handbook.

**System manager(s) and address:** Official prescribing policies and practices—Director, Disclosure Operations Division. Officials maintaining the system—Director, Disclosure Operations Division, National Office; Regional Commissioners, District Directors, Service Center Directors, or other official receiving or servicing requests for records. (See IRS Appendix A).

**Notification procedure:** Requesters seeking to determine if accountable disclosures about them have been made should request an accounting of disclosure pursuant to 5 U.S.C. 552a(c) and 26 U.S.C. 6103(p)(3) of the District Director for the area in which they reside. Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for the area of residence or to the official believed to be maintaining the record of interest (See Appendix A). This system contains some records of law enforcement activities which may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** See notification procedure above, portion of this system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See notification procedure and record access procedure above. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act (See 26 U.S.C. 7852(e) ).

**Record source categories:** Requests for disclosure, records being evaluated and processed for disclosure and related information from other systems of records. Portions of this system may contain investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** Portions of this system have been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 49.001**

**System name:** Collateral and Information Requests System—Treasury/IRS.

**System location:** The central files for this system are maintained at the Office of International Operations, 1325 K Street, N.W., Washington, D.C. 20225. A corresponding system of records is separately maintained by the foreign posts located in: (1) Bonn, Germany; (2) Canberra, Australia; (3) Caracas, Venezuela; (4) Johannesburg, Republic of South Africa; (5) Kuala Lumpur, Malaysia; (6) London, England; (7) Manila, Philippines; (8) Mexico City, Mexico; (9) Ottawa, Canada; (10) Paris, France; (11) Rome, Italy; (12) Sao Paulo, Brazil; (13) Tehran, Iran; and (14) Tokyo, Japan. Inquiries concerning this system of records maintained by the foreign posts should be addressed to the Director of International Operations.

**Categories of individuals covered by the system:** United States Citizens, Resident Aliens, Nonresident Aliens.

**Categories of records in the system:** Record of interviewing witnesses regarding financial transactions of taxpayers; employment data; bank and brokerage house records; probate records; property valuations; public documents; payments of foreign taxes; inventories of assets; business books and records. These records relate to tax investigations conducted by the U.S. Internal Revenue Service where some aspects on an investigation must be pursued in foreign countries pursuant to the various tax treaties between the United States and foreign governments.

**Authority for maintenance of the system:** 5 USC 301, 26 USC 7602, 26 USC 7801, 26 USC 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** By Taxpayer Name.

**Safeguards:** Access Controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Dispose after 5 years.

**System manager(s) and address:** Director of International Operations.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 49.002**

**System name:** Collateral Files and Competent Authority Requests—Treasury/IRS.

**System location:** Office of International Operations, 1325 K Street, N.W., Washington, D.C. 20225.

**Categories of individuals covered by the system:** U.S. citizens, resident aliens, nonresident aliens.

**Categories of records in the system:** These records relate to tax fraud investigations conducted by the U.S. Internal Revenue Service where some aspects of an investigation must be pursued in foreign countries pursuant to the various tax treaties between the United States and foreign governments.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** By taxpayer name.

**Safeguards:** Access controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Dispose three years after the collateral request has been closed.

**System manager(s) and address:** Director, Office of International Operations, 1325 K Street, N.W., Washington, D.C. 20225.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of the records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law-enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 49.003**

**System name:** Financial Statements File—Treasury/IRS.

**System location:** Office of International Operations, 1325 K Street, N.W., Washington, D.C. 20225.

**Categories of individuals covered by the system:** Taxpayers who submitted financial statements when interviewed overseas by audit division employees.

**Categories of records in the system:** Financial Statements.

**Authority for maintenance of the system:** 5 USC 301, 26 USC 7602, 26 USC 7801, 26 USC 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** By Taxpayer's name.

**Safeguards:** Access Controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Dispose after 2 years.

**System manager(s) and address:** Director of International Operations.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries may be addressed to the Director of International Operations, 1325 K St., N.W., Washington, D.C. 20225.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of International Operations.

**Contesting record procedures:** See Access above.

**Record source categories:** Overseas audit division employees.

**Treasury/IRS 49.005**

**System name:** Index Card Retrieval System—Treasury/IRS.

**System location:** Office of International Operations, Tax Treaty and Technical Services Division, 1325 "K" St., N.W., Washington, D.C. 20025.

**Categories of individuals covered by the system:** U.S. Citizens, Resident Aliens, and Nonresident Aliens whose tax returns come under the jurisdiction of the U.S. Competent Authority in accordance with pertinent provisions of tax treaties with foreign countries.

**Categories of records in the system:** Individual case files of taxpayers; (1) who request relief from double taxation or any other assistance that is pertinent to carrying out the provisions of income tax treaties, and (2) on whom information (as is pertinent to carrying out the provisions of the convention or preventing fraud or fiscal evasion in relation to the taxes which are the subject of this convention) is exchanged with foreign tax officials of treaty countries.

**Authority for maintenance of the system:** 5 USC 301, 26 USC 7602, 26 USC 7801, 26 USC 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** By taxpayer's name.

**Safeguards:** Access controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Dispose after 10 years.

**System manager(s) and address:** Director of International Operations.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Director of International Operations, 1325 "K" St., N.W., Washington, D.C. 20225.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Director of International Operations, 1325 "K" St., N.W., Washington, D.C. 20225.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayer or authorized representative; IRS and other Governmental Agencies; U.S. Revenue Service Representative overseas; Foreign treaty country tax officials; and public periodicals.

**Treasury/IRS 49.006**

**System name:** Manual Accounting Index of Uncollectible Accounts—Treasury/IRS.

**System location:** Office of International Operations, 1325 K Street, N.W., Washington, D.C. 20225.

**Categories of individuals covered by the system:** Accounts which were reported uncollectible prior to the implementation of automatic data processing of account records.

**Categories of records in the system:** Master file index cards TY 60.

**Authority for maintenance of the system:** 5 USC 301, 26 USC 7602, 26 USC 7801, 26 USC 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** By Taxpayer's Name.

**Safeguards:** Access Controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** To be retained indefinitely.

**System manager(s) and address:** Director of International Operations.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of International Operations, 1325 K St., N.W., Washington, D.C. 20225.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of International Operations. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Revenue Accounting Branch, Office of International Operations.

**Treasury/IRS 49.007**

**System name:** Overseas Compliance Projects System.

**System location:** The central files for this system are maintained at the Office of International Operations, 1325 K Street, N.W., Washington, D.C., 20225. A corresponding system of records is separately maintained by the foreign posts located in: (1) Bonn, Germany; (2) Canberra, Australia; (3) Caracas, Venezuela; (4) Johannesburg, Republic of South Africa; (5) Kuala Lumpur, Malaysia; (6) London, England; (7) Manila, Philippines; (8) Mexico City, Mexico; (9) Ottawa, Canada; (10) Paris, France; (11) Rome, Italy; (12) Sao Paulo, Brazil; (13) Tehran, Iran; and (14) Tokyo, Japan. Inquiries concerning this system of records maintained by the foreign posts should be addressed to the Director of International Operations.

**Categories of individuals covered by the system:** United States Citizens, Resident Aliens, Nonresident Aliens.

**Categories of records in the system:** Documents and factual data relating to: (1) personal expenditures or investments not commensurate with known income and assets; (2) receipt of significant unreported income; (3) improper deduction of significant capital or personal living expenses; (4) failure to file required returns or pay tax due; (5) omission of assets or improper deduction or exclusion of items from estate and gift tax returns.

**Authority for maintenance of the system:** 5 USC 301, 26 USC 7602, 26 USC 7801, 26 USC 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** By Taxpayer Name.

**Safeguards:** Access Controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Dispose after 5 years.

**System manager(s) and address:** Director of International Operations.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See Access above.

**Record source categories:** This system of records contains investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 49.008**

**System name:** Taxpayer Service Correspondence System—Treasury/IRS.

**System location:** This system is separately maintained by each one of the 14 overseas posts of the Office of International Operations, located in: (1) Bonn, Germany, (2) Canberra, Australia; (3) Caracas, Venezuela; (4) Johannesburg, Republic of South Africa; (5) Kuala Lumpur, Malaysia; (6) London, England; (7) Manila, Philippines; (8) Mexico City, Mexico; (9) Ottawa, Canada; (10) Paris, France; (11) Rome, Italy; (12) Sao Paulo, Brazil; (13) Tehran, Iran; and (14) Tokyo, Japan. Inquiries concerning this system of records maintained by the foreign posts should be addressed to the Director of International Operations, 1325 K Street, N.W., Washington, D.C. 20225.

**Categories of individuals covered by the system:** United States Citizens, Resident Aliens, Nonresident Aliens.

**Categories of records in the system:** Correspondence from taxpayers, foreign post personnel and Office of International Operations headquarters offices in Washington, D.C.

**Authority for maintenance of the system:** 5 USC 301, 26 USC 7602, 26 USC 7801, 26 USC 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records.

**Retrievability:** By Taxpayer Name.

**Safeguards:** Access Controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Dispose after 5 years.

**System manager(s) and address:** Director of International Operations.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CRF Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of International Operations, 1325 K Street, N.W., Washington, D.C. 20225.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of International Operations. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayers and Office of International Operation's foreign posts and headquarter's offices.

**Treasury/IRS 50.002**

**System name:** Employee Plans/Exempt Organizations, Employee Plan Determination Letter Records—Treasury/IRS.

**System location:** District Offices. See IRS Appendix A.

**Categories of individuals covered by the system:** Applicants for approval of individually designed plans and bond purchase plans, covering self-employed individuals.

**Categories of records in the system:** Contains plan name, type, treatment accorded, etc. Sub-systems include plan files containing applications, attachments, determination letters, related documents, and audit history file.

**Authority for maintenance of the system:** 26 USC 7801, 7802 and 7805.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Indexed by name.

**Safeguards:** Security will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41; and

**Retention and disposal:** Cards retained indefinitely; related files destroyed or retired over varying numbers of years as specified in the Records Control Schedule, IRM 1(15)59-110.

**System manager(s) and address:** District Director who has jurisdiction over the plan. See IRS Appendix A.

**Notification procedure:** Same as above.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director having jurisdiction. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See access above.

**Record source categories:** Applicants requesting a determination letter.

**Treasury/IRS 50.001**

**System name:** Employee Plans/Exempt Organizations, Employee Plans/Exempt Organizations Assignment Record (Form M-6209)—Treasury/IRS.

**System location:** National Office See IRS Appendix A.

**Categories of individuals covered by the system:** Requestors of letter rulings, and subject of field office requests for technical advice and assistance and other correspondence.

**Categories of records in the system:** Contains the name, date, nature and subject of an assignment, and work history. Sub-systems include case files that contain the correspondence, internal memoranda, and related material. They also include digests of issues involved in proposed revenue rulings.

**Authority for maintenance of the system:** 26 USC 7801, 7802, and 7805.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper records.

**Retrievability:** Indexed by name.

**Safeguards:** security will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41; and

**Retention and disposal:** Cards retained indefinitely; related files destroyed or retired over varying numbers of years as specified in the Records Control Schedule, IRM 1(15)59-110.

**System manager(s) and address:** Assistant Commissioner (Employee Plans/Exempt Organizations) 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Notification procedure:** Same as above.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (EP/EO), National Office. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See above.

**Record source categories:** Individuals requesting rulings or information and field offices requesting technical advice or assistance.

**Treasury/IRS 50.003**

**System name:** Employee Plans/Exempt Organizations, Reports of Significant Matters in EP/EO (M-5945)—Treasury/IRS.

**System location:** National Office. See IRS Appendix A.

**Categories of individuals covered by the system:** Individual subjects of letter ruling requests, technical advice requests etc., where a "Report of Significant Matter in EP/EO," has been prepared because of the presence of a matter significant to tax administration.

**Categories of records in the system:** Copies of "Reports of Significant Matter in EP/EO."

**Authority for maintenance of the system:** 26 U.S.C. 7801, 7802, and 7805.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** paper records.

**Retrievability:** indexed by name.

**Safeguards:** safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** not specific.

**System manager(s) and address:** Assistant Commissioner, (Employee Plans/Exempt Organizations) 1111 Constitution Avenue, Washington, D.C. 20224.

**Notification procedure:** Same as above.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner, (Employee Plans/Exempt Organizations), National Office.

**Contesting record procedures:** See access above.

**Record source categories:** Individual subjects of letter ruling requests, technical advice requests, etc., where a "Report of Significant Matter in EP/EO." has been prepared.

**Treasury/IRS 60.001**

**System name:** Assault and Threat Investigation Files Inspection-Treasury/IRS.

**System location:** National Office and Regional Inspector's Offices, (See IRS Appendix A).

**Categories of individuals covered by the system:** Persons who attempt to interfere with the administration of the Internal Revenue laws through threats, assaults or forcible interference of any officer or employee while discharging the official duties of his position.

**Categories of records in the system:** Document citing the complaint, Documentary evidence (i.e., threatening letter), Report of investigation, with possible statements, or affidavits as exhibits. Report of legal action, if case is prosecuted. Local police record of individual named in case. FBI record of individual named in the case.

**Authority for maintenance of the system:** 26 U.S.C. 7608, 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or statute violations. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual to whom it applies.

**Safeguards:** Not less than provided for by the Physical and Documents Security Handbook, IRM 1(16)41. Also, accessible to Inspection personnel on a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Records Control Schedule 105, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioner (Inspection). (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See access above.

**Record source categories:** This system of records contains investigatory material compiled for criminal law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury 60.002**

**System name:** Bribery Investigation Files, Inspection-Treasury/IRS.

**System location:** National Office and Regional Inspector's Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees or former employees of the Treasury Department, and Taxpayers and non-IRS persons whose alleged criminal actions may affect the integrity of the Service.

**Categories of records in the system:** A report of investigation including exhibits, affidavits, transcripts, and documentation concerning requests and approval for consensual telephone and consensual non-telephone monitoring. A report of legal action concerning the results of prosecution. Prior criminal record of subject.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7602, 7608, 7801, 7802; EO 11222.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employ-

ment or statute violations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual to whom it applies.

**Safeguards:** Not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Also, accessible to Inspection personnel on a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Records Control Schedule 105, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioner (Inspection). (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See access above.

**Record source categories:** This system of records contains investigatory material compiled for criminal law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 60.003**

**System name:** Conduct Investigation Files, Inspection—Treasury/IRS.

**System location:** National Office and Regional Inspector's Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees and former employees of: Internal Revenue Service, Office of the Secretary of the Treasury, Office of the General Counsel, Office of the Treasurer of the United States, Office of the Comptroller of the Currency, Office of International Finance, Bureau of Government Financial Operations, Bureau of Accounts, Bureau of Engraving and Printing, Bureau of the Mint, Bureau of the Public Debt, U.S. Savings Bond Division, and the Consolidated Federal Law Enforcement Training Center.

**Categories of records in the system:** Document citing complaint of alleged misconduct or violation of statute; Report of investigation to resolve allegation of misconduct or violation of statute, with related exhibits of statements, affidavits or records obtained during investigation; Report of action taken by management personnel adjudicating any misconduct substantiated by the investigation; andReport of legal action resulting from violations of statutes referred for prosecution.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 USC 7602, 7608, 7801, 7802; EO 11222.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or statute violations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual to whom it applies.

**Safeguards:** Not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Also, accessible to Inspection personnel on a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Records Control Schedule 105, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioner (Inspection) (See IRS Appendix A).

**Notification procedure:** Many of the records in this system may be exempt under subsections J and/or K Privacy Act of 1974 and may not be accessed for purposes of inspection or for contest of content of records. Individuals seeking to determine if their record is accessible may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant Commissioner (Inspection) National Office.

**Record access procedures:** Same as Notification section.

**Contesting record procedures:** Same as notification section.

**Record source categories:** Department of Treasury personnel and records, Taxpayers (Complainants, Witnesses, Confidential Informants), Other Federal Agencies, State and local agencies, Tax Returns and related documents, Personal observations of the investigator, and subjects of the investigation.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 60.004**

**System name:** Disclosure Investigation Files, Inspection—Treasury/IRS

**System location:** National Office and Regional Inspector's Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** (a) Internal Revenue Service employees who have allegedly disclosed confidential tax information. (b) State and Local Government employees who have allegedly disclosed confidential Federal tax information. (c) Tax return preparers who have allegedly disclosed confidential Federal tax information.

**Categories of records in the system:** (a) Document citing the complaint of the alleged criminal or administrative violation. (b) Investigative report, including statements, affidavits and any other pertinent documents supporting the investigative report, which will be attached as an exhibit. (c) Report of legal action if case is accepted by U.S. Attorney for prosecution. (d) Report of action by management personnel if case is referred for administrative adjudication.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602, 7608, 7801, 7802; EO 11222.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. (b) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. (c) Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or statute violations. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual to whom it applies.

**Safeguards:** Not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Also, accessible to Inspection personnel on a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Records Control Schedule 105, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioner (Inspection).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See access above.

**Record source categories:** This system of records contains investigatory material compiled for criminal law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 60.005**

**System name:** Enrollee Applicant Investigation Files; Inspection—Treasury/IRS.

**System location:** National Office and Regional Inspector's Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Former employees and non-IRS persons who apply for enrollment to practice before IRS under the provisions of Circular 230.

**Categories of records in the system:** Investigative report covering results of checks of: FBI files; Inspection files; local police; Audit and Intelligence Division files; and verification of Federal tax filing status. Also, appropriate documents attached as exhibits showing results of above file checks.

**Authority for maintenance of the system:** 26 U.S.C. 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. (b) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. (c) Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or statute violations. (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual to whom it applies.

**Safeguards:** Not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Also, accessible to Inspection personnel on a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Records Control Schedule 105, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioner (Inspection). (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant Commissioner (Inspection) National Office.

**Record access procedures:** Same as Notification section.

**Record source categories:** Internal Revenue Service, Federal Bureau of Investigation, Local police departments.

**Treasury/IRS 60.006**

**System name:** Enrollee Charge Investigation Files, Inspection—Treasury/IRS

**System location:** National Office and Regional Inspector's Offices.

**Categories of individuals covered by the system:** IRS employees or former employees, tax practitioners, attorneys, certified public accountants or enrolled persons.

**Categories of records in the system:** A documented complaint or request for investigation alleging criminal or administrative misconduct affecting IRS integrity. A report of investigation, including exhibits such as affidavits, statements or documents which have been reviewed. A report of legal action resulting from violations of statutes referred for prosecution. A report of action taken by management personnel adjudicating any misconduct on the part of an IRS employee substantiated by the investigation.

**Authority for maintenance of the system:** 26 U.S.C. 7801, 7802, 7608.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or statute violations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual to whom it applies.

**Safeguards:** Not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Also, accessible to Inspection personnel on a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Records Control Schedule 105, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioner (Inspection). (See IRS Appendix A).

**Notification procedure:** Many of the records in this system may be exempt under subsections J and/or K of the Privacy Act of 1974 and may not be accessed for purposes of inspection or for contest of content of records. Individuals seeking to determine if their record is accessible may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant Commissioner (Inspection) National Office.

**Record access procedures:** Same as Notification section.

**Contesting record procedures:** Same as notification above.

**Record source categories:** Department of Treasury, Personnel and Records, Other Federal agencies, Taxpayers/Complainants, State and local agencies, Tax returns, Newspapers, Person acquainted with the individual under investigation, Subjects of the investigation, and Personal observations of the investigator.

**Systems exempted from certain provisions of the act:** Portions of this system have been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 60.007**

**System name:** Miscellaneous Information File, Inspection—Treasury/IRS

**System location:** National Office and Regional Inspector's Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees and former employees of the Internal Revenue Service, Tax practitioners (Attorneys, Certified Public Accountants, Enrolled Persons, Return Preparers), Alleged tax violators, Persons whose actions or alleged actions indicate a threat to IRS employees, facilities, or the integrity of the tax system, Confidential Informants, and Reputed members of the organized criminal element.

**Categories of records in the system:** Complaint type information regarding IRS employees which is not, in itself, specific or significant enough to initiate an investigation when received. Allegations of bribery and gratuities by taxpayers and/or their representatives which are not by themselves specific or significant enough to initiate an investigation when received. Allegations of misconduct by tax practitioners, enrolled persons, or tax preparers which are not by themselves specific or significant enough to initiate an investigation when received. Any information received or developed by Inspection that has a bearing on IRS, but is not of itself specific or significant enough to initiate an investigation when received. Information received by Inspection pertaining to alleged violations enforced by other agencies or Divisions of IRS, copies of which are referred to those respective agencies or divisions. Photographs and descriptive data of some IRS employees and of persons arrested by Inspection. Information concerning lost or stolen Government documents, property, credentials or IRS employee personal property lost or stolen on Government premises. List of persons in State or Local Government agencies working under State agreements and

having access to Federal Tax information. Newspaper or periodical items about IRS. Newspaper items regarding attorneys, CPA's, Tax Practitioners or Return Preparers arrested, indicted, convicted or under investigation by other agencies. Allegations of threats, assaults, forcible interference or other violence type activity aimed at employees or facilities of IRS which are not by themselves specific or significant enough to initiate an investigation when received. Information regarding Inspection's mission which does not fall into any of the above categories.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 USC 7602, 7608, 7801, 7802; EO 11222.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or statute violations. Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual, subject, or incident involved.

**Safeguards:** Not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Also, accessible to Inspection personnel on a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Records Control Schedule 105, IRM 1(15)59. Informant files are retained as long as informant remains active.

**System manager(s) and address:** Assistant Commissioner (Inspection).

**Notification procedure:** Some of the records in this system may be exempt under subsections J and/or K and may not be accessed for purposes of inspection or for contest of content of records. Individuals seeking to determine if their record is accessible may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant Commissioner (Inspection) National Office.

**Record access procedures:** Same as notification section.

**Contesting record procedures:** See notification above.

**Record source categories:** Department of Treasury Personnel and Records, Newspapers and Periodicals, Taxpayers (Complainants, Witnesses, and Informants), State and Local Government Agency Personnel and Records, and Anonymous Complainants.

**Systems exempted from certain provisions of the act:** Portions of this system have been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 60.008**

**System name:** Security, Background and Character Investigations Files, Inspection—Treasury/IRS

**System location:** National Office and Regional Inspector's Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Current, former and prospective employees of: Internal Revenue Service, Office of the Secretary of the Treasury, Office of the General Counsel, Office of the Treasurer of the United States, Office of the Comptroller of the Currency, Office of International Finance, Bureau of Government Financial Operations, Bureau of Accounts, Bureau of Engraving and Printing, Bureau of the Mint, Bureau of the Public Debt, U.S. Savings Bond Division, Consolidated Federal Law Enforcement Training Center, and Private Contractors at IRS Facilities.

**Categories of records in the system:** (a) Federal Employment Application Forms (b) Results of National Agency Checks (prior reports and records from) FBI Investigative Files, Fingerprint Files, Civil Service Commission, Defense Central Index of Investigations, House Committee on Internal Security, and Coast Guard Intelligence. (c) Employee's Tax Account History (d) Results of Employees Audit (e) Employee's Financial Statement (f) A summary report, a narrative report, notes and/or written replies resulting from the investigator's inquiries into the subject's scholastic record, prior employments, military service, references, neighbors, police records and past credit record. (g) Report of action taken by management personnel adjudicating any derogatory information developed by the investigation. (h) Report of legal action resulting from violations of statutes referred for prosecution.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 USC 7602, 7608, 7801, 7802; EO 10450; EO 11222.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and with requests for legal advice. Disclosure may be made during judicial processes. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or statute violations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual to whom it applies.

**Safeguards:** Not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Also, accessible to Inspection Personnel on a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Records Control Schedule 105, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioner (Inspection). (See IRS Appendix A).

**Notification procedure:** Some of the records in this system may be exempt and may not be accessed for purposes of inspection or for contest of content of records. Individuals seeking to determine if their record is accessible may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant Commissioner (Inspection) National Office.

**Record access procedures:** Same as Notification section.

**Contesting record procedures:** Same as notification above.

**Record source categories:** Employment Application Forms submitted by subject of investigation. Financial information from subject. Federal, State and Local Government Agencies (Police, Court and Vital Statistics records). Credit Reporting Agencies. Neighbors (former and present). References. Former and present employers and co-workers. Other third party sources. Schools. Tax Returns and Audit Results. Information provided by the individual under investigation.

**Systems exempted from certain provisions of the act:** Portions of this system have been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 60.009**

**System name:** Special Inquiry (Complaint) Investigation Files, Inspection—Treasury/IRS.

**System location:** National Office and Regional Inspector's Offices. (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees or former employees of the Treasury Department and the Internal Revenue Service. Non-employees whose alleged criminal actions may affect the integrity of the Internal Revenue Service.

**Categories of records in the system:** A documented complaint from some source alleging criminal or administrative misconduct affecting Internal Revenue Service integrity. A report of investigation to resolve the complaint, including exhibits of IRS or public documents reviewed during the investigation.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602, 7608, 7801, 7802; EO 11222.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of in-

formation contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or statute violations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual to whom it applies.

**Safeguards:** Not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Also, accessible to Inspection personnel of a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Record Control Schedule 105, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioner (Inspection). (See IRS Appendix A).

**Notification procedure:** Many of the records in this system may be exempt under subsections J and/or K and may not be accessed for purposes of inspection or for contest of content of records. Individuals seeking to determine if their record is accessible may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant Commissioner (Inspection) National Office.

**Record access procedures:** Same as Notification above.

**Contesting record procedures:** Same as notification above.

**Record source categories:** Taxpayers (Complainants, Witnesses, Confidential Informants), Federal, State and Local Government Agencies' personnel and records (Police, court, property, etc.), Newspapers or periodicals, Department of the Treasury personnel and records, Financial institutions, and Other Private Business records.

**Systems exempted from certain provisions of the act:** Portions of this system have been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 60.010**

**System name:** Tort Investigation Files, Inspection—Treasury/IRS.

**System location:** National Office and Regional Inspector's Office. (See IRS Appendix A).

**Categories of individuals covered by the system:** Employees of the Department of the Treasury and non-Federal persons involved in accidents on property under Department of the Treasury jurisdiction or with Department of the Treasury employees.

**Categories of records in the system:** A report of investigation including exhibits such as SF-91, Operator's Report of Motor Vehicle Accident; SF-91A, Investigation Report of Motor Vehicle Accident; SF-92A, Report of Accident Other Than Motor Vehicle; SF-94, Statement of Witness; Optional Form 26, Data Bearing Upon Scope of Employment of Motor Vehicle Operator. In addition, attached as exhibits might be a Police Report of the accident; copies of insurance policies of the involved drivers; photographs of the scene or vehicles after the accident; Treasury Department vehicle maintenance record, medical records.

**Authority for maintenance of the system:** 5 U.S.C. 301; 26 U.S.C. 7602, 7608, 7801, 7802; EO 11222.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosures may be made during judicial processes. Routine disclosure may be made to other agencies to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Routine disclosure may be made to authorized investigative offices of other Federal agencies in connection with background and security clearance procedures or when the subject is under investigation for employment or statute violations. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records, in folders, in file cabinets.

**Retrievability:** By name of individual to whom it applies.

**Safeguards:** Not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41. Also, accessible to Inspection personnel on a need-to-know basis, all of whom have been cleared by background investigations.

**Retention and disposal:** In accordance with Record Control Schedule 105, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioner (Inspection). (See IRS Appendix A).

**Notification procedure:** Some of the records in this system may not be accessed for purposes of inspection or for contest of content of records. Individuals seeking to determine if their record is accessible may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to Assistant Commissioner (Inspection) National Office.

**Record access procedures:** Same as Notification above.

**Contesting record procedures:** Same as notification above.

**Record source categories:** Department of Treasury personnel and records, Federal, State and local police agencies, Witnesses, Subjects involved in the investigation, Hospitals (medical records), Doctors (medical records and personal observations), Personal observations of the investigator, Automobile repair facilities, Insurance Companies, Attorneys, Federal, state and local driver license records, and Federal and State vehicle registration records.

**Treasury/IRS 70.001**

**System name:** Individual Income Tax Returns, Statistics of Income—Treasury/IRS

**System location:** Primary-Internal Revenue Service Data Center, Secondary-(a)Internal Revenue Service, Statistics Division, (b) Federal Records Centers. (See IRS Appendix A).

**Categories of individuals covered by the system:** Taxpayers selected for an annual statistical sample.

**Categories of records in the system:** Sources of income, exemptions deductions, income tax, and tax credits, as reported on Forms 1040 and 1040A. The records are used to prepare and publish each year statistics, aggregated so as to prevent disclosure of taxpayer identity.

**Authority for maintenance of the system:** 26 U.S.C. 6108.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103 where applicable).

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The statistical output records (i.e., those from which the statistics are directly derived) are maintained on magnetic tape. The input records are maintained as paper documents or copies thereof. The input records are of two types: (1) Copies of U.S. Individual Income Tax Returns (primary input records) and (2) Edit sheets (intermediate input records) which contain information manually abstracted from the primary records.

**Retrievability:** Each magnetic tape record is identified by social security number and a unique Document Locator Number assigned by the Internal Revenue Service. Those with sole proprietorship income, in addition, contain employer identification number, if reported by the taxpayer. Each primary input record and, for years before 1972, each intermediate input record are identified by name and address.

**Safeguards:** Access Controls will not be less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Dispose after 40 years.

**System manager(s) and address:** Assistant Commissioner (Planning and Research), National Office. (See IRS Appendix A).

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual.

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records.

**Contesting record procedures:** See access above.

**Record source categories:** Forms 1040 and 1040A, Individual Income Tax Returns.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 80.001**

**System name:** Artist File, Assistant Commissioner (TECHNICAL)—Treasury/IRS.

**System location:** National Office (See IRS Appendix A).

**Categories of individuals covered by the system:** Famous or noted artists whose works have been evaluated.

**Categories of records in the system:** Commissioner's Art Panel decisions on values of works of art by named artists and appraisal documentation.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602, 26 U.S.C. 7805 (a).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage, paper records. Retrievability, indexed by name. Safeguards, safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal, System has been retained since 1968.

**System manager(s) and address:** Assistant Commissioner (Technical), National Office.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office.

**Contesting record procedures:** See Access above.

**Record source categories:** Appraisal documentation and Art Panel decisions.

**Treasury/IRS 80.003**

**System name:** Correspondence Control and Records, Assistant Commissioner (Technical)—Treasury/IRS.

**System location:** National Office (See IRS Appendix A).

**Categories of individuals covered by the system:** Individual subjects of letter rulings, technical advice, and other correspondence from the Office of the Assistant Commissioner (Technical).

**Categories of records in the system:** Cards containing taxpayer names, date of correspondence, issue, and related information, and related letter ruling, technical advice, and other correspondence files.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602, 26 U.S.C. 7805 (a).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 CFR 404.6103) and as necessary to report apparent violations of law to appropriate law enforcement agencies. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage, paper records. Retrievability, indexed by name. Safeguards, safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal, Cards retained indefinitely; related files destroyed or retired over varying numbers of years as specified in the Records Control Schedule, IRM 1(15)59-110.

**System manager(s) and address:** Assistant Commissioner (Technical), National Office. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instruction appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office.

**Record access procedures:** Individual seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Individual subjects of letter rulings, technical advice, and other correspondence; field office personnel.

**Treasury/IRS 80.002**

**System name:** Expert witness and fee appraiser files, Assistant Commissioner (Technical)—Treasury/IRS.

**System location:** National Office (See IRS Appendix A).

**Categories of individuals covered by the system:** Potential expert witnesses for litigation and fee appraisers for art valuation.

**Categories of records in the system:** Biographical sketches, application letters or list of names by specialty.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602, 26 U.S.C. 7805 (a).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage, paper records. Retrievability, indexed by name. Safeguards, safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal, Retained for many years, will be purged periodically to reflect current data.

**System manager(s) and address:** Assistant Commissioner (Technical), National Office. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office.

**Contesting record procedures:** See Access above.

**Record source categories:** Varied, generally from the named individual, often unsolicited.

**Treasury/IRS 80.004**

**System name:** Reference Index Digest Cards, Assistant Commissioner (Technical)—Treasury/IRS.

**System location:** National Office (See IRS Appendix A).

**Categories of individuals covered by the system:** Individual subjects of letter rulings, technical advice, and other correspondence, where case was published as a Revenue Ruling or classified as "Reference":

**Categories of records in the system:** Cards containing taxpayer names, issue, disposition of case, and related information.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602, 26 U.S.C. 7805 (a).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage, paper records. Retrievability, indexed by name. Safeguards, safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal, Retained indefinitely.

**System manager(s) and address:** Assistant Commissioner (Technical), National Office (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Individual subjects of letter rulings, technical advice, and other correspondence, and field office personnel where case was published as a Revenue Ruling or classified as "Reference".

**Treasury/IRS 80.005**

**System name:** Reports of Significant Matters (Form M-5945), Assistant Commissioner (Technical)—Treasury/IRS.

**System location:** National Office (Certain Division and Branch Offices) (See IRS Appendix A).

**Categories of individuals covered by the system:** Individual subjects of letter ruling requests, technical advice requests etc., where a "Report of Significant Matter in Technical" has been prepared because of the presence of a matter significant to Tax Administration.

**Categories of records in the system:** Copies of "Reports of Significant Matter in Technical".

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, 26 U.S.C. 7802, 26 U.S.C. 7602, 26 U.S.C. 7805 (a).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Routine disclosure of information contained in this system of records may be made to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage, paper records. Retrievability, indexed by name. Safeguards, safeguards will not be less than provided by the Physical and Document Security Handbook, IRM 1(16)41. Retention and Disposal, varied.

**System manager(s) and address:** Assistant Commissioner (Technical), National Office. (See IRS Appendix A).

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part I, Subpart C, Appendix B. Inquiries should be addressed to the Assistant Commissioner (Technical), National Office.

**Contesting record procedures:** See Access above

**Record source categories:** Individual subjects of letter ruling requests, technical advice requests, and other correspondence, field office personnel, where a "Report of Significant Matter in Technical" has been prepared.

**Treasury/IRS 90.001**

**System name:** Chief Counsel Criminal Tax Case Files. Each Regional Counsel Office, each branch Regional Counsel Office and the National Office maintain one of these systems. The information in this notice applies to all 38 systems—Treasury/IRS.

**System location:** The addresses of the National Office, each Regional Counsel Office and each branch Regional Counsel Office are listed in the Appendix, IRS Appendix A.

**Categories of individuals covered by the system:** (1) Taxpayers and related parties against whom tax-related criminal recommendations have been made. (2) Taxpayers and related parties under investigation for criminal tax-related violations who have corresponded with the Regional Counsel's Office. (3) Taxpayers and related parties on whom advice has been requested concerning investigation for tax-related offenses. (4) Potential witnesses in criminal tax investigations. (5) Investigative subjects in connection with Organized Crime Drive, Strike Force, Narcotics Project, or HUD project.

**Categories of records in the system:** (1) Internal Control Records. (2) Legal and administrative files including investigative reports. (3) Correspondence files. (4) Information on potential witnesses including expert witnesses. (5) Special project files such as Organized Crime Drive, Narcotics Project and HUD project.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) To appropriate persons when the Service is engaged in litigation or in preparation of possible litigation such as potential witnesses for the purpose of securing their testimony, courts for the purpose of proceeding with litigation, non-adversary or adversary parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes, individuals seeking information by using established discovery procedures, to federal, foreign and state government agencies to the extent necessary to obtain records in their possession. (4) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (5) Routine disclosure may be made to other agencies to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 301.6103 where applicable). (6) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Records are locked up during nonworking hours and during periods when the work area is vacant. Access is strictly controlled and limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Except for files retained for their research value, Regional Counsel legal files are generally retired to the Federal Records Center 2 years after they are closed and disposed of 20 years after closing. National Office legal files are retired to the Federal Records Center 5 years after the case is closed. National Office non-precedent cases are transferred to the National Archives 20 years after the case is closed. Other records are retained indefinitely and disposed of when no longer useful.

Files transferred from other divisions are returned to the source when no longer needed.

**System manager(s) and address:** Each Regional Counsel is the system manager of the systems in his or her Region. The Director of the Criminal Tax Division is the system manager of the National Office system. The addresses are in the Appendix. See IRS Appendix A.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual as it is exempt under 5 U.S.C. 552a(j) (2).

**Record access procedures:** This system of records may not be accessed for the purposes of inspection or for contest of content of records as it is exempt under 5 U.S.C. 552a(j) (2).

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayers and their representatives, Department of Treasury personnel, Other Federal agencies, State, local, and foreign governments, Witnesses, Informants, Parties to disputed matters of fact or law, Other persons who communicate with the Internal Revenue Service.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 90.002**

**System name:** Chief Counsel Disclosure Division Case Files—Treasury/IRS.

**System location:** Disclosure Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Categories of individuals covered by the system:** Persons who communicate with the Service regarding disclosure matters or who are involved with a disclosure issue involving the Service.

**Categories of records in the system:** (1) Legal Case and Administrative Case Files, (2) Internal Control Records.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) To appropriate persons when the Service is engaged in litigation or in preparation of possible litigation such as potential witnesses for the purpose of securing their testimony, courts for the purpose of proceeding with litigation, non-adversary or adversary parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes, to individuals seeking information by using established discovery procedures, to federal, foreign, and state government agencies to the extent necessary to obtain records in their possession. (4) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (5) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 404.6103 where applicable). (6) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** A background investigation is made on personnel. Division offices are located in a security area to which only personnel of the Disclosure Division and the Intelligence Division have keys. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** All records are retained indefinitely and disposed of when no longer useful.

**System manager(s) and address:** Director, Disclosure Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, Washington, D.C. 20224.

**Notification procedure:** Most of the records in this system may not be accessed for purposes of determining if the records pertain to a particular individual as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k)(2). An individual who wishes to determine whether the system contains any records pertaining to himself which are not exempt may address inquiries to the Director of the Disclosure Division. The address is listed in the Appendix. Inquiries must be made in accordance with the instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B.

**Record access procedures:** Most of the records in this system may not be accessed for purpose of inspection or for contest of content of records as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2). Individuals seeking access to any record which is not exempt or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Persons who communicate with the agency regarding disclosure matters, Department of Treasury Employees, State, local, and foreign governments, Other Federal agencies, Witnesses, Informants, Parties to disputed matters of fact or law.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 90.003**

**System name:** Chief Counsel General Administrative Systems. Each of the 37 Regional Counsel Offices and Branch Regional Counsel Offices, each of the 9 Divisions in the National Office, the Office of the Chief Counsel, and the Offices of the Associate Chief Counsels (Tax Litigation) and General)maintain a General Administrative System. This notice applies to all 50 of these systems.—Treasury/IRS.

**System location:** The location of these systems are listed in the Appendix, see IRS Appendix A.

**Categories of individuals covered by the system:** (1) Past, present and prospective employees of the Chief Counsel's Office. (2) Tax Court Witnesses.

**Categories of records in the system:** (1) Employee records other than Official Personnel Files of the Civil Service Commission. (2) Time and Attendance Cards. (3) Financial Records such as Travel Expenses, Notary Public Expenses, Moving Expenses, Expenses of Tax Court Witnesses and Miscellaneous Expenses. (4) Employee Recruiting Records.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) An apparent violation of the law will be referred to the appropriate law enforcement authorities for investigation and possible criminal prosecution, civil court action, or regulatory order. (3) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (4) To the Civil Service Commission for appropriate personnel actions. (5) A record from this system of records may be disclosed to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (6) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (7) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are generally retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Records are retained indefinitely and disposed of when no longer useful.

**System manager(s) and address:** Each Regional Counsel is the system manager of the systems in his or her Region. Each Division Director is the system manager of the system in his or her Division. The Chief Counsel and the Associate Chief Counsels (Tax Litigation) and (General) are the system managers of the system in each of their Offices. See IRS Appendix A.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Regional Counsel of the Region in which the records are located or the Director of the Disclosure Division in the case of records in the National Office. The addresses are listed in the Appendix.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Regional Counsel of the Region in which the records are located or the Director of the Disclosure Division in the case of records in the National Office. The addresses are listed in the Appendix. Information leading to the identity of a confidential source is exempt pursuant to 5 U.S.C. 552a (k) (5).

**Contesting record procedures:** See Access above.

**Record source categories:** Employees, Department of Treasury Personnel, Tax Court Witnesses, Civil Service Commission, Other Federal agencies, State, local, and foreign governments, References, Former employers.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 90.004**

**System name:** Chief Counsel General Legal Services Case Files. Each of the seven Regional Counsel Offices and the National Office do or will maintain a General Legal Services Case File System. The information in this notice applies to all eight systems.—Treasury/IRS.

**System location:** The addresses of the National Office and each Regional Counsel Office are listed in the Appendix, see IRS Appendix A.

**Categories of individuals covered by the system:** Persons involved in litigation, actions, investigations or cases falling within the jurisdiction of the General Legal Services function including persons—(1) who have caused service of subpoenas, summonses, or other judicial process directed to an officer or employee of the Treasury Department in his official capacity. (2) who are parties in personnel matters, as well as discrimination and labor management relations matters, of the Internal Revenue Service, Chief Counsel's Office or, in some instances, other agencies in the Treasury Department. (3) who are parties in practitioner actions under the jurisdiction of the Director of Practice or the Joint Board of Actuaries. (4) who are parties in procurement matters and under the Federal Claims Collection Act. (5) who are parties in litigation or administrative claims involving the Federal Tort Claims Act, the Military Personnel and Civilian Employee Compensation Act, relief of accountable officers for loss of Government funds, rewards, acts of officers or employees acting within the scope of their employment, or official acts of officers or employees not directly relating to Federal tax issues but relating to the Internal Revenue Service. (6) who are parties in miscellaneous matters referred to the General Legal Service Division. (7) who are the subjects of investigations made by the Internal Security Division if the case is referred to the General Legal Services Division. (8) who have filed petitions for the remission or mitigation of forfeitures or who are otherwise directly involved as parties in forfeiture matters, judicial or administrative. (9) who are parties in civil litigation relative to tax return preparer action. (10) who have corresponded regarding a matter under consideration within the General Legal Services Division.

**Categories of records in the system:** (1) Legal Case and Administrative Case Files. (2) Internal Control Cards. (3) Correspondence Files.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purposes of litigating an action or seeking legal advice. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) To the Department of Labor in the performance of its functions in the area of personnel, discrimination and labor management matters. (4) To the Director of Practice and Joint Board of Actuaries in practitioner disciplinary matters. (5) To the Civil Service Commission in personnel, discrimination and labor management matters. (6) To arbitrators, the Federal Labor Relations Council, the Federal Service Impasses Panel, and the Federal Mediation and Conciliation Service in labor management matters. (7) To the General Services Administration in property management matters. (8) To appropriate persons when the Service is engaged in litigation or in preparation of possible litigation such as potential witnesses for the purpose of securing their testimony, courts for the purpose of proceeding with litigation, adversary parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes, to individuals seeking information by using established discovery procedures, to federal, foreign, and state government agencies to the extent necessary to obtain records in their possession. (9) To members of Congress for the purposes of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (10) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply. If more than one person is involved in a given case then it is generally retrievable only by the first named person.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Legal files are retained indefinitely and disposed of when no longer useful. Files transferred from other divisions are returned to the source when no longer needed. Other records are retained indefinitely and disposed of when no longer useful.

**System manager(s) and address:** Each Regional Counsel is the system manager of the system in his or her Region. The Director of the General Legal Services Division is the system manager of the National Office system. The addresses are in the Appendix.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2).

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2).

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayers and their representatives, Department of Treasury personnel, Other Federal agencies, State, local, and foreign governments, Witnesses, Informants, Parties to disputed matters of fact or law, Other persons who communicate with the Internal Revenue Service.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 90.005**

**System name:** Chief Counsel General Litigation Case Files. Each Regional Counsel Office, each branch Regional Counsel Office, and the National Office maintain one of these systems. The information in this notice applies to all 38 systems—Treasury/IRS.

**System location:** The addresses of the National Office, each Regional Counsel Office and each branch Regional Counsel Office are listed in the Appendix; see IRS Appendix A.

**Categories of individuals covered by the system:** (1) Taxpayers or other individuals involved in matters referred to the General Litigation function including: (A) Taxpayers with outstanding tax liabilities or with potential outstanding tax liabilities. (B) Persons from whom information is being sought (summons). (C) Persons requesting information (disclosure). (D) Present or former Internal Revenue Service employees who are being or may be sued in connection with their duties or who have been called upon to testify in private litigation. (E) Persons who are or may be liable to the United States on non-tax claims. (F) Persons who have submitted offers in compromise of federal taxes. (2) Persons who have corresponded regarding a matter under consideration within the General Litigation function.

**Categories of records in the system:** (1) Legal and Administrative Files. (2) Internal Control Records. (3) Offer in Compromise Files. (4) Correspondence Files.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To other Federal agencies holding funds of taxpayer for the purpose of collecting a liability owed by the taxpayer. (2) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (3) State and local taxing authorities for purpose of enforcing federal tax laws. (4) Federal, state and local regulatory authorities for purposes of collection of federal taxes. (5) Appropriate persons when the Service is engaged in litigation or in preparation of possible litigation such as potential witnesses for the purpose of securing their testimony, courts for the purpose of proceeding with litigation, non-adversary or adversary parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes, individuals seeking information by using established discovery procedures, to federal, foreign and state government agencies to the extent necessary to obtain records in their possession. (6) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (7) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 404.6103 where applicable). (8) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (9) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Except for files retained for their research value, Regional Counsel legal files are generally retired to the Federal Records Center three years after they are closed and disposed of 10 years after being closed. National Office legal files are retired to the Federal Records Center 5 years after the case is closed. National Office non-precedent cases are transferred to the National Archives 20 years after the case is closed. Records other than legal files are retained indefinitely and disposed of when no longer useful. Files transferred from other divisions are returned to the source when no longer needed.

**System manager(s) and address:** Each Regional Counsel is the system manager of the systems in his or her Region. The Director of the General Litigation Division is the system manager of the National Office system. The addresses are in the Appendix.

**Notification procedure:** Most of the records in this system may not be accessed for purposes of determining if the records pertain to a particular individual as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2). An individual who wishes to determine whether the system contains any records pertaining to himself which are not exempt may address inquiries to the Regional Counsel of the Region in which the records are located or the Director of the Disclosure Division in the case of National Office Records. The addresses are listed in the Appendix. Inquiries must be made in accordance with the instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B.

**Record access procedures:** Most of the records in this system may not be accessed for purposes of inspection or for contest of content of records as the records are exempt under 5 U.S.C. 552a (d) (5) and/or (k) (2). Individuals seeking access to any record which is not exempt or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Regional Counsel of the Region in which the records are located or the Director of the Disclosure Division in the case of National Office Records. The addresses are listed in the Appendix. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayers and their representatives, Department of Treasury personnel, Other Federal agencies, State, local, and foreign governments, Witnesses, Informants, Parties to disputed matters of fact or law, Other persons who communicate with the Internal Revenue Service.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of this Privacy Act.

**Treasury/IRS 90.006**

**System name:** Chief Counsel Interpretative Division Case Files—Treasury/IRS.

**System location:** Interpretative Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Categories of individuals covered by the system:** Taxpayers concerning whom legal issues have been referred to the Interpretative Division for opinion.

**Categories of records in the system:** (1) Legal Case and Administrative Files and Advisory Legal Opinions, (2) General Counsel Memorandums, (3) Office Memorandums, (4) Internal Control Records.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) To the Social Security Administration to consult about a matter involving legal issues concerning the imposition of Social Security taxes. (4) To the Department of Labor or the Pension Benefit Guaranty Corporation concerning the Employee Retirement Income Security Act. (5) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the

individual. (6) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 404.6103 where applicable). (7) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** General Counsel Memorandums, Office Memorandums, and Internal Control Records are retained indefinitely and disposed of when no longer useful. Legal files are transferred to the National Archives 25 years after the case is closed.

**System manager(s) and address:** Director, Interpretative Division, Internal Revenue Service, Office of the Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayers and their representatives, Department of Treasury personnel, Other Federal agencies, State, local, and foreign governments, Other persons who communicate with the Internal Revenue Service.

**Treasury/IRS 90.007**

**System name:** Chief Counsel Legislation and Regulations Division Correspondence and Private Bill Files—Treasury/IRS.

**System location:** Legislation and Regulations Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, Washington, D.C. 20224.

**Categories of individuals covered by the system:** (1) Persons who have corresponded to the Service, the Department of the Treasury, the White House or Members of Congress regarding a matter in which the Legislation and Regulations Division was asked to draft a reply. (2) Persons on whose behalf private relief bills were introduced in Congress involving tax related matters.

**Categories of records in the system:** (1) Correspondence Files, (2) Private Relief Bill Legal Files.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) To the agency or individual who directed correspondence to the Legislation and Regulations Division for the Division to draft a response. (4) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (5) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 404.6103 where applicable). (6) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Correspondence files are retrievable by the name of the individual who initiated the correspondence. Private Relief Bill files are retrievable by the H.R. or S. number for each Congress.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the compnay of authorized personnel.

**Retention and disposal:** Correspondence files are generally disposed of after 3 years. Private Relief Bill files are retained indefinitely and disposed of when no longer useful.

**System manager(s) and address:** Director, Legislation and Regulations Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, Washington, D.C. 20224.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix; IRS Appendix A.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix.

**Contesting record procedures:** See Access above.

**Record source categories:** Persons who initiate correspondence referred to the Legislation and Regulations Division, Congressional documents, taxpayers and their representatives, Department of Treasury personnel, other Federal agencies, state, local, and foreign governments, witnesses, informants.

**Treasury/IRS 90.008**

**System name:** Chief Counsel Refund Litigation Division Case Files—Treasury/IRS.

**System location:** Refund litigation Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Categories of individuals covered by the system:** (1) Taxpayers who have filed suits for refunds of Federal taxes. (2) Persons who have corresponded regarding a matter under consideration within the Refund Litigation Division.

**Categories of records in the system:** (1) Legal Case and Administrative Case Files. (2) Internal Control Records. (3) Correspondence Files.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) An apparent violation of the law will be referred to the appropriate law enforcement authorities for investigation and possible criminal prosecution, civil court action, or regulatory order. (3) To appropriate persons when the Service is engaged in litigation or in preparation of possible litigation such as potential witnesses for the purpose of securing their testimony, courts for the purpose of proceeding with litigation, non-adversary or adversary parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes, to individuals seeking information by using established discovery procedures, to federal, foreign, and state agencies to the extent necessary to obtain records in their possession. (4) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (5) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 404.6103 where applicable). (6) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Legal files are retired to the Federal Records Center after the case has been closed for 5 years. Non-precedent cases are transferred to the National Archives after the case has been closed for 20 years. Files transferred from other divisions are returned to the source when no longer needed.

**System manager(s) and address:** Director, Refund Litigation Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, Washington, D.C. 20224.

**Notification procedure:** This system of records may not be accessed for purposes of determining if the system contains a record pertaining to a particular individual as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2).

**Record access procedures:** This system of records may not be accessed for purposes of inspection or for contest of content of records as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2).

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayers and their representatives, Department of Treasury personnel, Other Federal agencies, State, local, and foreign governments, Witnesses, Informants, Parties to disputed matters of fact or law, Other persons who communicate with the Internal Revenue Service.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 90.009.**

**System name:** Chief Counsel Tax Court Case Files. Each Regional Counsel Office, each branch Regional Counsel Office, and the National Office maintain one of these systems. The information in this notice applies to all 38 systems—Treasury/IRS.

**System location:** The addresses of the National Office, each Regional Counsel Office, and each branch Regional Counsel Office are listed in the Appendix, see IRS Appendix A.

**Categories of individuals covered by the system:** (1) Taxpayers who have filed petitions with the Tax Court. (2) Taxpayers upon whom the issuance of a statutory notice is or was contemplated whose case has been referred to the Tax Court function. (3) Taxpayers who are the subject of formal or informal advisory opinions during the investigative stage of the case or while under administrative processing. (4) Persons who have corresponded regarding a matter under consideration within the Tax Court function.

**Categories of records in the system:** (1) Legal Case and Administrative Case Files. (2) Internal Control Records. (3) Correspondence Files.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) To appropriate persons when the Service is engaged in litigation or in preparation of possible litigation such as potential witnesses for the purpose of securing their testimony, courts for the purpose of proceeding with litigation, non-adversary or adversary parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes, individuals seeking information by using established discovery procedures, to federal, foreign and state government agencies to the extent necessary to obtain records in their possession. (4) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (5) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 404.6103 where applicable). (6) For additional Routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Except for files retained for their research value, Regional Counsel legal files of cases tried in Tax Court are generally retired to the Federal Records Center two years after they are closed and disposed of 10 years after being closed. National Office legal files are retired to the Federal Records Center 5 years after the case is closed. National Office non-precedent cases are transferred to the National Archives 20 years after the case is closed. Other records are retained indefinitely and disposed of when no longer useful. Files transferred from other divisions are returned to the source when no longer needed.

**System manager(s) and address:** Each Regional Counsel is the system manager of the systems in his or her Region. The Director of the Tax Court Litigation Division is the system manager of the National Office system. The addresses are in the Appendix, See IRS Appendix A.

**Notification procedure:** Most of the records in this system may not be accessed for purposes of determining if the records pertain to a particular individual as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2). An individual who wishes to determine whether the system contains any records pertaining to himself which are not exempt may address inquiries to the Regional Counsel of the Region in which the records are located or the Director of the Disclosure Division in the case of National Office Records. The addresses are listed in the Appendix. Inquiries must be made in accordance with the instructions appearing at 31 C.F.R Part 1, Subpart C, Appendix B.

**Record access procedures:** Most of the records in this system may not be accessed for purposes of inspection or for contest of content of records as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2). Individuals seeking access to any record which is not exempt or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Regional Counsel of the Region in which the records are located or the Director of the Disclosure Division in the case of National Office Records. The addresses are listed in the Appendix. Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayers and their representatives, Department of Treasury personnel, Other Federal Agencies, State, local, and foreign governments, Witnesses, Informants, Parties to disputed matters of fact or law, Other persons who communicate with the Internal Revenue Service.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 90.010**

**System name:** Digest Room Files Containing Briefs and Digests of Documents Generated Internally or by the Department of Justice Relating to the Administration of the Revenue Laws-Treasury/IRS.

**System location:** Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Categories of individuals covered by the system:** Taxpayers who have sought Internal Revenue Service rulings and those whose cases are being or have been adjudicated.

**Categories of records in the system:** (1) Internal Control Records; (2) Briefs; (3) Legal Opinions.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To Justice Department personnel for research purposes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Records are kept in a secured area. Access is limited to authorized personnel. Users of the system must show identification and sign a register each time the room is used. Background checks are made on employees.

**Retention and disposal:** Records are retained indefinitely and disposed of when no longer useful.

**System manager(s) and address:** Director, Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, Washington, D.C. 20224.

**Notification procedure:** Most of the records in this system may not be accessed for purposes of determining if the records pertain to a particular individual as the records are exempt under 5 U.S.C. 552a (d) (5) and/or (k) (2).

An individual who wishes to determine whether the system contains any records pertaining to himself which are not exempt may address inquiries to the Director of the Disclosure Division. The address is listed in the Appendix. Inquiries must be made in accordance with the instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. (See IRS Appendix A.)

**Record access procedures:** Most of the records in this system may not be accessed for purposes of inspection or for contest of content of records as the records are exempt under 5 U.S.C. 552a (d) (5) and/or (k) (2).

Individuals seeking access to any record which is not exempt or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Department of Treasury personnel; Department of Justice personnel; taxpayers and their representatives; other Federal agencies; witnesses; informants; state, local, and foreign governments; parties to disputed matters of fact and law; other persons who communicate with the Internal Revenue Service.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

### Treasury/IRS 90.011

**System name:** Employee Recruiting Files Maintained by the Administrative Services Division—Treasury/IRS.

**System location:** Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Categories of individuals covered by the system:** Persons who have applied for attorney positions with the Chief Counsel's Office, both National Office and field and persons who have applied for non-attorney positions in the National Office only.

**Categories of records in the system:** Applicant Files and lists of eligible applicants, Internal Control Records.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (4) To the Civil Service Commission for appropriate personnel actions. (5) A record from this system of records may be disclosed to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (6) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (7) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** The applicant files and other records are destroyed when no longer useful.

**System manager(s) and address:** Director, Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix, see IRS Appendix A.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the appendix. Information leading to the identity of a confidential sourse is exempt pursuant to 5 U.S.C. 552a(k)(5).

**Contesting record procedures:** See Access above.

**Record source categories:** Applicants, Department of Treasury Personnel, Civil Service Commission, Other Federal Agencies, State, local, and foreign governments, References, Former employers.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

### Treasury/IRS 90.012

**System name:** Internal Control Records for Chief Counsel Legal Files—Treasury/IRS.

**System location:** Administration Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Categories of individuals covered by the system:** Taxpayers who file petitions, suits for refund, request for revenue rulings and those who have had other matters pending before the Office of Chief Counsel.

**Categories of records in the system:** (1) Docket Cards. (2) Closed Card Records. (3) Drop Cards and Charge-Out Records. (4) Federal Record Center File Binder Index.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To the Department of Justice to inform them of the location of a legal case file. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Records are retained indefinitely and disposed of when no longer useful.

**System manager(s) and address:** Director, Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Notification procedure:** An individual who wishes to determine whether the system contains any records pertaining to himself may address inquiries to the Director of the Disclosure Division. The address is listed in the Appendix. Inquiries must be made in accordance with the instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B.

**Record access procedures:** Individuals seeking access to any record or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix.

**Contesting record procedures:** See Access above.

**Record source categories:** Department of Treasury Personnel, Taxpayers and other individuals who initiate documents submitted to the Service.

### Treasury/IRS 90.013

**System name:** Legal case files of the Chief Counsel, Associate Chief Counsels (Tax Litigation), (General) and (Technical), and their Staffs, Treasury/IRS.

**System location:** Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Categories of individuals covered by the system:** Persons whose cases at one time involved important issues or unusual circumstances which were brought to the attention of the above persons.

**Categories of records in the system:** Legal case files which include internal control records of such case files of both the persons currently holding the above positions and those who previously held such positions.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) To appropriate persons when the Service is engaged in litigation or in preparation of possible litigation such as potential witnesses for the purpose of securing their testimony, courts for the purpose of proceeding with litigation, non-adversary or adversary parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes, to individuals seeking information by using established discovery procedures, to federal, foreign, and state government agencies to the extent necessary to obtain records in their possession. (4) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (5) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 404.6103 where applicable). (6) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records pertaining to individuals are retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Records are kept indefinitely and disposed of when no longer useful.

**System manager(s) and address:** Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Notification procedure:** Most of the records in this system may not be accessed for purposes of determining if the records pertain to a particular individual as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2).

An individual who wishes to determine whether the system contains any records pertaining to himself which are not exempt may address inquiries to the Director of the Disclosure Division. The address is listed in the Appendix. Inquiries must be made in accordance with the instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B.

**Record access procedures:** Most of the records in this system may not be accessed for purposes of inspection or for contest of content of records as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2).

Individuals seeking access to any record which is not exempt or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayers and their representatives, Department of Treasury personnel, Other Federal agencies, State, local, and foreign governments, Other persons who communicate with the Internal Revenue Service.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

### Treasury/IRS 90.014

**System name:** Management Files Maintained by Administrative Services Division and the Associate Chief Counsel (General)other than the Civil Service Commission's Official Personnel Files—Treasury/IRS.

**System location:** Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224. The location of the Chief Counsel Selection Board Files is: Associate Chief Counsel (General), Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Categories of individuals covered by the system:** Current and former employees of Chief Counsel's Office, both National Office and field.

**Categories of records in the system:** Contains some materials which are duplicated materials contained in the Official Personnel File, or is payroll data duplicated in the master payroll records and include material such as: transfer and reassignment requests, correspondence, evaluations, personnel listings, retirement eligibility, home and office address and telephone numbers, information regarding employees' participation in training programs, resumes, information on participation in Health Maintenance Program, employees' suggestions, awards, lists of material typed by the Transcription Center according to the name of the attorney for whom it was typed, loans from Chief Counsel's Assistance Fund, records of keys and identification cards issued to employees, lists of individuals given special duties such as being a floor marshal, information on loss suffered by employees who are theft victims, list of long distance calls not made on FTS, list of bus tokens issued, list of parking permits, records of requests for use of GSA vehicles, case assignments, and financial information on employees.

**Authority for maintenance of the system:** 5 U.S.C. 301, 26 U.S.C. 7801, Executive Order 11222, and Executive Order 11590.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action or seeking legal advice. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) To members of Congress for the purpose of answering Congressional inquiries in cases in which confidentiality has been waived by the individual. (4) To the Civil Service Commission for appropriate personnel actions. (5) A record from this system of records may be disclosed to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit. (6) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (7) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Records are retained indefinitely and disposed of when no longer useful.

**System manager(s) and address:** Director, Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224. The system manager of the Chief Counsel Selection Board Files is: Assooiate Chief Counsel (General), Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix. Information leading to the identity of a confidential source is exempt pursuant to 5 U.S.C. 552a (k) (5).

**Contesting record procedures:** See Access above.

**Record source categories:** Employees, Department of Treasury Personnel, Civil Service Commission, Other Federal agencies, State, local, and foreign governments, References, Former employers.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

### Treasury/IRS 90.015

**System name:** Reference Records of the Library in the Office of Chief Counsel—Treasury/IRS.

**System location:** Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Categories of individuals covered by the system:** (1) Authors of books and materials in library. (2) Taxpayers who have sought Congressional tax relief by means of a Private Bill. (3) Taxpayers involved in tax litigation.

**Categories of records in the system:** (1) Library Card Catalog. (2) Numerical and alphabetical listing of Private Relief Bill and files related to the Bill. (3) Reference cards for tax cases.

**Authority for maintenance of the system:** 5 U.S.C. 301 and 26 U.S.C. 7801.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** All information about individuals is available to the public pursuant to the Freedom of Information Act, 5 U.S.C. 552. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Records are retrievable by the name of the individual to whom they pertain and Private Bill material can also be retrieved by H.R. or S. number.

**Safeguards:** Although access is limited to authorized individuals, this material would be available to any person through a Freedom of Information Act request.

**Retention and disposal:** Records are regularly updated. If the library materials to which the references pertain are no longer in the library collection, the reference cards are destroyed.

**System manager(s) and address:** Director, Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, Washington, D.C. 20224.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division. The address is listed in the Appendix.

**Contesting record procedures:** See Access above.

**Record source categories:** Material to which reference information pertains.

### Treasury/IRS 90.016

**System name:** Reports and Information Retrieval Activity Computer and Microfilm Records—Treasury/IRS.

**System location:** Computer Records: Internal Revenue Service Data Center, 1300 John Lodge Freeway, Detroit, Michigan 48226. Microfilm Records: Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C., 20224.

**Categories of individuals covered by the system:** (1) Taxpayers who initiated suits for refund in district courts or the Court of Claims. (2) Taxpayers who have filed petitions with the United States Tax Court. (3) Taxpayers who have requested rulings from the Service in those cases in which the request has been referred to the Office of Chief Counsel for a legal opinion. (4) Taxpayers who have been involved in litigation concerning the collection of taxes. (5) Taxpayers whose cases were the subject of technical advice, memoranda to the solicitor general and similar advisory memoranda.

**Categories of records in the system:** (1) Skeletal legal files. (2) Indexes. (3) Actions on Decisions. (4) Case Abstracts. (5) Technical Advice Replies by the Tax Court Litigation Division. (6) Miscellaneous Advisory Memoranda regarding a case usually going to the Solicitor General.

**Authority for maintenance of the system:** 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (1) To the Department of Justice for the purpose of litigating an action, seeking legal advice,

or for research purposes. (2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (3) Routine disclosure may be made to the extent provided by law or regulation (including 26 U.S.C. 6103 and 26 C.F.R. 404.6103 where applicable). (4) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Skeletal legal files and indexes to the narrative material or microfilm excluding the General Litigation Division's Actions on Decisions are stored on magnetic tape. Actions on Decisions, Case Abstracts, Technical Advice and Advisory Memoranda are stored on microfilm. Input documents are on paper.

**Retrievability:** Records are retrievable by the name of the person to whom they apply.

**Safeguards:** Access is limited to employees who have a need for such records in the course of their work. Background checks are made on employees. All facilities where records are stored have access limited to authorized personnel or individuals in the company of authorized personnel.

**Retention and disposal:** Magnetic tape and microfilm retained indefinitely and disposed of when no longer useful. Input documents are retained for one year.

**System manager(s) and address:** Director, Administrative Services Division, Internal Revenue Service, Office of Chief Counsel, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

**Notification procedure:** Most of the records in this system may not be accessed for purposes of determining if the records pertain to a particular individual as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2).

An individual who wishes to determine whether the system contains any records pertaining to himself which are not exempt may address inquiries to the Director of the Disclosure Division whose address is listed in the Appendix, see Appendix A.

**Record access procedures:** Most of the records in this system may not be accessed for purposes of inspection or for contest of content of records as the records are exempt under 5 U.S.C. 552a(d) (5) and/or (k) (2).

Individuals seeking access to any record which is not exempt or seeking to contest its content may inquire in accordance with instructions appearing at 31 C.F.R. Part 1, Subpart C, Appendix B. Inquiries should be addressed to the Director of the Disclosure Division whose address is listed in the Appendix.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Contesting record procedures:** See Access above.

**Record source categories:** Taxpayers and their representatives, Department of Treasury personnel, Other Federal agencies, State, local, and foreign governments, Witnesses, Informants, Parties to disputed matters of fact or law, Other persons who communicate with the Internal Revenue Service.

**Systems exempted from certain provisions of the act:** This system has been designated as exempt from certain provisions of the Privacy Act.

**Treasury/IRS 00.002**

**System name:** Correspondence Files and Correspondence Control Files (Including inquiries about enforcement activities) This notice incorporates records formerly published as systems 00.001, 42.002 and 42.005. Activities—Treasury/IRS.

**System location:** National Office, Regional Offices, District Offices and Service Centers. (See Appendix A).

**Categories of individuals covered by the system:** (1) Initiators of correspondence. (2) Persons upon whose behalf the correspondence was initiated. (3) Persons who are subject of the correspondence. Includes individuals for whom tax liabilities exist, individuals who have made a complaint or inquiry relative to an Internal Revenue tax matter, or individuals for whom a third party is interceding relative to an Internal Revenue tax matter.

**Categories of records in the system:** (1) Correspondence received. (2) Responses to correspondence. (3) Associated records. This system may include tax return information and investigation records as necessary to process correspondence received. Correspondence may include letters, telegrams, memoranda of telephone calls and other forms of communication.

**Authority for maintenance of the system:** 5 USC 301; 26 USC 7602; 26 USC 7801, 7802.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information contained in this system of records may be disclosed to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation, and in connection with requests for legal advice. Disclosure may be made to the extent provided by law or regulation (including 26 USC 6103 and 26 CFR 404.6103 where applicable) and as necessary to report apparent violations of law to appropriate law enforcement agencies. Disclosure may be made during judicial processes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records.

**Retrievability:** Controlled items are generally retrievable by name; some items are not retrievable, depending upon the controls established locally. No centralized index exists.

**Safeguards:** Access controls will be not less than provided for by the Physical and Document Security Handbook, IRM 1(16)41.

**Retention and disposal:** Disposition varies in accordance with the nature of the correspondence file, but is made in accordance with the Records Disposition Handbook, IRM 1(15)59.

**System manager(s) and address:** Assistant Commissioners, Regional Commissioners, District Directors and Service Center Directors of Internal Revenue.

**Notification procedure:** Individuals seeking to determine if the system of records contains a record pertaining to themselves may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be searched, or such other official to whom the initial correspondence may have been referred. This system may contain some records which are exempt from the notification provisions of the Privacy Act. Requesters will not be advised of the existence of records exempt from the notification provisions.

**Record access procedures:** Individuals seeking access to any record contained in the system of records or seeking to contest its content, may inquire in accordance with instructions appearing at 31 CFR Part 1, Subpart C, Appendix B. Inquiries should be addressed to the District Director for each District whose records are to be accessed or contested, or such other official to whom the initial correspondence may have been referred.

This system may contain some records which are exempt from the Access and Contest provisions of the Privacy Act.

Taxpayers seeking to adjust records which affect the determination of a tax assessment or the balance due, should utilize existing procedures for doing so, as substantive tax matters are not subject to the amendment provisions of the Privacy Act.

**Record source categories:** Correspondence received. This system of records may contain investigatory material compiled for law enforcement purposes whose sources need not be reported.

**Systems exempted from certain provisions of the act:** Portions of this system have been designated as exempt from certain provisions of the Privacy Act.

**System name:** Treasury/IRS

**System name:** Appendix A

Inquiries under Treasury/IRS systems should be addressed to the office whose records are to be searched. The titles and addresses of the Systems Managers are as follows:

NATIONAL OFFICE INTERNAL REVENUE SERVICE
- Assistant Commissioner (Public Affairs)
- Assistant Commissioner (Accounts, Collection and Taxpayer Service)
- Assistant Commissioner (Administration)
- Assistant Commissioner (Compliance)
- Assistant Commissioner (Employee Plans and Exempt Organizations)

Assistant Commissioner (Inspection)
Assistant Commissioner (Planning and Research)
Assistant Commissioner (Technical)
Director, Disclosure Operations Division
Chief Counsel

The address for all of the above Systems Managers is as follows:
1111 Constitution Avenue, N.W.
Washington, D.C. 20224

REGIONAL OFFICE INTERNAL REVENUE SERVICE

Central Region:
Regional Commissioner, Internal Revenue Service, 550 Main Street, Cincinnati, Ohio 45202.
Regional Inspector, Internal Revenue Service, 550 Main Street, Cincinnati, Ohio 45202.
District Director, Internal Revenue Service, 550 Main Street, Cincinnati, Ohio 45202.
District Director, Internal Revenue Service, 1240 East 9th Street, Cleveland, Ohio 44199.
District Director, Internal Revenue Service, Rm. 2480 Patrick V McNamara Federal Building, 477 Michigan Avenue, Detroit, Michigan 48226.
District Director, Internal Revenue Service, Federal Office Building, 575 N. Pennsylvania Street, Indianapolis, Indiana 46204.
District Director, Internal Revenue Service, U.S. Post Office Building, 601 West Broadway, Louisville, Kentucky 40202.
District Director, Internal Revenue Service, 425 Juliana Street, Parkersburg, West Virginia 26101
Director, Internal Revenue Service Center, Central Region, 201 W Second St., Covington, Ky 41019.

Mid-Atlantic Region:
Regional Commissioner, Internal Revenue Service, 2 Penn Center Plaza, Rm. 500 Philadelphia, Pennsylvania 19102.
Regional Inspector, Internal Revenue Service, W J Green Federal Bldg 600 Arch Street, Rm. 42218 Philadelphia, Pennsylvania 19106.
District Director, Internal Revenue Service, Federal Building, 31 Hopkins Plaza, Baltimore, Maryland 21201
District Director, Internal Revenue Service, 970 Broad Street, Newark, New Jersey 07102.
District Director Internal Revenue Service, 600 Arch Street, Philadelphia, Pennsylvania 19106.
District Director Internal Revenue Service, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222.
District Director, Internal Revenue Service, 400 North 8th Street, Richmond, Virginia 23240
District Director Internal Revenue Service, 844 King Street, Wilmington, Delaware 19801
Director, Internal Revenue Service Center, Mid-Atlantic Region, 11601 Roosevelt Boulevard, Philadelphia, Pennsylvania 19155.

Midwest Region:
Regional Commissioner, Internal Revenue Service, One North Wacker Drive, Chicago, Illinois 60606.
Regional Inspector, Internal Revenue Service, Rm. 1646, 35 East Wacker Drive, Chicago, Illinois 60601.
District Director, Internal Revenue Service, 115 Fourth Avenue, S.E., Aberdeen, South Dakota 57401.
District Director, Internal Revenue Service, 230 South Dearborn Street, Chicago, Illinois 60604.
District Director, Internal Revenue Service, Federal Building, 210 Walnut Street, Des Moines, Iowa 50309.
District Director, Internal Revenue Service, Federal Building & Post Office, 653 Second Avenue, North, Fargo, North Dakota 58102.
District Director, Internal Revenue Service, 517 East Wisconsin Avenue, Milwaukee, Wisconsin 53202.
District Director, Internal Revenue Service Federal Office Building, 106 15th Street, Omaha, Nebraska 68102.
District Director, Internal Revenue Service, U.S. Court and Custom House, 1114 Market Street, St. Louis, Missouri 63101.
District Director, Internal Revenue Service, Federal Building and Court House, 316 North Robert Street, St. Paul, Minnesota 55101.
District Director, Internal Revenue Service, 325 West Adams, St. Springfield, Illinois 62704.
Director, Internal Revenue Service Center, Midwest Region, 2306 East Bannister Road, Kansas City, Missouri 64170.

North-Atlantic Region:
Regional Commissioner, Internal Revenue Service, 90 Church Street, New York, New York 10007
Regional Inspector, Internal Revenue Service, 26 Federal Plaza (14th Floor), New York, New York 10007
District Director, Internal Revenue Service, 68 Sewall Street, Augusta, Maine 04330
District Director, Internal Revenue Service, John F Kennedy Federal Building, Government Center, Boston, Massachusetts 02203
District Director Internal Revenue Service, Leo W O'Brien Federal Building, Clinton Avenue and North Pearl Street, Albany New York 12207
District Director, Internal Revenue Service, P.O. Box 3000 Church Street Station, New York, New York 10008
District Director, Internal Revenue Service, 35 Tillary Street, Brooklyn, New York 11201
District Director, Internal Revenue Service, 111 W Huron Street, Buffalo, New York 14202
District Director Internal Revenue Service, 11 Elmwood Avenue, Burlington, Vermont 05401
District Director, Internal Revenue Service, 450 Main Street, Hartford, Connecticut 06115
District Director, Internal Revenue Service, Federal Building, 80 Daniels Street, Portsmouth, New Hampshire 03801
District Director, Internal Revenue Service, 130 Broadway, Providence, Rhode Island 02903
Director, Internal Revenue Service Center, North-Atlantic Region, 310 Lowell Street, Andover, Massachusetts 01812.
Director, Internal Revenue Service Center, North-Atlantic Region, 1040 Waverly Avenue, Holtsville, New York 11799.

Southeast Region:
Regional Commissioner, Internal Revenue Service, 275 Peachtree Street, N.E., Atlanta, Georgia 30303
Regional Inspector, Internal Revenue Service, 4th Floor, 221 Courtland Street, N.E., Atlanta, Georgia 30303
District Director, Internal Revenue Service, 275 Peachtree Street, N.E., Atlanta, Georgia 30303
District Director, Internal Revenue Service, 2121—8th Avenue, North, Rm. 1232, Birmingham, Alabama 35203
District Director, Internal Revenue Service, 901 Sumter Street, Columbia, South Carolina 29201
District Director, Internal Revenue Service, 320 Federal Place, Greensboro, North Carolina 27401
District Director, Internal Revenue Service, 301 North Lamar Street, Jackson, Mississippi 39202
District Director, Internal Revenue Service, P.O. Box 35045, Jacksonville, Florida 32202.
District Director, Internal Revenue Service, 801 Broadway, Nashville, Tennessee 37202.
Director, Internal Revenue Service Center, Southeast Region, 4800 Buford Highway, Chamblee, Georgia 30006
Director, Internal Revenue Service Center, Southeast Region, 3131 Democrat Road, Memphis, Tennessee 38110.

Southwest Region:
Regional Commissioner, Internal Revenue Service, 7839 Churchill Way, Dallas, Texas 75251
Regional Inspector, Internal Revenue Service, 7839 Churchill Way, Dallas, Texas 75251
District Director, Internal Revenue Service, 517 Gold Avenue, S.W., Albuquerque, New Mexico 87101.
District Director, Internal Revenue Service, 300 E. 8th Street, Austin, Texas 78701
District Director, Internal Revenue Service, 308 W. 21st Street, Cheyenne, Wyoming 82001.
District Director, Internal Revenue Service, 1100 Commerce Street, Dallas, Texas 75202.
District Director, Internal Revenue Service, 1050 17th Street, Denver, Colorado 80265.
District Director, Internal Revenue Service, 700 W. Capitol, Little Rock, Arkansas 72201.
District Director, Internal Revenue Service, 500 Camp Street, New Orleans, Louisiana 70130.
District Director, Internal Revenue Service, 200 N.W. 4th Street, Oklahoma City, Oklahoma 73102.
District Director, Internal Revenue Service, 412 S. Main Street, Wichita, Kansas 67202.
Director, Internal Revenue Service Center, Southwest Region, 3651 S. Interregional Highway, Austin, Texas 78740.

Western Region:
Regional Commissioner, Internal Revenue Service, 525 Market Street, San Francisco, California 94105.

Regional Inspector, Internal Revenue Service, 160 Pine Street, Suite 500, San Francisco, California 94111.
District Director, Internal Revenue Service, 310 K Street, Anchorage, Alaska 99501.
District Director, Internal Revenue Service, P.O. Box 041, 550 West Fort Street, Box 041, Boise, Idaho 83724.
District Director, Internal Revenue Service, Federal Building, 2nd Floor, Helena, Montana 59601.
District Director, Internal Revenue Service, P.J.K.K. Federal Bldg., 300 Ala Moana, Honolulu, Hawaii 96850.
District Director, Internal Revenue Service, 300 N. Los Angeles Street, Los Angeles, California 90012.
District Director, Internal Revenue Service, 230 N. 1st Avenue, Phoenix, Arizona 85025.
District Director, Internal Revenue Service, 1220 S.W. 3rd Ave., Portland, Oregon 97204.
District Director, Internal Revenue Service, 300 Booth Street, Reno, Nevada 89509.
District Director, Internal Revenue Service, 465 S. 4th East, Salt Lake City, Utah 84111.
District Director, Internal Revenue Service, 450 Golden Gate Avenue, San Francisco, Box 36020, California 94102.
District Director, Internal Revenue Service, 915 Second Street, Seattle, Washington 98174.
Director, Internal Revenue Service Center, Western Region, 1160 W. 1200 South Street, Ogden, Utah 84201.
Director, Internal Revenue Service Center, Western Region, 5045 East Butler Avenue, Fresno, California 93888.

ADDRESSES OF CHIEF COUNSEL AND REGIONAL COUNSEL OFFICES

National Office
Administrative Services Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.
Criminal Tax Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.
Disclosure Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.
General Legal Services Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.
General Litigation Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.
Interpretative Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.
Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.
Refund Litigation Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.
Tax Court Litigation Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.
Chief Counsel, and Associate Chief Counsels (Tax Litigation) and (General), Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224.

Regional Counsel Offices
North-Atlantic Region
Regional Counsel Office
Regional Counsel's Office, IRS, North-Atlantic Region, 26 Federal Plaza, 12th Floor, New York, New York 10007.
Branch Regional Counsel Offices
Regional Counsel's Office, IRS, 100 Summer St., Rm. 1728, Boston, Massachusetts 02110.
Regional Counsel's Office, IRS, 304 U.S. Court House, Niagara Square, Buffalo, New York 14202.
Mid-Atlantic Region
Regional Counsel Office
Regional Counsel's Office, IRS, Mid-Atlantic Region, Room 464, 2 Penn Center Plaza, Philadelphia, Pennsylvania 19102.
Branch Regional Counsel Offices
Regional Counsel's Office, IRS, 101 W. Lombard St., Baltimore, Maryland 21201.
Regional Counsel's Office, IRS, Ninth Floor, 970 Broad Street, Newark, New Jersey 07102.
Regional Counsel's Office, IRS, Federal Building, Room 726, 1000 Liberty Ave., Pittsburgh, Pennsylvania 15222.
Regional Counsel's Office, IRS, 400 No. 8th St., Richmond, Virginia 23240.
Regional Counsel's Office, IRS, Room 422, Universal Building, North, 1875 Connecticut Avenue, N.W., Washington, D.C. 20009.
Southeast Region
Regional Counsel Office
Regional Counsel's Office, IRS, Southeast Region, Federal Office Building, 275 Peachtree St., N.E., Atlanta, Georgia 30303.
Branch Regional Counsel Offices
Regional Counsel's Office, IRS, Room 1624, 2121—8th Avenue, North, Burmingham, Alabama 35203.
Regional Counsel's Office, IRS, 320 Federal Place, Greensboro, North Carolina 27401.
Regional Counsel's Office, IRS, Federal Building, 400 West Bay Street, Jacksonville, Florida 32202.
Regional Counsel's Office, IRS, Room 1502, Federal Office Building, 51 SW First Avenue, Miami, Florida 33130.
Regional Counsel's Office, IRS, 801 Broadway, Nashville, Tennessee 37202.
Central Region
Regional Counsel Office
Regional Counsel's Office, IRS, Central Region, 7510 Federal Office Building, 550 Main Street, Cincinnati, Ohio 45202.
Branch Regional Counsel Offices
Regional Counsel's Office, IRS, 1620 Williamson Building, 215 Euclid Avenue, Cleveland, Ohio 44114.
Regional Counsel's Office, IRS, 1870 Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, Michigan 48226.
Regional Counsel's Office, IRS, 575 North Pennsylvania St., Room 508, Indianapolis, Indiana 46244.
Regional Counsel's Office, IRS, 579 Federal Office Building, 600 Federal Place, Louisville, Kentucky 40202.
Midwest Region
Regional Counsel Office
Regional Counsel's Office, IRS, 22d Floor South, Everett McKinley Dirksen Building, 219 South Dearborn St., Chicago, Illinois 60604.
Branch Regional Counsel Offices
Regional Counsel's Office, IRS, 2700 Federal Office Building, 911 Walnut Street, Kansas City, Missouri 64106.
Regional Counsel's Office, IRS, Sixth Floor, Continental Plaza, 735 West Wisconsin Avenue, Milwaukee, Wisconsin 53233.
Regional Counsel's Office, IRS, 215 North 17th Street, Room 3101, Federal Bldg, Omaha, Nebraska 68101.
Regional Counsel's Office, IRS, 935 U.S. Court & Custom House, 1114 Market Street, St. Louis, Missouri 63101.
Regional Counsel's Office, IRS, Room 572, Federal Building & U.S. Court House, 316 No. Robert St., St. Paul, Minnesota 55101.
Southwest Region
Regional Counsel Office
Regional Counsel's Office, IRS, Southwest Region, 1100 Commerce Street, Dallas, Texas 75242.
Branch Regional Counsel Offices
Regional Counsel's Office, IRS, 20th Floor, 1050—17th Street, Denver, Colorado 80265.
Regional Counsel's Office, IRS, Room 8102, 515 Rusk Avenue, Houston, Texas 77002.
Regional Counsel's Office, IRS, Room 917, 500 Camp St., New Orleans, Louisiana 70130.
Regional Counsel's Office, 220 Northwest 4th Street, Courthouse & Federal Office Bldg., Oklahoma City, Oklahoma 73102.
Western Region
Regional Counsel Office
Regional Counsel's Office, IRS, Western Region, Two Embarcadero Center, Suite 900, San Francisco, California 94111.
Branch Regional Counsel Offices
Regional Counsel's Office, IRS, 300 North Los Angeles Street, Los Angeles, California 90012.
Regional Counsel's Office, IRS, 810 Crown Plaza, 1500 S.W. First Avenue, Portland, Oregon 97201.
Regional Counsel's Office, IRS, 222 North Central Avenue, Phoenix, Arizona 85004.

Regional Counsel's Office, IRS, 915 Second Avenue, Seattle, Washington 98174.
Regional Counsel's Office, 125 South State Street, Salt Lake City, Utah 84111.

**Treasury/USSS 00.001**

**System name:** Administrative Operations Information System—Treasury/USSS

**System location:** U.S. Secret Service (Headquarters), 1800 G Street N.W., Washington, D.C. 20223. Components of the Administrative Operations Information System are geographically dispersed throughout Secret Service field offices. (See below, United States Secret Service, Appendix A, listing the addresses of Secret Service offices). Executive Protective Service 1310 L Street, N.W., Washington, D.C. 20500. Treasury Security Force, Main Treasury Building, Washington, D.C. 20220. Presidential Protective Division, U.S. Secret Service, Room 1 EOB 17th & Pennsylvania Avenue, N.W., Washington, D.C. 20500. Vice Presidential Protective Division, U.S. Secret Service, Executive Office Building Room 295, Washington, D.C. 20500. Dignitary Protective Division U.S. Secret Service, 1310 L Street, N.W., Washington, D.C. 2005. Protective Vehicle Division, U.S. Secret Service, 1310 L Street, N.W., Washington, D.C. 20005. Eisenhower Protective Division, U.S. Secret Service, Gettysburg, Pennsylvania 17325. Johnson Protective Division, U.S. Secret Service, Stonewall, Texas 78671. Ford Protective Division, U.S. Sec. Ser., P.O. Box 955, Rancho Mirage, Calif. 92270. Truman Protective Division, U.S. Secret Service, 224 North Delaware, Independence, Missouri 64051. Nixon Protective Division, U.S. Secret Service, U.S. Coast Guard Station, San Clemente, California 92672. Technical Security Division, Executive Office Building, Washington, D.C. 20500. Plains Security Detail, U.S. Secret Service, P.O. Box 308, Plains, GA. 31780.

**Categories of individuals covered by the system:** (a) Individuals who are now or were Secret Service employees; (b) Individuals, contractors, and vendors, etc., who are presently doing or previously did business with the Secret Service; (c) Claimants against the Service under the Federal Tort Claims Act and the Military Personnel and Federal Employees Claims Act.

**Categories of records in the system:** (a) Records containing information on issuance of Secret Service equipment and accountable government property; (b) Records containing procurement negotiations, contracts, agreements, etc., with the Secret Service; (c) Records containing information on past, present and future administrative inquiries, with individuals, contractors, vendors, etc., who have or plan to enter into contractual agreements with the Secret Service; (d) Records on vehicle accidents, injuries, fatalities; (e) Records on motor vehicle operators in the Secret Service; (f) Statement of employment and financial interests of certain Secret Service employees required under Treasury Department standards of conduct.

**Authority for maintenance of the system:** The authority of the Administrative Operations Information System is contained in various Executive Orders, Treasury Orders and delegations; Title 40 and 41 of the U.S. Code and other rules and regulations where applicable; 5 U.S.C. 301; 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Administrative Operations Information System of the U.S. Secret Service are as follows: (a) Disclosure to those officers and employees of the Secret Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) To maintain administrative control of equipment assigned to Secret Service employees; (d) Referral of information to U.S. Treasury, GAO, OMB, GSA, Department of Justice and other Federal, state, and local governments regarding purchases, contracts, and anticipated purchases and contracts of the Secret Service; (e) To provide administrative services for the Secret Service and maintain administrative records as required by law; (f) To use in the adjudication of any claim for or against the Secret Service; (g) Referral to individuals, contractors, vendors, etc., for the purpose of inquiries relating to or confirmation of orders and purchases; (h) Records maintained in the Administrative Operations Information System indicating a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, may be referred to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (i) Disclosures in the course of presenting evidence to a court, magistrate or administrative tribunal and disclosures to opposing counsel in the course of discovery proceedings for the purpose of enforcing, or prosecuting, a violation or potential violation of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto; (j) Disclosures to Federal, state or local agencies maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (k) Disclosures to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (l) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records comprising the Administrative Operations Information System are contained in file folders located in Headquarters, 1800 G Street, N.W., Washington, D.C. 20223, and in Secret Service field offices (see United States Secret Service Appendix A).

**Retrievability:** The Administrative Operations Information System is indexed alphabetically by name either in a master index file system or on microfilm. Access to the physical files containing records is by class code number obtained from the alphabetized name indices.

**Safeguards:** (1) The file jackets and indices containing the records comprising the Administrative Operations Information System located at the U.S. Secret Service Headquarters are secured by alarms and other internal security devices in locked rooms with guards on duty on an around the clock basis. Access is available only to employees responsible for records management and operational employees who have a need for such information, each of whom holds a top secret security clearance; (2) The file jackets and the master file indices comprising the Administrative Operations Information System in Secret Service field offices are located in locked filing cabinets and in locked rooms when Secret Service employees are not on duty. Access to the system is limited to employees of the Secret Service holding top secret security clearances.

**Retention and disposal:** The file jackets and master indices comprising the Administrative Operations Information System are retained indefinitely. Disposal is by burning or shredding.

**System manager(s) and address:** Assistant Director, Office of Administration, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.

**Notification procedure:** Any individual who wishes to present a request as to whether this system contains records pertaining to him should address his inquiry to: Freedom of Information & Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Record access procedures:** Any individual wishing to obtain information on the procedures for gaining access to and contesting records should contact: Freedom of Information & Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Contesting record procedures:** See access above.

**Record source categories:** (a) Individuals who are presently or were Secret Service employees; (b) Individuals, corporations, companies, contractors, etc., previously engaged or presently engaged in business with the Secret Service; (c) Claimants.

**Treasury/USSS 00.002**

**System name:** Treasury/USSS Criminal Investigation Information System.

**System location:** (a) United States Secret Service, 1800 G Street, N.W., Washington, D.C. 20223. (b) Components of the Criminal Investigation Information System are geographically dispersed

throughout Secret Service field offices. (See below United States Secret Service Appendix A listing the addresses of Secret Service field offices). (c) Treasury Security Force, Room 1044—Main Treasury Building, Washington, D.C.

**Categories of individuals covered by the system:** (a) Individuals who have been or are currently the subject of a criminal investigation by the U.S. Secret Service in connection with the performance by that agency of its authorized criminal investigative functions; (b) Individuals who are payees, registered owners or endorsers of stolen or lost obligations and other securities of the United States; (c) Individuals who are witnesses, complainants, informants, suspects, defendants, fugitives, released prisoners, correspondents, organized crime figures, and victims of crimes who have been identified by the Secret Service in the conduct of criminal investigations or by information supplied by other law enforcement agencies, government units, and the general public.

**Categories of records in the system:** (a) Records containing information complied for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrest, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (b) Records containing information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; (c) Records containing reports identifiable with an individual compiled at various stages of the process of enforcement of criminal laws from arrest or indictment through release from supervision; (d) Records containing investigatory material compiled for law enforcement purposes, including but not limited to, handwriting exemplars; laboratory analyses of inks and papers; handwriting analyses; petitions for the remission of forfeitures; notice of non-receipt of treasury drafts; affidavits of forged endorsements; opinions of the examiner of questioned documents; certificates by owners of U.S. registered securities concerning forged requests for payments or assignments; applications for relief on account of loss, theft, or destruction of U.S. Savings Bonds or checks; photographic reproductions of obligations and other securities of the United States; contraband items; claims against the United States for the proceeds of government checks and bonds; and reports necessary for the settlement of check and bond claims.

**Authority for maintenance of the system:** The criminal investigative authority of the U.S. Secret Service is contained in 18 U.S.C. 3056 and Treasury Department Orders transferring investigative and security functions to the U.S. Secret Service by virtue of the authority vested in the Secretary of the Treasury pursuant to Reorganization Plan Number 26 of 1950.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Criminal Investigation Information System of the U.S. Secret Service are as follows: (a) Disclosure to those officers and employees of the Secret Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Referral to Federal, state, and local governments, foreign and domestic, having prosecutive and civil law enforcement functions for use by attorneys, magistrates, and judges; and parole and probation authorities for the purpose of prosecuting, sentencing, and determining the parole and probation status of criminal offenders or suspected criminal offenders; (d) Referral to personnel of other Federal, state and local law enforcement agencies, foreign and domestic, for the purpose of developing information on subjects involved in Secret Service criminal investigations and assisting other law enforcement agencies in the investigation and prosecution of violations of the criminal laws which those agencies are responsible for enforcing; (e) Referral to personnel of Federal, state, and local governmental agencies, where such referral is considered reasonably necessary for the purpose of furthering Secret Service efforts to investigate the activities of and apprehend criminal offenders and suspected criminal offenders; (f) Referral to personnel of Federal, state, and local governmental agencies, foreign and domestic, where there is a showing of reasonable necessity to obtain such information to accomplish a valid law enforcement purpose; (g) Referral to employees and officials of financial and commercial business firms and to private individuals of identifying information pertaining to actual or suspected criminal offenders where such referral is considered reasonably necessary for the purpose of furthering Secret Service efforts to investigate the activities of and apprehend criminal offenders and suspected criminal offenders; (h) Records maintained in the Criminal Investigation Information System indicating a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, may be referred to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (i) Disclosures in the course of presenting evidence to a court, magistrate or administrative tribunal and disclosures to opposing counsel in the course of discovery proceedings for the purpose of enforcing, or prosecuting, a violation or potential violation of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto; (j) Disclosures to Federal, state or local agencies maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (k) Disclosures to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (l) Disclosures of information relating to criminal and civil proceedings to the news media in accordance with the guidelines contained in 28 C.F.R. 50.2; (m) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** All records comprising the Criminal Investigation Information System of the U.S. Secret Service are contained in file jackets located at Headquarters, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. and/or in file jackets located in Secret Service field offices geographically dispersed throughout the United States, Puerto Rico and one foreign country. (See below, United States Secret Service Appendix A.)

Components of the Criminal Investigation Information System may be located in the Office of the Treasury Security Force, Main Treasury Building, Washington, D.C. Portions of the indices and information contained in the records are programmed into a computer maintained at Headquarters, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C.

**Retrievability:** The Criminal Investigation Information System of the U.S. Secret Service is indexed alphabetically by name at Headquarters, in the field master and computerized indices. Access to the physical files containing records is by case number obtained from the alphabetized name indices.

**Safeguards:** (1) The field jackets and indices containing the records comprising the Criminal Investigation Information System located at the U.S. Secret Service Headquarters are secured by alarms, and other internal security devices, in locked rooms with guards on duty on an around-the-clock basis. Access to the records is available only to employees responsible for records management and operational employees with a need to know, each of whom have top secret security clearances; (2) The file jackets and the master field indices comprising the Criminal Investigation Information System in Secret Service Field Offices and the Treasury Security Force are located in locked filing cabinets and in locked rooms when Secret Service employees are not on duty. Access to the system is limited to employees of the Secret Service and the Treasury Security Force holding top secret security clearances.

**Retention and disposal:** The retention schedule for records comprising the Criminal Investigation Information System is as follows: (1) All Judicial cases, 20 years; (2) Non-judicial criminal investigative cases (except non-judicial check and bond cases), 10 years; (3) Non-judicial check claim and bond forgery cases, 5 years; (4) Administrative files of an investigative nature, 5 years; (5) All other files and records the disposition of which is not otherwise specified, 5 years; (6) Investigations for other districts, 2 years; (7) Receipts for counterfeits and contraband, 2 years; (8) Investigation Control Forms, Indefinite; (9) Arrest History Forms, Indefinite; (10) Disposal of records contained in the Criminal Investigation Information System is by burning.

**System manager(s) and address:** Assistant Director, Office of Investigations, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.

**Notification procedure:** In accordance with the provisions of 5 U.S.C. 552a(j) and (k), the Director of the U.S. Secret Service proposes to exempt the Criminal Investigation Information System from compliance with the provisions of 5 U.S.C. 552a(e)(4)(G).

**Record access procedures:** In accordance with the provisions of 5 U.S.C. 552a(j) and (k), the Director of the U.S. Secret Service proposes to exempt the Criminal Investigation Information System from compliance with the provisions of 5 U.S.C. 552a(e)(4)(H).

**Contesting record procedures:** See access above.

**Record source categories:** In accordance with the provisions of 5 U.S.C. 552a(j) and (k) the Director of the U.S. Secret Service proposes to exempt the Criminal Investigation Information System from compliance with the provisions of 5 U.S.C. 552a(e)(4)(I).

**Systems exempted from certain provisions of the act:** In accordance with the provisions of 5 U.S.C. 552a(j) and (k) the Director of the U.S. Secret Service proposes to exempt the Criminal Investigation Information System from compliance with certain provisions of 5 U.S.C. 552a elsewhere in the Federal Register.

**Treasury/USSS 00.003**

**System name:** Treasury/USSS—Financial Management Information System.

**System location:** (a) U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. 20223; (b) Components of the Financial Management Information System are geographically dispersed throughout Secret Service field offices. (See below United States Secret Service, Appendix A listing the addresses of Secret Service field offices); (c) Executive Protective Service, 1310 L Street, N.W., Room 210, Washington, D.C. 20005; (d) Treasury Security Force, Room 1044, Main Treasury Building, Washington, D.C. 20220; (e) Vehicle Support Division, U.S. Secret Service, 1310 L Street N.W., Suite 400, Washington, D.C. 20005; (f) Presidential Protective Division, U.S. Secret Service, Room 1, E.O.B., 17th & Pennsylvania Avenue, N.W., Washington, D.C. 20500; (g) Vice Presidential Protective Division, U.S. Secret Service, Room 295, Executive Office Building, Washington, D.C. 20500; (h) Dignitary Protective Division, U.S. Secret Service, 1310 L Street, N.W., Washington, D.C. 20005; (i) Eisenhower Protective Division, U.S. Secret Service, Room 206, Post Office Building, Gettysburg, Pennsylvania 17325; (j) Johnson Protective Division, U.S. Secret Service, P.O. Box 927, Stonewall, Texas 78671; (k) Ford Protective Division, U.S. Secret Service, P.O. Box 955, Rancho Mirage, Calif. 92270; (l) Truman Protective Division, U.S. Secret Service, 224 North Delaware, Independence, Missouri 64051; (m) Nixon Protective Division, U.S. Secret Service, U.S. Coast Guard Station, San Clemente, California 92672; (n) Technical Security Division, Room 482, Executive Office Building, Washington, D.C. 20500. Plains Security Detail, U.S. Secret Service, P.O. Box 308, Plains, GA. 31780.

**Categories of individuals covered by the system:** (a) Individuals who are now, or were previously, Secret Service employees; (b) Individuals, contractors, vendors, etc., who are presently doing business with or previously did business with the Secret Service; (c) Individuals who are involved in or were previously involved in tort claims with the Secret Service; (d) Individuals who are or previously were involved in payments (accounts receivable) with the Secret Service; (e) Individuals who have been recipients of awards.

**Categories of records in the system:** (a) Records containing information compiled for the purpose of pay, travel, property damage, expenses incurred other than travel, and retirement annuities and taxes; (b) Records containing information of accounts receivable and payable, involving Secret Service employees and other persons; (c) Records containing information of tort claims dealing with Secret Service property, concerning payment and accounts receivable; (d) Records containing information on the expenditures, anticipated expenditures, and budget studies of the Secret Service; (e) Records of time and attendance of work.

**Authority for maintenance of the system:** The Financial Management Authority of the U.S. Secret Service is contained in various Executive Orders, Treasury Orders and delegations, Title 7 of the General Accounting Office Policy and Procedure Manual for Guidance of Federal Agencies and other rules and regulations and fiscal procedures where applicable; 5 U.S.C. 301; 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Financial Management Information System are as follows: (a) Referral to the Internal Revenue Service, U.S. Treasury, GAO, Civil Service and other Federal agencies dealing with the payment and collection of monies concerning Secret Service employees. (b) Referral to the Internal Revenue Service, U.S. Treasury Department, Civil Service, GAO and other Federal agencies dealing with the payment, collection and audit of monies concerning persons who have financial dealings with the Secret Service. (c) To establish a means of budget projections and studies for anticipated expenses to be incurred, to record the actual expenses claimed, to analyze any unliquidated obligations at the end of the fiscal year; (d) To establish a means of responding to questions by Secret Service employees regarding their financial dealings. (e) To establish and maintain a means of gaining statistical information needed to answer inquiries from other Federal, state and local governments and Congress; (f) To establish a reporting system to Treasury, Office of Management & Budget and the General Accounting Office of Secret Service expenditures. (g) To establish a means of payments to contractors and vendors for purchases made by Secret Service; (h) Disclosure to those officers and employees of the Secret Service and the Department of the Treasury who have a need for the records in the performance of their duties; (i) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (j) Records maintained in the Financial Management Information System indicating a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, may be referred to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (k) Disclosures in the course of presenting evidence to a court, magistrate or administrative tribunal and disclosures to opposing counsel in the course of discovery proceedings for the purpose of enforcing, or prosecuting, a violation or potential violation of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto; (l) Disclosures to Federal, state or local agencies maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (m) Disclosures to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (n) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** All records comprising the Financial Management Information System of the U.S. Secret Service are contained in files, microfilm and/or microfiche located at Headquarters, Washington, D.C., Secret Service field offices geographically dispersed throughout the United States, Puerto Rico, and one foreign country, (see location section of this notice and United States Secret Service Appendix A), and Secret Service Protective Divisions. Portions of the indices and information contained in the Financial Management Information System are programmed into a computer maintained at Headquarters, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C.

**Retrievability:** The Financial Management Information System is indexed by name and/or numbers in the Headquarters office and by name only in the U.S. Secret Service field offices and protective divisions. Access to the physical files containing records is by number and/or name. Access to the information stored in the computer is also by name and/or number.

**Safeguards:** (1) The file jackets, indices and computer containing the record systems located at U.S. Secret Service Headquarters are secured by alarms and other internal security devices in locked rooms with guards on duty on a 24 hour basis; (2) Access to the records is available only to employees responsible for records management and operational employees who have a need for such information, each of whom hold a top secret security clearance; (3) The file jackets and/or indices comprising the Financial Manage-

ment Information System in U.S. Secret Service field offices and protective divisions are located in locked filing cabinets and in locked rooms when Secret Service employees are not on duty. Access is limited to employees of the Secret Service holding top secret security clearances.

**Retention and disposal:** The retention schedule for records comprising the Financial Management Information System are as follows: (1) Financial Management Division automated accounting systems. Parts Field Office file and paid files are retained for six years; (2) Accounts receivable systems maintained for four years unless they are not liquidated; (3) Systems for holiday, overtime hour and other pay adjustments, enter on duty information, resignations, retirements, reassignments, etc., are held indefinitely; (4) Records on personnel actions, leave, change of station, bonds, health benefits and insurance policies, bank deposits, allotments, etc., are held for six months. Disposal of records contained in the Financial Management Information System is by burning.

**System manager(s) and address:** Assistant Director, Office of Administration, 1800 G Street, N.W., Washington, D.C. 20223.

**Notification procedure:** Any individual who wishes to present a request as to whether this system contains a record pertaining to him should address his inquiry to: Staff Assistant, Freedom of Information and Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Record access procedures:** Any individual wishing to obtain information on the procedures for gaining access to and contesting records should contact: Freedom of Information and Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Contesting record procedures:** See access above.

**Record source categories:** (a) Individuals who are presently or were previously Secret Service employees; (b) Individuals who are presently or were service contractors or suppliers with the Secret Service; (c) Individuals who are presently or were previously involved in tort claims with the Secret Service; (d) Individuals who are presently or were previously involved in collections and dispersement with the Secret Service; (e) Internal Revenue Service; (f) Surviving spouse of deceased personnel.

### Treasury/USSS 00.004

**System name:** Freedom of Information Request System—Treasury/USSS.

**System location:** United States Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.

**Categories of individuals covered by the system:** Individuals or organizations who have requested information under the Freedom of Information Act.

**Categories of records in the system:** (a) Correspondence relating to requests for information; (b) Documents relevant to appeals and law suits under the Freedom of Information Act.

**Authority for maintenance of the system:** The authority of the U.S. Secret Service is contained in 5 U.S.C. 552, Freedom of Information Act.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** (a) Disclosure to those officers and employees of the Secret Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) The system is maintained to insure the efficient processing of requests made pursuant to the Freedom of Information Act; (d) Records maintained in the Freedom of Information System indicating a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, may be referred to the appropriate agency, whether Federal, state local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (e) Disclosures in the course of presenting evidence to a court, magistrate or administrative tribunal and disclosures to opposing counsel in the course of discovery proceedings for the purpose of enforcing, or prosecuting, a violation or potential violation of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto; (f) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records comprising the Freedom of Information Request System are maintained in file jackets located at Headquarters, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.

**Retrievability:** The file jackets and indices containing the records comprising the Freedom of Information Request System are indexed alphabetically.

**Safeguards:** The file jackets and indices containing the records comprising the Freedom of Information Request System are located at U.S. Secret Service Headquarters, and are secured in locked filing cabinets in locked rooms, with guards on duty on an around-the-clock basis. Access to the records is available only to employees responsible for the management of the system and operational employees who have a need for such information, each of whom have a top secret security clearance.

**Retention and disposal:** All files and indices are held indefinitely. Disposal is by burning.

**System manager(s) and address:** Freedom of Information and Privacy Acts Officer, Office of Public Affairs, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Notification procedure:** Any individual who wishes to present a request as to whether this system contains records pertaining to him should address his inquiry to: Freedom of Information and Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Record access procedures:** Any individual wishing to obtain information on the procedures for gaining access to and contesting records should contact: Freedom of Information & Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Contesting record procedures:** See access above.

**Record source categories:** Individuals or organizations requesting information pursuant to the Freedom of Information Act.

### Treasury/USSS 00.005

**System name:** Treasury/USSS—Legal Counsel Record System.

**System location:** Office of Legal Counsel, United States Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.

**Categories of individuals covered by the system:** (a) Individuals who have filed administrative claims involving an employee of the U.S. Secret Service; (b) Any individual who is involved in litigation against the U.S. Secret Service; (c) Individuals who have filed a petition for remission of forfeiture of equipment that was seized from them during an investigation and/or arrest by the U.S. Secret Service.

**Categories of records in the system:** (a) Copies of administrative claims involving employees of the U.S. Secret Service, responses and legal proceedings in those cases where litigation is involved in administrative claims; (b) Any type of legal document, including complaints, summaries, and litigation reports that are prepared for the Department of Justice at their request; (c) Petitions for remission of forfeiture of seized equipment; (d) Records concerning requests for information regarding the use of reproductions of obligations of the United States including bonds, checks, coins, coupons, currencies (U.S. and foreign), fractional notes, postage stamps (U.S. and foreign), postal money orders, and postmarks.

**Authority for maintenance of the system:** 18 U.S.C. 3056; 28 U.S.C. 2672 (Federal Tort Claims Act); 18 U.S.C. 471-509.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Legal Counsel Record System are as follows: (a) Disclosure to those officers and employees of the Secret Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Administrative claims may be routinely sent to the Department of Justice to the Attorneys who will represent the Secret Service in any possible litigation. The purpose of sending administrative claims to these attorneys is to assist them in preparation of litigation involving the Secret Service; (d) Legal records are routinely used in preparation for litigation proceedings against the U.S. Secret Service. Litigation reports are routinely sent to the Department of Justice at their request for assistance in preparation of the litigation proceedings. The purpose of such referals is to assist the Dept. of Justice in the preparation of litigation concerning the

U.S. Secret Service; (e) All routine uses for petitions for remission of forfeiture of seized equipment are within the agency; (f) Files concerning requests for information regarding the use of reproductions of Government obligations are used in responding to general requests from the public or for requests for interpretation of legality with the Department of Justice and Postal authorities; (g) Records maintained in the Legal Counsel Record System indicating a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, may be referred to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (h)Disclosures in the course of presenting evidence to a court, magistrate or administrative tribunal and disclosures to opposing counsel in the course of discovery proceedings for the purpose of enforcing, or prosecuting, a violation or potential violation of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto; (i) Disclosures to Federal, state or local agencies maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (j) Disclosures to a Federal agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (k)For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records comprising the Legal Counsel Record System of the U.S. Secret Service are contained in file jackets located in the Office of Legal Counsel, United States Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.

**Retrievability:** The Legal Counsel Record System is indexed chronologically for administrative claims, petitions for remission and requests for information regarding reproductions. Access to the physical files containing litigation records is by an alphabetized listing of the case names.

**Safeguards:** The file jackets containing records comprising the Legal Counsel Record System located at U.S. Secret Service Headquarters, Office of Legal Counsel, are secured in a locked room with guards on duty on an around the clock basis. Access to the records is available only to employees responsible for record management and operational employees who have a need for such information, each of whom holds a top secret security clearance.

**Retention and disposal:** The retention schedule of records comprising the Legal Counsel Record System is as follows: (1) All judicial case records are retained for a period of 20 years; (2) Administrative claims, petitions for remission, and requests for information are retained indefinitely. Any disposal is by shredding and/or burning.

**System manager(s) and address:** Legal Counsel, U.S. Secret Service, 1800 G Street, N.W., Room 842, Washington, D.C. 20223.

**Notification procedure:** Any individual who wishes to present a request as to whether the system contains records pertaining to him should address his inquiry to: Freedom of Information and Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Record access procedures:** Any individual wishing to obtain information on the procedures for gaining access to and contesting records should contact: Freedom of Information and Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Contesting record procedures:** See access above.

**Record source categories:** (a) Administrative claims are filed by those individuals who believe that they have a claim against the U.S. Secret Service; (b) Individuals who are involved in legal proceedings against the U.S. Secret Service. All litigation reports are initiated by Office of Legal Counsel, U.S. Secret Service; (c) Individuals and organizations who have petitioned for remission of forfeiture of seized equipments; (d) Requests for information regarding the use of reproductions from Secret Service field offices, the general public, and from professional organizations.

**Treasury/USSS 00.006**

**System name:** Non Criminal Investigation Information System—Treasury/USSS.

**System location:** (a) United States Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.(b) Office of Inspection, U.S. Secret Service, Edison Building, Suite 654, 1900 Pennsylvania Avenue, N.W., Washington, D.C. 20226.(c) Components of the Non-Criminal Investigation Information System are geographically dispersed throughout Secret Service field offices in the United States, Puerto Rico, and one foreign country. (See below, United States Secret Service Appendix A, listing the addresses of Secret Service field offices).

**Categories of individuals covered by the system:** (a) Individuals who are applicants for employment with the U.S. Secret Service and other bureaus of the Department of the Treasury;(b) Individuals who are employees of the U.S. Secret Service and other bureaus of the Department of the Treasury holding security clearances granting access to classified documents and records;(c) Individuals who have filed administrative claims with the Secret Service and other bureaus of the Department of the Treasury under the Federal Tort Claims Act or who have been involved in automobile accidents or other incidents involving employees of the Secret Service and other bureaus of the Department of the Treasury resulting in tort claims against such individuals;(d) Individuals involved in investigations required in the administration of the Government Losses in Shipment Act, the Gold Reserve Act, and the Silver Purchase Act;(e) Individuals who are employees of the Secret Service and other bureaus of the Department of the Treasury who have been accused of misconduct in the performance of their duties, or who have been the subject of a complaint involving the performance of their official functions;(f) Individuals who are the subject of investigations or supply information to investigative agents conducting special investigations relating to the performance by the Secret Service of its statutory and regulatory functions.

**Categories of records in the system:** (a) Record containing investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or access to classified information;(b) Records containing investigatory material compiled for law enforcement purposes, including but not limited to, reports of investigators relating to claims under the Federal Tort Claims Act, Government Losses in Shipment Act, the Gold Reserve Act and the Silver Purchase Act, and employee misconduct or malfeasance;(c) Records containing reports or statement of investigators, witnesses, complainants, claimants and correspondents associated with identifiable individuals.

**Authority for maintenance of the system:** The non-criminal investigative authority of the U.S. Secret Service is contained in 18 U.S.C. 3056; Executive Order 10450 and Treasury Order 82 (revised January 17, 1973); and Treasury Order 173-1.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Non-Criminal Investigation Information System are as follows: (a) Disclosure to those officers and employees of the Secret Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Referral to the Department of Justice and other Federal agencies for administrative, civil, or other legal proceedings to be used by personnel officials, attorneys, administrative law officers, and judges; (d) Referral to personnel of other Federal, state and local governmental agencies, foreign and domestic, for the purpose of developing or confirming information on individuals involved in non-criminal investigations conducted by the Secret Service; (e) Referral to personnel of private institutions and to private individuals for the purpose of confirming and/or determining suitability, eligibility, or qualifications for Federal civilian employment or access to classified information; and for the purposes of furthering the efforts of the Secret Service to investigate the activities of individuals related to or involved in non-criminal civil and administrative investigations; (f) Referral to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for the purpose of determining suitability, eligibility, or qualifications for employment with or access to classified information in such other

agency or instrumentality; (g) Records maintained in the Non-Criminal Investigation Information System indicating a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, may be referred to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (h) Disclosures in the course of presenting evidence to a court, magistrate or administrative tribunal and disclosures to opposing counsel in the course of discovery proceedings for the purpose of enforcing, or prosecuting, a violation or potential violation of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto; (i) Disclosures to Federal, state or local agencies maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (j) Disclosures to a Federal agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (k) Disclosures of information relating to civil proceedings to the news media in accordance with the guidelines contained in 28 C.F.R. 50.2; (l) for additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records comprising the Non-Criminal Investigation Information System of the U.S. Secret Service are contained in file jackets located at Headquarters, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. and/or in file jackets located in the Office of Inspection, Edison Building, 1900 Pennsylvania Avenue, N.W., Washington, D.C. and in Secret Service field offices geographically dispersed throughout the United States, Puerto Rico, and one foreign country (See Location Section of this notice and United States Secret Service Appendix A.) Portions of these indices and information contained in the Non-Criminal Information System are programmed into a computer maintained at Headquarters, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C.

**Retrievability:** The Non-Criminal Investigation Information System is indexed alphabetically by name in the Headquarters, Inspection, field master, and computerized indices. Access to the physical files containing records is by case number obtained from the alphabetized name indices.

**Safeguards:** (1) The file jackets and indices containing the records comprising the Non-Criminal Investigation Information System located at U.S. Secret Service Headquarters and the Office of Inspection are secured by alarms and other internal security devices in locked rooms with guards on duty on an around-the-clock basis. Access to the records is available only to employees responsible for record management and operational employees who have a need for such information, each of whom holds a top secret security clearance; (2) The file jackets and the master field indices comprising the Non-Criminal Investigation Information System in Secret Service field offices are located in locked filing cabinets and in locked rooms when Secret Service employees are not on duty. Access to the system is limited to employees of the Secret Service holding top secret security clearances.

**Retention and disposal:** The retention schedule for records comprising the Non-Criminal Investigation Information System is as follows: (1) All judicial case records are retained for a period of twenty years; (2) Applicant security and background investigation records of Secret Service employees are retained for thirty years after retirement or separation of the employee from Secret Service employment; (3) Applicant investigation records relating to employees of Bureaus of the Treasury Department other than the Secret Service, are retained for three years; (4) All other records, the disposition of which are not otherwise specified, are retained for five (5) years. Disposal: Disposal of records contained in the Non-Criminal Investigation Information System is by burning.

**System manager(s) and address:** Assistant Director, Office of Investigations, 1800 G Street, N.W., Washington, D.C. 20223.

**Notification procedure:** In accordance with the provisions of 5 U.S.C. 552 a (k), the Director of the U.S. Secret Service proposes to exempt the Non-Criminal Investigation Information System from compliance with the provisions of 5 U.S.C. 552 a (e) (4) (G).

**Record access procedures:** In accordance with the provisions of 5 U.S.C. 552 a (k), the Director of the U.S. Secret Service proposes to exempt the Non-Criminal Investigation Information System from compliance with the provision of 5 U.S.C. 552 a (e) (4) (H).

**Contesting record procedures:** See access above.

**Record source categories:** In accordance with the provisions of 5 U.S.C. 552 a (k), the Director of the U.S. Secret Service proposes to exempt the Non-Criminal Investigation Information System from compliance with the provisions of 5 U.S.C. 552 a (e) (4) (I).

**Systems exempted from certain provisions of the act:** In accordance with the provisions of 5 U.S.C. 552a(j) and (k), the Director of the U.S. Secret Service proposes to exempt the Non-Criminal Investigation Information System from compliance with certain provisions of 5 U.S.C. 552a—elsewhere in the Federal Register.

**Treasury/USSS 00.007**

**System name:** Protection Information System—Treasury/USSS.

**System location:** (a) United States Secret Service, 1800 G Street, N.W., Washington, D.C. 20223. (b) Presidential Protective Division, U.S. Secret Service, Room 1, E.O.B., 17th & Pennsylvania Avenue, N.W., Washington, D.C. 20500. (c) Vice Presidential Protection Division, U.S. Secret Service, Room 295, Executive Office Building, Washington, D.C. 20500. (d) Dignitary Protective Division, U.S. Secret Service, 1310 L Street, N.W., Washington, D.C. 20005. (e) Protective Vehicle Division, U.S. Secret Service, 1310 L Street, N.W., Suite 400, Washington, D.C. 20005. (f) Eisenhower Protective Division, U.S. Secret Service, Room 206, Post Office Building, Gettysburg, Pennsylvania 17325. (g) Johnson Protective Division, U.S. Secret Service, P.O. Box 927, Stonewall, Texas 78671. (h) Ford Protective Division, U.S. Secret Service, P.O. Box 955, Rancho Mirage, Calif. 92270. (i) Truman Protective Division, U.S. Secret Service, 224 North Delaware, Independence, Missouri 64051. (j) Nixon Protective Division, U.S. Secret Service, U.S. Coast Guard Station, San Clemente, California 92672. (k) Executive Protective Service, Room 210, 1310 L Street, N.W., Washington, D.C. 20005. (l) Treasury Security Force, Room 1040, Main Treasury Building, Washington, D.C. 20220. (m) Technical Security Division, Room 482, Executive Office Building, Washington, D.C. 20500. Plains Security Detail, U.S. Secret Service, P.O. Box 308, Plains, GA. 31780. (n) Components of the Protection Information System are geographically dispersed throughout Secret Service field offices. (See below, United States Secret Service Appendix A, listing the addresses of Secret Service field offices).

**Categories of individuals covered by the system:** (a) Individuals who have been or are currently the subject of a criminal investigation by the U.S. Secret Service or another law enforcement agency for the violation of certain criminal statutes relating to the protection of persons or the security of properties; (b) Individuals who are the subjects of investigative records and reports supplied to the Secret Service by Federal, state, and local law enforcement agencies, foreign and domestic; other governmental agencies; private institutions and individuals for evaluation by the Secret Service in connection with the performance by that agency of its authorized protective functions; (c) Individuals who are the subjects of non-criminal protective and background investigations by the Secret Service and other law enforcement agencies where the evaluation of such individuals, in accordance with criteria established by the Secret Service, indicates a need for such investigations; (d) Individuals who are granted ingress and egress to areas secured by the Secret Service, the Executive Protective Service, or to areas in close proximity to persons protected by the Secret Service, including but not limited to invitees, passholders, tradesmen, law enforcement, maintenance and service personnel; (e) Individuals who have attempted or solicited unauthorized entry into areas secured by the Secret Service; individuals who have sought an audience or contact with persons protected by the Secret Service or who have been involved in incidents or events which relate to the protective functions of the Secret Service; (f) Individuals who are witnesses, protectees, complainants, informants, suspects, defendants, fugitives, released prisoners, and correspondents who have been identified by the Secret Service or from information supplied by other law enforcement agencies, governmental units, private institutions, and members of the general public in connection with the performance by the Secret Service of its authorized protective functions.

**Categories of records in the system:** (a) Records containing information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrest, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (b) Records containing information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; (c) Records containing reports relative to an individual compiled at various stages of the process of enforcement of certain criminal laws from arrest or indictment through release from supervision; (d) Records containing information supplied by other Federal, state, and local law enforcement agencies, foreign and domestic; other governmental agencies; private institutions and persons concerning individuals who, because of their activities, personality traits, criminal or mental history or history of social deviancy, may be of interest to the Secret Service in connection with the performance by that agency of its protective functions; (e) Records containing information compiled for the purpose of identifying and evaluating individuals who may constitute a threat to the safety of persons or security of areas protected by the Secret Service, and/or the Executive Protective Service; (f) Records containing information relating to incidents and events, such as attempted intrusions into secured areas, or activities of mentally disturbed persons demonstrating an unusual or abnormal interest in persons protected by the Secret Service; (g) Records containing information compiled for the purpose of background investigations of individuals, including but not limited to, passholders, tradesmen, maintenance and service personnel who have access to areas secured by or who may be in close proximity to persons protected by the Secret Service and/or the Executive Protective Service; (h) Records containing correspondence, records of telephone calls, visits to and efforts to contact persons protected by the Secret Service by certain individuals who, according to criteria established by the Secret Service, are considered to be of protective interest.

**Authority for maintenance of the system:** The protective authority of the U.S. Secret Service is contained in 18 U.S.C. 3056 and Section 1 of Public Law 90-331. Criminal investigations relating to protection, such as threats or unauthorized entry (18 U.S.C. 871; 18 U.S.C. 1751), are authorized by 18 U.S.C. 3056. The protective and security authority of the Executive Protective Service is contained in 3 U.S.C. 202 and of the Treasury Security Force in Treasury Orders issued by the Secretary of the Treasury pursuant to the provisions of Reorganization Plan Number 26 of 1950.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Protective Information System of the U.S. Secret Service are as follows: (a) Disclosures to those officers and employees of the Secret Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosures required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) Referral to the Department of Justice and other Federal, state and local governmental agencies having a prosecutive function for the use of attorneys, magistrates, and judges; and parole and probation authorities for the purpose of prosecuting, sentencing, and determining the parole and probation status of criminal offenders or suspected criminal offenders; and for civil and other proceedings involving Secret Service and Executive Protective Service protective functions; (d) Referral to personnel of other Federal, state and local law enforcement agencies, foreign and domestic, for the purpose of developing information on subjects involved in Secret Service protective investigations and evaluations and for the purpose of protective intelligence briefings of personnel of other law enforcement and governmental agencies assisting the U.S. Secret Service in the performance of its protective functions; (e) Referral to personnel of Federal, state, and local governmental agencies, foreign and domestic, where such referrals are considered reasonably necessary for the purpose of furthering Secret Service efforts to investigate the activities of those persons considered to be of protective interest; (f) Referral to personnel of Federal, state, and local law enforcement agencies and other governmental agencies, foreign and domestic, where there is a showing of a reasonable need to accomplish a valid enforcement purpose; (g) Referral to personnel of private institutions and to private individuals of identifying information pertaining to actual or suspected criminal offenders or other individuals considered to be of protective interest for the purpose of furthering Secret Service efforts to evaluate the danger such individuals pose to persons protected by that agency; (h) Records maintained in the Protection Information System indicating a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, may be referred to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; (i) Disclosures in the course of presenting evidence to a court, magistrate or administrative tribunal and disclosures to opposing counsel in the course of discovery proceedings for the purpose of enforcing, or prosecuting a violation or potential violation of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto; (j) Disclosures to Federal, state or local agencies maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (k) Disclosures to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter; (l) Disclosures of information relating to criminal and civil proceedings to the news media in accordance with the guidelines contained in 28 C.F.R. 50.2; (m) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records comprising the Protection Information System of the U.S. Secret Service are contained in file jackets located at Headquarters, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. or in file jackets located in the offices of various protective units of Secret Service, the Technical Security Division, and in Secret Service field offices geographically dispersed throughout the United States, Puerto Rico, and one foreign country. (see Location Section of this notice and United States Secret Service Appendix A.) Components of the Protection Information System are located in the office of the Executive Protective Service, 1310 L Street, N.W., Washington, D.C. and in the office of the Treasury Security Force, Main Treasury Building, Washington, D.C. Portions of the indices and information contained in the Protective Information System are programmed into a computer maintained at Headquarters, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C.

**Retrievability:** The Protective Information System is indexed alphabetically by name in the Headquarters, field master, protective units and computerized indices. Access to the physical files containing records is by case number obtained from the alphabetized name indices.

**Safeguards:** (1) The file jackets and indices containing the records comprising the Protection Information System located at the U.S. Secret Service Headquarters, in the protective units, the Executive Protective Service, the Treasury Security Force, and the Technical Security Division of the Secret Service are secured by alarms and other internal security devices in locked rooms with guards on duty on an around-the-clock basis. Access to the records is available only to employees responsible for record management and operational employees who have a need for such information, each of whom holds a top secret security clearance. 2. The file jackets and the master field indices comprising the Protective Information System in Secret Service field offices are located in locked filing cabinets and in locked rooms when Secret Service employees are not on duty. Access to the system is limited to employees of the Secret Service holding top secret security clearances.

**Retention and disposal:** The retention schedule for records comprising the Protection Information System is as follows: (1) All judicial case records are retained for a period of twenty years. In cases where checkups are being made or quarterly investigations are conducted in protective intelligence cases, the retention period is computed from the date of the final checkup or quarterly investigation. In the event of a protective intelligence subject's death, the file is destroyed immediately. Otherwise the checkup and quarterly investigative files are maintained for a period of twenty years; (2) All other protective intelligence case records including protective surveys and nonjudicial protective intelligence cases are retained for a period of five years; (3) Administrative records and

files on all types of physical protective activities are retained for a period of ten years. (4) Disposal of records contained in the Protective Information System is by burning.

**System manager(s) and address:** Assistant Director, Office of Protective Research, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.

**Notification procedure:** In accordance with the provisions of 5 U.S.C. 552a(j) and (k) the Director of the U.S. Secret Service proposes to exempt the Protection Information System from compliance with the provisions of 5 U.S.C. 552a(e) (4) (G).

**Record access procedures:** In accordance with the provisions of 5 U.S.C. 552a(j) and (k) the Director of the U.S. Secret Service proposes to exempt the Protection Information System from compliance with the provisions of 5 U.S.C. 552a(e) (4) (H).

**Contesting record procedures:** See access above.

**Record source categories:** In accordance with the provisions of 5 U.S.C. 552a(j) and (k) the Director of the U.S. Secret Service proposes to exempt the Protection Information System from compliance with the provisions of 5 U.S.C. 552a(e) (4) (I).

**Systems exempted from certain provisions of the act:** In accordance with the provisions of 5 U.S.C. 552a(j) and (k), the Director of the U.S. Secret Service proposes to exempt the Protection Information System from compliance with certain provisions of 5 U.S.C. 552a elsewhere in the Federal Register.

### Treasury/USSS 00.008

**System name:** Public Affairs Record System—Treasury/USSS.

**System location:** U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.

**Categories of individuals covered by the system:** (a) Persons who are private citizens who correspond requesting information relating to the Secret Service. (b) Persons who are members of the news media, authors and publishers requesting information about the Secret Service; (c) Members of Congress who make inquiries with the Secret Service; (d) Persons who are recipients of the Director's Honor Award, who have received recognition from or assisted the Secret Service.

**Categories of records in the system:** (a) Records of inquiries received from the general public, the communication media and the press relative to Secret Service activities; (b) Records of awards presented by the Secret Service; (c) Records of Congressional inquiries and correspondence.

**Authority for maintenance of the system:** 18 U.S.C. 3056 and Treasury Department Order Number 173-3, dated October 29, 1965.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Public Affairs Record System are as follows: (a) To maintain a record of responses made to the general public, the news media, members of Congress, and other individuals who correspond with the Service; (b) To maintain a record of awards and honors given by the Secret Service and to establish statistical information on these awards and honors; (c) Disclosure to those officers and employees of the Secret Service and the Department of the Treasury who have a need for the records in the performance of their duties; (d) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552). (e) Records maintained in the Public Affairs Records System indicating a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, may be referred to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. (f) Disclosures in the course of presenting evidence to a court, magistrate or administrative tribunal and disclosures to opposing counsel in the course of discovery proceedings for the purpose of enforcing, or prosecuting, a violation or potential violation of law, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto. (g) Disclosures to Federal, state or local agencies maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (h) Disclosures to Federal agencies, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter. (i) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records comprising the Public Affairs Record System are maintained in file folders located at U.S. Secret Service, Headquarters, 1800 G Street, N.W., Washington, D.C. 20223.

**Retrievability:** Records of the Public Affairs Record System are filed alphabetically and chronologically. Access is by name and/or date.

**Safeguards:** The files containing the Public Affairs Record System are located at U.S. Secret Service Headquarters, and are secured in locked filing cabinets in locked rooms, with guards on duty on an around-the-clock basis. Access to the records is available only to employees responsible for management of the system and operational employees who have a need for such information, each of whom holds a top secret security clearance.

**Retention and disposal:** Records in this system are currently maintained indefinitely.

**System manager(s) and address:** Assistant to the Director, Office of Public Affairs, U.S. Secret Service, 1800 G Street, N.W., Washington, D.C. 20223.

**Notification procedure:** Any individual who wishes to present a request as to whether this system contains records pertaining to him should address his inquiry to: Freedom of Information and Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Record access procedures:** Any individual wishing to obtain information on the procedure for gaining access to and contesting records should contact: Freedom of Information & Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Contesting record procedures:** See access above.

**Record source categories:** (a) The general public, the news media and members of Congress who correspond with the Service; (b) Persons who have received awards or honors from the Secret Service.

### Treasury/USSS 00.009

**System name:** Training Information System—Treasury/USSS.

**System location:** (a) U.S. Secret Service, Office of Training, 1717 H Street, N.W., Washington, D.C. 20223. (b) Treasury Security Force, Main Treasury Building, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220. (c) Beltsville Training Center, Beltsville, Maryland 20705.

**Categories of individuals covered by the system:** (a) Individuals who are now or were Secret Service employees, officers of the Executive Protective Service or the Treasury Security Force.

**Categories of records in the system:** Records containing the type and dates of training programs of the U.S. Secret Service employees, officers of the Executive Protective Service or the Treasury Security Force.

**Authority for maintenance of the system:** 18 U.S.C. 3056 is the statute that establishes Secret Service criminal and protective jurisdiction and training is conducted pursuant to that statute and in accordance with Treasury and Civil Service Regulations relating to training.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The routine uses of the records contained in the Training Information System are as follows: (a) Disclosure to those officers and employees of the Secret Service and the Department of the Treasury who have a need for the records in the performance of their duties; (b) Disclosure required in the administration of the Freedom of Information Act (5 U.S.C. 552); (c) The system is maintained to assist in performing administrative functions of the Training Division and is used to prepare class directories, class rosters, program evaluation reports and statistical reports, and maintain records of performance; (d) For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records comprising the Training Information System are maintained on cards at the Secret Service Office of Training, 1717 H Street, N.W., Washington, D.C., Main Treasury Building, 1500 Pennsylvania Avenue, N.W., and Beltsville Training Center, Beltsville, Maryland.

**Retrievability:** Records of the Training Information System are filed alphabetically and access to the record card is by name.

**Safeguards:** The Training Information System record cards located at the U.S. Secret Service Office of Training are secured in locked rooms with alarms when Secret Service employees are not on duty. Access to the records is available only to employees responsible for management of the records and operational employees who have a need for such information, each of whom hold a top secret security clearance.

**Retention and disposal:** Records in this System are currently maintained indefinitely.

**System manager(s) and address:** Assistant to the Director, Office of Training, U.S. Secret Service, 1717 H Street, N.W., Washington, D.C. 20223.

**Notification procedure:** Any individual who wishes to present a request as to whether this system contains records pertaining to him should address his inquiry to: Freedom of Information & Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Record access procedures:** Any individual wishing to obtain information on the procedures for gaining access to and contesting records should contact: Freedom of Information & Privacy Acts Officer, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

**Contesting record procedures:** See access above.

**Record source categories:** (a) Individuals who are now or were Secret Service employees, officers of the Executive Protective Service and the Treasury Security Force officers; (b) Individuals from other Federal, state and local law enforcement agencies.Appendix

U.S. Secret Service field offices

Federal Office Building, 517 Gold Avenue, S.W., Albuquerque, New Mexico 87103, 505—766—3336.
601 Rockwell Avenue, Cleveland, Ohio 44114, 216—522—4365.
Equitable Building, 100 Peachtree Street, N.E., Atlanta, Georgia 30301, 404—526—6111.
950 South Stadium Road, Columbia, South Carolina 29201, 803—765—5446.
Federal Office Building, 300 East 8th Street, Austin, Texas 78701, 512—397—5103.
85 Marconi Boulevard, Columbus, Ohio 43215, 614—469—7370.
Federal Office Building, 31 Hopkins Plaza, Baltimore, Maryland 20201, 301—962—2200.
1100 Commerce Street, Dallas, Texas 75202, 214—749—3461.
66 Bagby Drive, Birmingham, Alabama 35209, 205—254—1144.
1660 Lincoln Street, Denver, Colorado 80203, 303—837—3027.
575 Technology Square, Cambridge, Massachusetts 02139, 617—223—2728.
Federal Building & U.S. Courthouse, Detroit, Michigan 48226, 313—226—6400.
Federal Building, 111 West Huron Street, Buffalo, New York 14202; 716—842—3542.
El Paso National Bank Building, East Maine Drive at Mesa, El Paso, Texas 79901, 915—543—7546.
New Federal Building, 500 Quarrier Street, Charleston, West Virginia 25301, 304—343—6181.
110 Michigan Avenue, N.W., Grand Rapids, Michigan 49502, 616—456—2276.
226 Skeens Building, 4530 Park Road, Charlotte, North Carolina 28209, 704—523—9583.
300 Ala Moana Boulevard, Honolulu, Hawaii 96813, 808—546—5637.
219 S. Dearborn Street, Chicago, Illinois, 60604, 312—353—5431.
515 Rusk Street, Houston, Texas 77208, 713—226—5791.
Federal Office Building, 550 Main Street, Cincinnati, Ohio 45202, 513—684—3585.
46 E. Ohio Street, Indianapolis, Indiana 46204, 317—269—6444.
U.S. Post Office & Courthouse, Jackson, Mississippi 39205, 601—969—4436.
Post Office Building, Jacksonville, Florida 32201, 904—791—2777.
546 Carondelet Street, New Orleans, Louisiana 70190, 504—589—2219.
811 Grand Avenue, Kansas City, Missouri 64142, 816—374—5022.
6 World Trade Center, New York, New York 10048, 212—466—4400.
611 Gaines Street, Little Rock, Arkansas 72201, 501—378—6241.
Bank of Virginia Building 870 North Military Highway, Norfolk, Virginia 23502, 804—441—6736.
300 N. Los Angeles Street, Los Angeles, California 90012, 213—688—4830.
200 Northwest Fifth Street, Oklahoma City, Oklahoma 73102, 405—231—4476.
Post Office Building, Louisville, Kentucky 40201, 502—582—5171.
110 North 14th Street, Omaha, Nebraska 68102, 402—221—4671.
167 North Main Street, Memphis, Tennessee 38103, 901—521—3568.
58 bis, Rue la Boetie, American Embassy, Paris 8, France, 265—7460.
5255 N.W. 87th Avenue, Miami, Florida 33161, 305—350—5961.
600 Arch Street, Philadelphia, Pennsylvania 19106, 215—627—6800.
517 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, 414—224—3587.
3033 North Central Avenue, Phoenix, Arizona 85012, 602—261—3556.
110 South 4th Street, Minneapolis, Minnesota 55401, 612—725—2801.
1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222, 412—644—3384.
107 Saint Francis Street, Mobile, Alabama 36602, 205—690—2851.
900 S.W., 5th Avenue, Portland, Oregon 97204, 503—221—2162.
801 Broadway, Nashville, Tennessee 37203, 615—251—5841.
Federal Building & U.S. Courthouse, Providence, Rhode Island 02901, 401—331—6456.
60 Evergreen Place, East Orange, New Jersey 07018, 201—645—2334.
400 North Eighth Street, Richmond, Virginia 23240, 804—782—2274.
205 Whitney Avenue, 3rd Floor, New Haven, Connecticut 06511, 203—865—2449.
650 Capitol Mall, Sacramento, California 95814, 916—440—2413.
1114 Market Street, St. Louis, Missouri 63101, 314—425—4238.
234 Summit Street, Toledo, Ohio 43604, 419—259—6434.
350 South Main Street, Salt Lake City, Utah 84101, 801—524—5910.
1900 Pennsylvania Avenue, N.W., Washington, D.C. 20226, 202—634—5100.
727 E. Durango, San Antonio, Texas 78206, 512—229—6175.
880 Front Street, San Diego, California 92101, 714—293—5640.
450 Golden Gate Avenue, San Francisco, California 94102, 415—556—6800.
Federal Office Building, Hato Rey, Puerto Rico 00917, 809—753—4539.
Post Office Building, Washington & Linden Streets, Scranton, Pennsylvania 18501, 717—346—2631.
915 Second Avenue, Seattle, Washington 98174, 206—442—5495.
761 U.S. Courthouse, Spokane, Washington 99201, 509—456—2532.
600 East Monroe Street, Springfield, Illinois 62701, 217—525—4033.
100 S. Clinton Street, U.S. Federal Building, Syracuse, New York 13201, 315—423—5338.
1000 Ashley Drive, Tampa, Florida 33602, 813—228—2636.

**Treasury/Comptroller 00.004**

**System name:** Consumer Complaint Letter File—Treasury/Comptroller.

**System location:** Comptroller of the Currency, 490 L'Enfant Plaza, Washington, D.C. 20219.

**Categories of individuals covered by the system:** Persons who files complaints against banks.

**Categories of records in the system:** This system contains a series of computer printout setting forth the name, address, bank complained ofu date of incoming complaint letter, attorney assigned to examine said complaint and the nature of the resolution

**Authority for maintenance of the system:** 12 U.S.C. 1, 12 U.S.C. 9, 5 U.S.C. 301

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Files are utilized to determine whether individual has previously filed a complaint with this Office, the date of complaint and the disposition. For additonal routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cabinet.

**Retrievability:** Indexed alphabetically by name of complaining consumer.

**Safeguards:** Records are in file drawers.

**Retention and disposal:** The records are retained in perpetuity.

**System manager(s) and address:** Comptroller of the Currency, Assistant Chief Counsel, 409 L'Enfant Plaza, Washington, D.C. 20219

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information)

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Persons filing complaints against national banks

**Treasury/Comptroller 00.010**

**System name:** Federal Bureau of Investigation Report Card Index—Treasury/Comptroller.

**System location:** Comptroller of the Currency, Sixth Floor, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Categories of individuals covered by the system:** Persons who have been involved in or associated with unlawful activity respecting national banking associations

**Categories of records in the system:** This system consists of an alphabetized indices of the names of individuals involved in or associated with unlawful activity respecting national banks and a cross reference to pertinent Federal Bureau of Investigation Reports relating thereto.

**Authority for maintenance of the system:** This system is established, maintained and utilized pursuant to 12 U.S.C. sections 481, 21, 1818, and 1829. 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records are utilized as a cross reference for the purpose of making determination with respect to potential or existing violations of law. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cabinet.

**Retrievability:** The records are retrieved by the name of the individual

**Safeguards:** Records are maintained by the Office in files with security procedures consistent with the sensitivity of the data.

**Retention and disposal:** Currently there are no provisions for disposal of records contained in this system.

**System manager(s) and address:** Director of Enforcement Division, Law Department, Comptroller of the Currency, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system, (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Systems exempted from certain provisions of the act:** Criminal investigative records exempted elsewhere in the Federal Register by the Department of Justice.

**Treasury/Comptroller 00.012**

**System name:** Freedom of Information log—Treasury/Comptroller.

**System location:** Comptroller of the Currency, 490 L'Enfant Plaza, Washington, D.C. 20219.

**Categories of individuals covered by the system:** Persons making request under the Freedom of Information Act.

**Categories of records in the system:** List of names of persons making requests under the Freedom of Information Act.

**Authority for maintenance of the system:** 12 U.S.C. 1 and 12 U.S.C. 9, 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Internal control and reference regarding Freedom of Information Act. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cabinet.

**Retrievability:** Indexed alphabetically by name.

**Safeguards:** Unlocked file cabinet.

**Retention and disposal:** Perpetuity.

**System manager(s) and address:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Persons making requests under Freedom of Information Act.

**Treasury/Comptroller 00.013**

**System name:** Information file on individuals and commercial entities known or suspected of being involved in fraudulent activities—Treasury/Comptroller.

**System location:** Comptroller of the Currency, Sixth Floor, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Categories of individuals covered by the system:** Individuals and entities involved in actual or suspected fraudulent activities.

**Categories of records in the system:** This system consists of alphabetized indices of the names of individuals or commercial entities known or suspected of involvement in fraudulent activities both foreign and domestic.

**Authority for maintenance of the system:** This system is established and maintained pursuant to 12 U.S.C. sections 21, 481, 1818, and 1829.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** This system of records is utilized in connection with the national bank examination program to ascertain whether any transactions were made between examined bank and any of the individuals or entities who may be involved in fraudulent schemes. In any case in which there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged such

violation or charged with enforcing or implementing such law. A record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records in file cabinets.

**Retrievability:** The records are retrieved by name of the individual, trade style used or by the name of the bank involved.

**Safeguards:** Records are maintained by the Office in files with security procedures consistent with the sensitivity of the data.

**Retention and disposal:** Currently there are no provisions for disposal of records contained in this system.

**System manager(s) and address:** Director of Enforcement Division, Law Department, Comptroller of the Currency, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system, (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Systems exempted from certain provisions of the act:** Exempted elsewhere in the Federal Register by the Department of Justice.

**Treasury/Comptroller 00.014**

**System name:** Investigation Files/Employee Reference File - Treasury/Comptroller.

**System location:** Comptroller of the Currency, Personnel Management Division, 490 L Enfant Plaza, S W., Washington, D.C. 20219.

**Categories of individuals covered by the system:** Employee of Comptroller of the Currency.

**Categories of records in the system:** Compilation of material for a determination regarding security clearance.

**Authority for maintenance of the system:** 12 U.S.C. 1 and 12 U.S.C. 9 / 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** In the Personnel Management Division, the routine uses are associated with the employee's position. Used only by authorized security-cleared employees within the division. Investigations are used to properly grant clearances. For additional routine uses, see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Locked steel file cabinets and a safe with combination lock.

**Retrievability:** Filed in alphabetical order by geographical location.

**Safeguards:** Combination locks are changed once a year and only security-cleared employees within the Personnel Management Division have access.

**Retention and disposal:** Materials are retained for one month after employee leaves and the records are disposed by shredding.

**System manager(s) and address:** Director of Personnel, Comptroller of the Currency, 490 L'Enfant Plaza, S.W., Washington, DC 20219.

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Systems exempted from certain provisions of the act:** Portions of this system are exempted elsewhere in the Federal Register due to the investigative nature of the record.

**Treasury/Comptroller 00.044**

**System name:** Consumer Complaint Index—Treasury/Comptroller.

**System location:** Three Parkway, Suite 1316, Philadelphia, Pennsylvania.

**Categories of individuals covered by the system:** Complainants.

**Categories of records in the system:** Personnel.

**Authority for maintenance of the system:** 12 U.S.C. 1, 12 U.S.C. 9, 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Processing and Follow-up. For additional Routine Uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cabinets.

**Retrievability:** By date received (cross referenced by name).

**Safeguards:** Locked cabinets.

**Retention and disposal:** Permanent.

**System manager(s) and address:** Regional Administrator (see location above).

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system, (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Employees of the Region.

**Treasury/Comptroller 00.090.**

**System name:** Bank Organizers & Proposed Officer Files (listed by name of bank)—Treasury/Comptroller.

**System location:** 1510 First National Bank Tower, Two Peachtree Street, NW, Atlanta, Georgia 30303.

**Categories of individuals covered by the system:** Bank Organizers, Proposed Officers.

**Categories of records in the system:** Personnel.

**Authority for maintenance of the system:** 12 CFR 42, 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Appraise charter & Competence of Management. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Held in Charter File in file cabinet.

**Retrievability:** Name or Social Security Number.

**Safeguards:** Lock & Key.

**Retention and disposal:** Approved Charters—Permanent Retention, Disapproved—destroyed after three years.

**System manager(s) and address:** Regional Administrator (See "Location" above for address).

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Applicants, References, Employee.

**Treasury/Comptroller 00.104**

**System name:** Consumer Complaint Index—Treasury/Comptroller.

**System location:** 164 W. Jackson Boulevard, Room 715, Chicago, Illinois 60604.

**Categories of individuals covered by the system:** Persons filing complaints with regional office against national banks.

**Categories of records in the system:** Card file index to pending and inactive consumer complaints against banks.

**Authority for maintenance of the system:** 12 U.S.C. 1 and 12 U.S.C. 9, 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To provide a ready reference for the location and status of pending and closed complaints against banks. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Cabinet.

**Retrievability:** Alphabetical.

**Safeguards:** Maintained in closed cabinet.

**Retention and disposal:** Indefinite period of time.

**System manager(s) and address:** Regional Administrator (See "Location" above for address).

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Complaints against banks.

**Treasury/Comptroller 00.115**

**System name:** Consumer Complaint Index—Treasury/Comptroller.

**System location:** 165 Madison Avenue, Room 1900, Memphis, Tennessee 38103.

**Categories of individuals covered by the system:** Any individual who lodges a complaint against a national bank.

**Categories of records in the system:** Name of individual and address; name of bank involved and address; date bank notified of complaint, follow-up date; closing date of complaint.

**Authority for maintenance of the system:** 12 U.S.C. 1 and 12 U.S.C. 9, 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Utilized to check complaint status until closing date. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Cabinet.

**Retrievability:** Date complaint letter is forwarded to bank for comment.

**Safeguards:** Locked file cabinet.

**Retention and disposal:** Two years.

**System manager(s) and address:** Regional Counsel. (See location above)

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Filing of a complaint letter by a complainant.

**Treasury/Comptroller 00.139**

**System name:** Financial & Biographical Reports of Organizers of New National Banks—Treasury/Comptroller.

**System location:** 822 Marquette Avenue, Room 300, Minneapolis, Minnesota 55402.

**Categories of individuals covered by the system:** Employees.

**Categories of records in the system:** Personal.

**Authority for maintenance of the system:** 12 U.S.C. 1 and 12 U.S.C. 9, 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Reference. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Cabinet.

**Retrievability:** Direct Access.

**Safeguards:** Locked file cabinet.

**Retention and disposal:** Permanent retention.

**System manager(s) and address:** Regional Adminstrator. (See "Location" above for address.)

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Employee.

**Treasury/Comptroller 00.142**

**System name:** Public Files—Treasury/Comptroller.

**System location:** 822 Marquette Avenue, Room 300, Mineapolis, Minnesota 55402.

**Categories of individuals covered by the system:** Bank Officials General Public.

**Categories of records in the system:** Personnel.

**Authority for maintenance of the system:** 12 U.S.C. 1 and 12 U.S.C. 9, 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Reference. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Cabinets.

**Retrievability:** Direct Access.

**Safeguards:** Locked file cabinets.

**Retention and disposal:** 10 years; 3 years in region. 7 years in Fed Records Ctr. then dispose.

**System manager(s) and address:** Regional Administrator. (See "Location" above for address.)

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Employee.

**Treasury/Comptroller 00.149**

**System name:** Consumer Complaint Index—Treasury/Comptroller.

**System location:** 911 Main Street, Suite 2616, Kansas City, Missouri 64105.

**Categories of individuals covered by the system:** Any individual who lodges a complaint against a national bank.

**Categories of records in the system:** Name of individual and address; name of bank involved and address; date bank notified of complaint; follow-up date; closing date of complaint.

**Authority for maintenance of the system:** 12 U.S.C. 1 and 12 U.S.C. 9, 5 U.S.C. 301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Utilized to check complaint status until closing date. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File Cabinet.

**Retrievability:** Date complaint letter is forwarded to bank for comment.

**Safeguards:** Locked File Cabinet.

**Retention and disposal:** Two years.

**System manager(s) and address:** Regional Counsel (See "Location" above for address.)

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Filing of a complaint letter by a complainant.

**Treasury/Comptroller 00.166**

**System name:** Consumer Complaint Index—Treasury/Comptroller.

**System location:** 1401 Elm Street, Suite 4500, Dallas, Texas 74202.

**Categories of individuals covered by the system:** Any individual who lodges a complaint against a national bank.

**Categories of records in the system:** Name of individual and address; name of bank involved and address; date bank notified of complaint; follow-up date; closing date of complaint.

**Authority for maintenance of the system:** 12 U.S.C. 1 and 12 U.S.C. 9.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Utilized to check complaint status until closing date. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper.

**Retrievability:** Date complaint letter is forwarded to bank for comment.

**Safeguards:** Locked File Cabinet.

**Retention and disposal:** Two years.

**System manager(s) and address:** Regional Counsel (See location above).

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Filing of a complaint letter by a complainant.

**Treasury/Comptroller 00.208**

**System name:** Consumer Complaint Index—Treasury/Comptroller.

**System location:** 555 California Street, Room 3939, San Francisco, California 94104.

**Categories of individuals covered by the system:** Employees.

**Categories of records in the system:** Examining.

**Authority for maintenance of the system:** 12 U.S.C. 1 and 12 U.S.C. 9.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To determine the nature of existing problems and if possible assist in the resolution thereof. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File cabinet.

**Retrievability:** Alphabetical Index by name.

**Safeguards:** Locked file cabinets.

**Retention and disposal:** Perpetuity.

**System manager(s) and address:** Regional Administrator (see Location above).

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where the record might be stored; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, SW, Washington, DC 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** Complaints and Banks.

**Treasury/CC 300**

**System name:** Administrative Personnel System

**System location:** Office of the Comptroller of the Currency, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219. Components of this system are geographically disbursed throughout 14 regional offices. (See addresses listed in Appendix j-1.)

**Categories of records in the system:** Employment related administrative records. This system contains in house control type information about employees. The type of records found within this system are: list of individuals who are issued driver licenses, building passes, credit or identification cards, parking permits, accountable property and travel documents; lists of individuals who perform specialized duties (building wardens, relocation teams, safety officers, and civil defense officers); reports about individuals who are involved in accidents while employed.

**Authority for maintenance of the system:** General authority—12 U.S.C. 1 and 9, 5 U.S.C. 301. Specific authority is derived from a number of laws, regulations and Executive Orders. Individuals wishing to obtain more detailed information should write to the Director, Public Affairs, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** A record in this system may be disclosed as a routine use to: (1) the Civil Service Commission (CSC) for the purpose of complying with regulations issued by the CSC; (2) the General Service Administration (GSA) for the purpose of complying with regulations issued by the GSA; and (3) the Department of Labor for the purpose of investigating claims for work related injuries. (See Appendix AA for additional routine uses.)

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders, magnetic tape, punch cards, micro-film lists and forms.

**Retrievability:** Records are retrieved primarily by name (filed alphabetically by category of records); secondary identifiers are used to assure accuracy (date of birth, social security number or employee identification number).

**Safeguards:** Records are stored in lockable cabinets or secure rooms; access is limited to officials who have a need for the information; employees are trained to make only authorized disclosures.

**Retention and disposal:** Personnel type records are retained for 30 days after termination. All other records are retained and destroyed in accordance with published disposition and retention schedules. Individuals wishing more detailed information should write to the Director, Public Affairs, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**System manager(s) and address:** Deputy Comptroller for Administration 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where last employed; (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information.

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** The information in these records was provided by or verified by the subject of the record, employers and co-workers.

### Treasury/CC 310

**System name:** Fiscal Personnel System

**System location:** Office of the Comptroller of the Currency, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219. Components of this system are geographically disbursed throughout 14 regional offices. (See addresses listed in Appendix j-1.)

**Categories of individuals covered by the system:** Present and past employees.

**Categories of records in the system:** This system is typically identified as payroll or disbursement type records and contain information about employees. The type of records found within this system are: award, allowance, salary and fund advancement justification and disbursement records; payroll deductions for taxes, life and health insurance, financial institutions, retirement funds and charitable groups.

**Authority for maintenance of the system:** General authority—12 U.S.C. 1 and 9, 5 U.S.C. 301. Specific authority is derived from a number of laws, regulations and Executive Orders. Individuals wishing to obtain more detailed information should write to the Director, Public Affairs, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** A record in this system may be disclosed as a routine use to: (1) the Civil Service Commission (CSC) for the purpose of complying with regulations issued by the CSC; (2) the General Service Administration (GSA) for the purpose of complying with regulations issued by GSA; (3) the General Accounting Office for the purpose of conducting audits; and (4) to entities designated to receive payroll deductions. (See Appendix AA for additional routine uses.)

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders, magnetic tape and reports. Disbursement records are stored at the Federal Records Center.

**Retrievability:** Records are retrieved primarily by name (filed alphabetically), secondary identifiers are used to assure accuracy (date of birth, social security number, or employee identification number).

**Safeguards:** Records are stored in lockable cabinets or secure rooms; access is limited to officials who have a need for the information; employees are trained to make only authorized disclosures.

**Retention and disposal:** Personnel type records are retained for 30 days after termination. Disbursement records are retained indefinitely. Individuals wishing more detailed information should write to the Director, Public Affairs, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**System manager(s) and address:** Deputy Comptroller for Administration, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Notification procedure:** Individuals wishing to be notified if they are named in this system or gain access to records maintained in this system must submit a request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where last employed; and (4) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment of similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Contesting record procedures:** Submit request to the Director, Public Affairs at the above address.

**Record source categories:** The information contained in there records were provided by or verified by the subject or the record, employers and co-workers.

### Treasury/CC 320

**System name:** General Personnel System

**System location:** Office of the Comptroller of the Currency, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219. Components of this system are geographically disbursed throughout 14 regional offices. (See addresses listed in Appendix j-1.)

**Categories of individuals covered by the system:** Present and past employees and applicants for employment.

**Categories of records in the system:** Employment related biographical and performance material. This category of records is typically identified as personnel type records and contains data about employees including applicants. The type records found within this category include: work evaluations; educational, employment, medical and military histories; locator and emergency contact information; dependent and beneficiary information; physical and qualification descriptions; financial interest statements; personal and family assets, liabilities and other interests in business enterprises.

**Authority for maintenance of the system:** General authority—12 U.S.C. 1 and 9, 5 U.S.C. 301. Specific authority is derived from a number of laws, regulations and Executive Orders. Individuals wishing to obtain more detailed information should write to the Director, Public Affairs, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** A record in this system may be disclosed as a routine use to (1) the Civil Service Commission (CSC) for the purpose of complying with regulations issued by the CSC; (2) the Veterans Administration for the purposes of determining veterans preference and pension benefits; (3) the Equal Employment Opportunity Commission for the purpose of providing minority information and case reports; (4) respond to requests from labor organizations for names of employees and identifying information; (5) the Department of Labor for the purpose of reporting health and safety matters; (6) the General Services Administration (GSA) for the purpose of complying with regulations issued by GSA. (See Appendix AA for additional routine uses.)

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders, magnetic tape, punch cards, micro-film lists and forms.

**Retrievability:** Records are retrieved primarily by name (filed alphabetically by category of records). Secondary identifiers are used to assure accuracy (date of birth, social security number or employee identification number).

**Safeguards:** Records are stored in lockable cabinets or secure rooms; access is limited to officials who have a need for the information; employees are trained to make only authorized disclosures.

**Retention and disposal:** Most personnel type records are retained for 30 days after termination at which time they are transferred to the Civil Service Commission or destroyed. Some records are retained for varying periods of time. Individuals wishing more detailed information should write to the Director, Public Affairs, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**System manager(s) and address:** Deputy Comptroller for Administration, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Notification procedure:** Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements: (1) Identify the record system; (2) Identify the category and type of records sought; (3) Indicate the location of the Comptroller of the Currency office where last employed or where application for employment was made; (4) Provide at least two secondary identifications (date of birth, employee identification number, dates of employment or similar information).

**Record access procedures:** Director, Public Affairs, 490 L'Enfant Plaza, S.W., Washington, D.C. 20219.

**Contesting record procedures:** Submit requests to the Director, Public Affairs at the above address.

**Record source categories:** The information contained in these records were provided or verified by the subject of the record, employers, co-workers, friends, neighbors and associates listed as references, financial and educational institutions.

Treasury/USSBD 00.001

**System name:** Savings Bonds Employee Records System—Treasury/USSBD.

**System location:** Savings Bonds Division, Department of the Treasury, 1111 20th Street, N W., Washington, D.C. 20226.

**Categories of individuals covered by the system:** Employees of USSBD.

**Categories of records in the system:** Appeal and Grievance Records, Applicant Supply Files, Case Actions, Employee Earning Statements, Employee Financial Statements, Equal Employment Opportunity Files, Incentive Awards and Reports, Itineraries, Locator Cards, Medical Records, Merit Promotion, Motor Vehicle Records, Payroll, Performance Evaluation, Personal Investigation, Position Control, Reduction in Force File, Register of Separation and Transfer, Retirement Cards, Time and Attendance Records, Tort Claims, Training Records and Reports, Travel Vouchers.

**Authority for maintenance of the system:** Treasury Department Order No. 13 established the Division of Savings Bonds under the office of the Fiscal Assistant Secretary, April 1941.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The Personnel Office of the Savings Bonds Division, Department of the Treasury, maintains in its system of records detailed information pertaining to each of the specific categories listed in Categories of Individuals. Routine use of the various files enables Personnel to have ready access to applicants for hiring purposes, placement and to aid in assessing the need for employee training and promotion. Necessary information about an individual employee is also provided to other Federal Personnel Offices when a Division employee is under consideration for a position in another Federal Agency. Also, other records carry accrual information that permits annual reviews on an employee's performance. All information is used solely for the purpose for which it was collected which serves as a general internal source bank. The Budget and Fiscal section of the Savings Bonds Division maintains in its record system data pertaining to each of the identifiable categories listed in Categories of Individuals. This information permits the Section to make employee payroll reconciliations, budget forecasts, check and bond issuance verifications, internal audits, supply retirement records to the Civil Service Commission, prepare earning statements and document payments of employee travel claims. Disclosures may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** All records in Personnel, with the exception of card files, are stored in metal correspondence files, indexed by individual names and numbers. Files are maintained in separate offices according to the nature or content of data. Files are accessible to Personnel employees and are locked at the close of each day. Records pertaining to personal historical data are maintained for two years and are then sent to the Federal Records Center. The records of a less important nature are destroyed after the two-year period. Storage of financial information is maintained on computer printouts supplied by Government Financial Operations. Individual retirement cards, time and attendance reports and travel vouchers of employees are stored in separate files and are accessible by name and social security number. All payroll and time and attendance records are retained between audit periods (normally two years) and then destroyed by shredding, retirement cards go to the gaining agency or to the Civil Service Commission. Travel vouchers are maintained on file for three years after audit and then sent to the Federal Records Center.

**System manager(s) and address:** Director of Administration, Department of the Treasury, Savings Bonds Division, 1111 20th Street, N W., Washington, D.C. 20226.

**Notification procedure:** Records that are housed by the Savings Bonds Division are not of a nature that would warrant strict guidelines for accessibility. An individual may request access to his record or any information pertaining to him by merely notifying the office or officer in charge. The individual, however, must be under the supervision of a Savings Bonds officer during the entire time he has this information in his possession.

**Record access procedures:** See System Manager and Notification above.

**Contesting record procedures:** See System manager and Notification above.

**Record source categories:** Data accumulated in the record system at Savings Bonds are gathered from the individual and/or from sources directly connected with the employee's appointment.

**Systems exempted from certain provisions of the act:** Portion of this system are exempted elsewhere in the Federal Register.

Treasury/USSBD 00.002

**System name:** Savings Bonds Sales Promotion/Volunteer Record System—Treasury/USSBD.

**System location:** Savings Bonds Division, Department of the Treasury, 1111 20th Street, N W., Washington, D.C. 20226; and/or Regional and Branch Offices.

**Categories of individuals covered by the system:** Bond Tellers, Campaign Managers, Campaign Nominees, Committee Volunteer lists and Contacts, General Correspondence, Geographical Chairmen, Governmental Biographical Sketches, Honorary Chairmen, Individual Volunteer Lists, Mailing Lists—General and Labor, Major Corporation Executives, National Panel of Public Relations.

**Categories of records in the system:** Administrative lists and related detail.

**Authority for maintenance of the system:** Treasury Department Order No. 13 established the Division of Savings Bonds under the office of the Fiscal Assistant Secretary, April 1941.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The Sales Office of the Savings Bonds Division, Department of the Treasury, maintains a nation-wide volunteer sales force that promotes the sale of Savings Bonds. The listing in Category of Individuals describes the type of data that supports this effort. This information provides a means by which the Sales Division may review plans and follow progress of individuals in their sale and promotion of Savings Bonds, supplies, volunteer lists and bios for recruiting, appointing and retiring volunteer leaders. Lists also provide a means of supplying volunteers with Savings Bonds program materials and information, invitations to meetings, special bulletins, letters of progress, sales reports and newsletters. Lists are available only for Savings Bonds purposes. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Mailing lists are accessible to employees and stored on addressograph plates. Other correspondence and materials are filed in the regular correspondence file cabinets and permanently retained.

**System manager(s) and address:** Deputy National Director, Department of the Treasury, Savings Bonds Division, 1111 20th Street, N.W., Washington, D.C. 20226.

**Notification procedure:** Records that are housed by the Savings Bonds Division are not of a nature that would warrant strict guidelines for accessibility. An individual may request access to his record or any information pertaining to him by merely notifying the office or officer in charge. The individual, however, must be under the supervision of a Savings Bonds officer during the entire time he has this information in his possession.

**Record access procedures:** See System Manager and Notification above.

**Contesting record procedures:** See System Manager and Notification above.

**Record source categories:** Data accumulated in the record system at Savings Bonds are gathered from the individual and/or from sources directly connected with the volunteer's appointment.

### Treasury/USSBD 00.003

**System name:** Savings Bonds Sales Record System—Treasury/USSBD.

**System location:** Savings Bonds Division, Department of the Treasury, 1111 20th Street, N.W., Washington, D.C. 20226, and/or Regional Offices.

**Categories of individuals covered by the system:** Blue Ribbon Target Cards, Blue Ribbon Target Status Control Sheets, Field Call Reports, Itineraries, Net Saver Reports, Payroll Savings Reporting Procedures Forms, Progress Summaries, Time and Attendance Records, Training Reports, Work Plans, State—County Chairmen, State and Volunteer Fund Lists, "Take stock in America" Records, Telephone calls, Volunteer Bio's.

**Categories of records in the system:** Routine lists and administrative details associated with sales.

**Authority for maintenance of the system:** Treasury Department Order No. 13 established the Division of Savings Bonds under the office of the Fiscal Assistant Secretary, April 1941.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The Sales unit of the Savings Bonds Division houses records of individual sales plans, program plans and regional reports for the purpose of coordinating plans for smoother operation of field work. Final plans are disseminated to field and/or volunteer offices for implementation. For additional routine uses see Appendix AA.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Records of this nature are filed in large notebooks and are indexed according to individual names, regions, areas and states. Notebooks are placed on shelves and do not warrant tight security. High priority records are kept for long periods as references, others are destroyed after a two year period.

**System manager(s) and address:** Director of Sales, Department of the Treasury, Savings Bonds Division, 1111 20th Street, N.W., Washington, D.C. 20226.

**Notification procedure:** Records that are housed by the Savings Bonds Division are not of a nature that would warrant strict guidelines for accessibility. An individual may request access to his record or any information pertaining to him by merely notifying the office or officer in charge. The individual, however, must be under the supervision of a Savings Bonds officer during the entire time he has this information in his possession.

**Record access procedures:** See Notification and System Manager.

**Contesting record procedures:** See Notification and System Manager.

**Record source categories:** Data accumulated in the sales record system at Savings Bonds are gathered from the individual and/or from sources directly connected with the employee's appointment.

## DEPARTMENT OF THE TREASURY APPENDIX

### Additional Routine Uses

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record maintained by this agency to carry out its functions may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of license, grant or other benefit, provided that disclosure is compatible with the purpose for which such record was collected.

A record maintained by this agency to carry out its functions may be disclosed as a routine use to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter, provided that disclosure is compatible with the purpose for which such record was collected.

A record maintained by this agency to carry out its functions may be disclosed in response to a court subpoena, to appropriate parties engaged in litigation or in preparation of possible litigation such as potential witnesses for the purpose of securing their testimony when necessary to courts, magistrates or administrative tribunals, to parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes, to individuals seeking information by using established discovery procedures, whether in connection with civil, criminal, or regulatory proceedings.

A record maintained by this agency to carry out its functions which relates to civil and criminal proceedings may be disclosed to the news media in accordance with guidelines contained in 28 C.F.R. 50.2.

A record maintained by this agency to carry out its functions may be disclosed to foreign governments in accordance with formal or informal international agreements.

A record maintained by this agency to carry out its functions may be disclosed to unions recognized under E.O. 11491 when required or relevant to union's duties as exclusive representative under E.O. 11491.

A record maintained by this agency to carry out its functions may be disclosed to third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation.

A record maintained by this agency to carry out its functions may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

[FR Doc.77-28110 Filed 9-23-77;8:45 am]

## Title 10—Energy

## CHAPTER I—NUCLEAR REGULATORY COMMISSION

## PART 9—PUBLIC RECORDS

NOTE.—For the convenience of the user, only those portions of 10 CFR Part 9 pertaining to the Privacy Act are reproduced below.

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9.1a Subparts.
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**Subpart B—Privacy Act Regulations**

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AUTHORITY: Sec. 161, Pub. L. 83-703, 68 Stat. 948, (42 U.S.C. 2201); Sec.201, Pub. L. 93-438, 88 Stat. 1242 (42 U.S.C. 5841); Subpart A also issued under 5 U.S.C. 552; Subpart B also issued under 5 U.S.C. 552a.

### § 9.1 Scope.

The regulations in this part implement: (a) The provisions of the Freedom of Information Act, 5 U.S.C. 552, with respect to the availability to the public of Nuclear Regulatory Commission records for inspection and copying; and (b) the provisions of the Privacy Act of 1974, Pub. L. 93-579, with respect to disclosure and availability of certain Nuclear Regulatory Commission records maintained on individuals.

### § 9.1a Subparts.

Subpart A sets forth special rules applicable to matters pertaining to the Freedom of Information Act. Subpart B sets forth special rules applicable to matters pertaining to the Privacy Act of 1974.

### § 9.2 Definitions.

As used in this part:

(a) "NRC" means the Nuclear Regulatory Commission, established by the Energy Reorganization Act of 1974.

(b) "NRC personnel" means employees, consultants, and members of advisory boards, committees and panels of the NRC; members of boards designated by the Commission to preside at adjudicatory proceedings; and officers or employees of Government agencies, including military personnel, assigned to duty at the NRC.

(c) "Commission" means the commission of five members or a quorum thereof sitting as a body, as provided by section 201 of the Energy Reorganization Act of 1974.

(d) "Government agency" means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency.

(e) "Working days" means Monday through Friday, except legal holidays.

## Subpart B—Privacy Act Regulations

### § 9.50 Scope of subpart.

This subpart implements the provisions of section 3 of the Privacy Act of 1974, Pub. L. 93-579, 5 U.S.C. 552a, with respect to (a) the procedures by which individuals may determine the existence of, seek access to and request correction of NRC records concerning themselves, and (b) the requirements applicable to NRC personnel with respect to the use and dissemination of such records. The regulations in this subpart apply to all records which are retrievable from a system of records under the control of the Nuclear Regulatory Commission by the use of an individual's name or of an identifying number, symbol, or other identifying particular assisgned to such individual. Except where specifically provided otherwise, this subpart applies to all NRC records maintained on individuals whether they predate or postdate September 27, 1975.

### § 9.51 Definitions.

As used in this subpart:

(a) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(b) The term "maintain" includes maintain, collect, use or disseminate.

(c) "Record" means any item, collection or grouping of information about an individual that is maintained by the NRC, including, but not limited to, his education, financial transactions, medical history, employment history or criminal history, and that contains the individual's name, or the identifying number, symbol or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

(d) "System manager" means the NRC official responsible for maintaining a system of records.

(e) "Systems of records" means a group of records under the control of the NRC from which information is retrieved by the name of an individual or by an identifying number, symbol, or other indentifying particular assigned to an individual.

(f) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by the Census Act, 13 U.S.C. 8.

(g) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected, as described in a notice published in the FEDERAL REGISTER.

PROCEDURES APPLICABLE TO REQUESTS BY INDIVIDUALS FOR INFORMATION, ACCESS OR AMENDMENT OF RECORDS MAINTAINED ABOUT THEM

PRESENTATION OF REQUESTS

§ 9.52 Types of requests.

(a) Individuals may make the following requests respecting records about themselves maintained by NRC in a system of records subject to the provisions of the Privacy Act of 1974:

(1) Request a determination whether a record about the individual is contained in a system of records.

(2) Request access to a record about the individual. Access requests may include requests to review the record and to have a copy made of all or any portion thereof in a form comprehensible to the individual.

(3) Request correction or amendment of a record about the individual.

(b) *Requests for accounting of disclosures.* Individuals may, at any time, request an accounting by NRC of disclosures to any other person or Government agency of any record about themselves contained in a system of records controlled by NRC, except the following: (1) Disclosures made pursuant to the Freedom of Information Act, 5 U.S.C. 552; (2) disclosures made within the Nuclear Regulatory Commission; (3) disclosures made to another Government agency or instrumentality for an authorized law enforcement activity pursuant to 5 U.S.C. 552a(b)(7); (4) disclosures expressly exempted by NRC regulations from the requirements of 5 U.S.C. 552a(c)(3) pursuant to 5 U.S.C. 552a(k).

§ 9.53 Requests: how and where presented.

(a) Requests may be made in person or in writing. Assistance regarding requests or other matters relating to the Privacy Act of 1974 may be obtained by writing to the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Requests relating to records in multiple systems of records should be made to the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. The Director, or his designee, shall assist the requestor in identifying his request more precisely and shall be responsible for forwarding the request to the appropriate system manager.

(b) All written requests shall be made to the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should clearly state on the envelope and in the letter, as appropriate: "Privacy Act Request," "Privacy Act Disclosure Accounting Request," "Privacy Act Correction Request." A request that is not so marked will be deemed not to have been received by the NRC until it is actually received by the Director, Office of Administration.

(c) Requests may be made in person during official hours at the U.S. Nuclear Regulatory Commission office where the record is located, as listed in the "Notice of System of Records" for the system in which the record is contained.

§ 9.54 Verification of identity of individuals making requests.

(a) Identification requirements in paragraphs (a) (1) and (2) of this section are applicable to any individual who makes requests respecting records about himself, except that no verification of identity shall be required if the records requested are available to the public under the provisions of the Freedom of Information Act. With respect to certain sensitive records, additional requirements for verification of identity stated in the appropriate published "Notice of System of Records" may be imposed.

(1) *Written requests.* An individual making a written request respecting a record about himself may establish his identity by a signature, address, date of birth, employee identification number if any, and one other item of identification such as a photocopy of a driver's license or other document.

(2) *Requests in person.* An individual making a request in person respecting a record about himself may establish his identity by the presentation of a single document bearing a photograph (such as a passport or identification badge) or by the presentation of two items of identification which do not bear a photograph but do bear a name, address and signature (such as a driver's license or credit card).

(b) *Inability to provide requisite documentation of identity.* An individual making a request in person or in writing respecting a record about himself who cannot provide the necessary documentation of identity may provide a notarized statement, swearing or affirming to his identity and to the fact that he understands that penalties for false statements may be imposed pursuant to 18 U.S.C. 1001, and that penalties for obtaining a record concerning an individual under false pretenses may be imposed pursuant to 5 U.S.C. 552a(i)(3). Forms for such notarized statements may be obtained on request from the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(c) *Verification of parentage or guardianship.* In addition to establishing the identity of the minor, or other individual he represents as required in paragraph (a) of this section, the parent or legal guardian of a minor or of an individual judicially determined to be incompetent shall establish his status as parent or guardian by furnishing a copy of a birth certificate of the minor showing parentage or a copy of a court order establishing guardianship.

§ 9.55 Specification of records.

(a)(1) Requests relating to records shall, insofar as practicable, specify the nature of the record sought, the approximate dates covered by the record, the system of records in which the record is thought to be included and the system manager having custody of the record system as shown in the annual compilation, "Notices of Records Systems", published by the General Services Administration. Requests shall, in addition, comply with any additional specification requirements contained in the published "Notice of System of Records" for that system.

(2) Requests for correction or amendment of records shall, in addition, specify the particular record involved, state the nature of the correction or amendment sought and furnish justification for the correction or amendment.

(b) Requests which do not contain information sufficient to identify the record requested will be returned promptly to the requestor, with a notice indicating what information is lacking. Individuals making requests in person will be informed of any deficiency in the specification of records at the time the request is made. Individuals making requests in writing will be notified of any such deficiency when their requests are acknowledged.

§ 9.56 Accompanying persons.

An individual requesting access to records about himself may be accompanied by another individual of his own choosing. Both the individual requesting access and the individual accompanying him shall sign the required form indicating that the Nuclear Regulatory Commission is authorized to discuss the contents of the subject record in the presence of both individuals.

NRC PROCEDURES FOR PROCESSING REQUESTS

§ 9.60 Acknowledgment of requests.

(a) Written requests by individuals to verify the existence of, obtain access to or correct or amend records about themselves maintained by NRC in a system of records subject to the provisions of the Privacy Act of 1974, shall be acknowledged in writing by the Director, Office of Administration, or his designee, within ten working days after date of actual receipt. The acknowledgment shall advise the requester if any additional information is needed to process the request. Wherever practicable, the acknowledgment shall notify the individual

whether his request to obtain access to the record or to correct or amend the record has been granted or denied.

(b) When an individual requests access to records or permission to correct or amend records in person, every effort will be made to make an immediate determination as to whether access or correction or amendment should be granted. If an immediate determination cannot be made, the request will be processed in the same manner as a written request. Records will be made available for immediate inspection whenever possible.

**§ 9.61 Procedures for processing requests for records exempt in whole or in part.**

(a) When an individual requests information concerning the existence of, or access to, records about himself which have been compiled in reasonable anticipation of a civil action or proceeding in either a court or before an administrative tribunal, the NRC shall advise the individual only that no record available to him pursuant to the Privacy Act of 1974 has been identified.

(b) *Specific exemptions pursuant to 5 U.S.C. 552a(k).* Individual requests for access to records which have been exempted from access pursuant to the provisions of 5 U.S.C. 552a(k) and § 9.95 shall be processed as follows:

(1) *Information classified pursuant to Executive Order 11652 and exempted pursuant to 5 U.S.C. 552(k)(1).* Requested information classified by NRC will be reviewed by the responsible official of the NRC to determine whether it continues to warrant classification under the criteria of sections 1 and 5 (B), (C), (D), and (E) of Executive Order 11652. Information which no longer warrants classification under these criteria shall be declassified and made available to the individual. If the requested information has been classified by another agency, the responsible official of the NRC will request the classifying agency to review the information to ascertain if classification is still warranted. If the information continues to warrant classification, the individual shall be advised that the information sought is classified, that it has been reviewed and continues to warrant classification, and that it has been exempted from access pursuant to 5 U.S.C. 552a(k)(1).

(2) *Investigatory material compiled for law enforcement purposes exempted pursuant to 5 U.S.C. 552(k)(2).* Requests shall be responded to in the manner provided in paragraph (a) of this section unless a review of the information indicates that the information has been used or is being used to deny the individual any right, privilege or benefit for which he is eligible or to which he would otherwise be entitled under Federal law. In that event, the individual shall be advised of the existence of the information and shall be provided the information except to the extent it would reveal the identity of a confidential source. Information that would reveal the identity of a confidential source shall be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the requesting individual.

(3) *Material within a system of records required by statute to be maintained and used solely as statistical records and exempted pursuant to 5 U.S.C. 552a(k)(4).* The exempted information requested will be reviewed by the responsible official of the NRC to determine whether it continues to warrant exemption. Information which no longer warrants exemption shall be made available to the individual. If the information continues to warrant exemption, the individual shall be advised that the information sought is exempt from disclosure, that it has been reviewed and continues to warrant exemption, and that it has been exempted from access pursuant to 5 U.S.C. 552a(k)(4).

(4) *Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information and exempted pursuant to 5 U.S.C. 552a(k)(5).* Information exempted pursuant to 5 U.S.C. 552a(k)(5) shall be made available to an individual upon request except to the extent that the information would reveal the identity of a confidential source. Material that would reveal the identity of a confidential source shall be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the requesting individual.

(5) *Testing or examination material exempted pursuant to 5 U.S.C. 552a(k)(6).* Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service which has been exempted pursuant to 5 U.S.C. 552a(k)(6) shall not be made available to an individual if disclosure would compromise the objectivity or fairness of the testing or examination process but may be made available if no possibility of such compromise exists.

**§ 9.62 Special procedures.**

(a) *Records under the control of another Government agency.* (1) *Medical records.* Requests received by NRC pertaining to medical records under the control of the U.S. Public Health Service or another Government agency will either be referred to the appropriate agency or returned to the requestor with the name of the controlling Government agency, if known, within ten working days after receipt by NRC. NRC will inform the requestor of any referral of his request to another Government agency at the time the referral is made.

(2) *Nonmedical records.* Requests received by NRC pertaining to nonmedical records under the control of another Government agency will be returned to the requestor with the name of the controlling Government agency, if known, within ten working days after receipt by NRC.

DETERMINATION AND APPEALS

**§ 9.65 Access determinations; appeals.**

(a) *Initial determinations.* The Director, Office of Administration, or his designee, with the advice of the system manager having control of the record to which access is requested, shall determine whether access to the record is available under the Privacy Act and notify the requesting individual in person or in writing of that determination. Unless the request presents unusual difficulties or involves extensive numbers of records, individuals shall be notified of determinations to grant or deny access within 30 working days after receipt of the request.

(1) Notices granting access shall inform the individual when and where the requested record may be seen, how copies may be obtained, and of any fees or anticipated charges which may be incurred pursuant to § 9.85 of this subpart.

(2) Notices denying access shall state the reasons for the denial, and advise the individual that he may appeal the denial to the Executive Director for Operations in accordance with the procedures set forth in this section.

(b) *Appeals from denials of access.* If an individual has been denied access to a record the individual may request a final review and determination of his request by the Executive Director for Operations. A request for final review of an initial determination should be filed within 60 days of the receipt of the initial determination, shall be in writing, shall be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should be clearly marked on the envelope and in the letter "Privacy Act Appeal—Denial of Access." A request that is not so marked will be deemed not to have been received by the NRC until it is actually received by the Executive Director for Operations.

(c) *Final determinations.* (1) The Executive Director for Operations, or his designee, shall make a final determination within 30 working days of receipt of the request for final review, unless he extends the time for good cause shown such as the need to obtain additional information, the volume of records involved or the com-

plexity of the issue. The extention of time shall not exceed 30 additional working days. The requestor shall be advised in advance of any extension of time and of the reasons therefor.

(2) If the Executive Director for Operations, or his designee, determines that access was properly denied because the information requested has been exempted from disclosure, he shall undertake a review of the exemption to determine whether the information should continue to be exempt from disclosure. The Executive Director for Operations or his designee, shall notify the individual in writing of his final determination to grant or deny the request for access. Notices denying access shall state the reasons therefor and shall advise the individual of his right to judicial review pursuant to 5 U.S.C. 552a(g).

**§ 9.66 Determinations authorizing or denying correction of records; appeals.**

(a) *Initial determinations.* (1) The Director, Office of Administration, or his designee, with the advice of the system manager having control of the record, shall determine whether to authorize or refuse correction or amendment of a record. Unless the request presents unusual difficulties or involves extensive numbers of records, individuals shall be notified of determinations to authorize or refuse correction or amendment of a record within 30 working days after receipt of the request. In making this determination, the Director, or his designee, shall be guided by the following standards:

(i) Records shall contain only such information about an individual as is relevant and necessary to accomplish an NRC function required to be accomplished by statute or by executive order of the President;

(ii) Records used by NRC in making any determination about any individual shall be as accurate, relevant, current, and complete as is reasonably necessary to assure fairness to the individual in the determination;

(iii) No record shall describe how any individual has exercised rights guaranteed by the First Amendment unless such record is expressly authorized by statute or by the individual about whom the record is maintained, or is pertinent to and within the scope of an authorized law enforcement activity.

(2) If correction or amendment of a record is authorized, the Director, Office of Administration, or his designee, shall correct or amend the record, notify the requesting individual in writing that the correction or amendment has been made and provide the individual with a courtesy copy of the corrected record.

(3) If correction or amendment of a record is refused, the Director, Office of Administration, or his designee, shall notify the requesting individual in writing of the refusal and the reasons therefor, and shall advise the individual of his right to request a review of the refusal by the Executive Director for Operations in accordance with the procedures set forth in this section.

(b) *Appeals from initial adverse determinations.* If an individual's request to amend or correct a record has been denied, in whole or in part, the individual may request a final review and determination of his request by the Executive Director for Operations. A request for final review of an initial determination should be filed within 60 days of the receipt of the initial determination, shall be in writing, shall be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should be clearly marked on the envelope and in the letter "Privacy Act Correction Appeal." An appeal that is not so marked will be deemed not to have been received by the NRC until it is actually received by the Executive Director for Operations. Requests for final review shall set forth the specific item of information sought to be corrected or amended and should include, where appropriate, documents supporting the correction or amendment.

(c) *Final determinations.* (1) The Executive Director for Operations, or his designee, shall make a final determination within 30 working days of receipt of the request for final review unless, for good cause shown such as the need to obtain additional information, the volume of records involved or the complexity of the issue, he extends the time for making the final determination. The extension of time shall not exceed 30 additional working days. The requestor shall be advised in advance of any extension of time and the reasons therefor.

(2) If the Executive Director for Operations, or his designee, makes a final determination that an amendment or correction of the record is warranted on the facts, he shall notify the Director, Office of Administration, to correct or amend the record pursuant to the procedures in § 9.66(a)(2).

(3) If the Executive Director for Operations, or his designee, makes a final determination that an amendment or correction of the record is not warranted on the facts, he shall notify the individual in writing of his refusal to authorize correction or amendment of the record in whole or in part, and of the reasons therefor, and shall advise the individual of his right to provide a "Statement of Disagreement" for the record and of his right to judicial review pursuant to 5 U.S.C. 552a(g).

**§ 9.67 Statements of disagreement.**

(a) Written "Statements of Disagreement" may be furnished by the individual within 30 working days of the date of receipt of the final adverse determination of the Executive Director for Operations. "Statements of Disagreement" shall be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should be clearly marked on the statement and on the envelope "Privacy Act Statement of Disagreement".

(b) The Executive Director for Operations, or his designee, shall be responsible for ensuring that: (1) The "Statement of Disagreement" is included in the system or systems of records in which the disputed item of information is maintained; and (2) the original record is marked to indicate the information disputed, the existence of a "Statement of Disagreement", and the location of "Statement of Disagreement" within the system of records.

**§ 9.68 NRC Statements of Explanation.**

The Executive Director for Operations, or his designee, may, if he deems it appropriate, prepare a concise statement of the reasons why the requested amendments or corrections were not made. Any NRC "Statement of Explanation" shall be included in the system of records in the same manner as the "Statement of Disagreement". Courtesy copies of the NRC statement and of the notation of dispute as marked on the original record shall be furnished to the individual who requested correction or amendment of the record.

**§ 9.69 Notices of correction or dispute.**

(a) When a record has been corrected upon request or when a "Statement of Disagreement" has been filed, the Director, Office of Administration, or his designee, shall, within 30 working days thereof, advise all prior recipients of the affected record whose identity can be determined pursuant to an accounting of disclosures required by the Privacy Act or any other accounting previously made, of the correction or of the filing of the "Statement of Disagreement".

(b) Any disclosure of disputed information occurring after a "Statement of Disagreement" has been filed shall clearly identify the specific information disputed and be accompanied by a copy of the "Statement of Disagreement" and a copy of any NRC "Statement of Explanation".

**DISCLOSURE TO OTHERS OF RECORDS ABOUT INDIVIDUALS**

**§ 9.80 Disclosure of record to persons other than the individual to whom it pertains.**

(a) NRC Commissioners and NRC personnel shall not disclose any record which is contained in a system of records maintained by NRC by any

means of communication to any person, or to another Government agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record is:

(1) To NRC Commissioners and NRC personnel who have a need for the record in the performance of their duties;

(2) Required under 5 U.S.C. 552;

(3) For a routine use published in the FEDERAL REGISTER;

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13 of the United States Code;

(5) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record and the record is transferred in a form that is not individually identifiable. The advance written statement of assurance shall (i) state the purpose for which the record is requested, and (ii) certify that the record will be used only for statistical purposes. Prior to release for statistical purposes in accordance with the provisions of this paragraph, the record shall be stripped of all personally identifying information and reviewed to ensure that the identity of any individual cannot reasonably be determined by combining two or more statistical records;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or to the Administrator of General Services or his designee for evaluation to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the NRC specifying the particular portion of the record desired and the law enforcement activity for which the record is sought. A record may be disclosed to a law enforcement agency at the initiative of the NRC if criminal conduct is suspected, provided that such disclosure has been established as a routine use by publication in the FEDERAL REGISTER, and the instance of misconduct is directly related to the purpose for which the record is maintained;

(8) To any person upon a showing of compelling circumstances affecting the health or safety of any individual;

(9) To either House of Congress or, to the extent of matter within its jurisdiction, to any committee or subcommittee thereof or to any joint committee of the Congress or to any subcommittee of such joint committee;

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to the order of a court of competent jurisdiction.

### § 9.81 Notices of subpoenas.

When records concerning an individual are subpoenaed or otherwise disclosed pursuant to court order, the NRC officer or employee served with the subpoena shall be responsible for assuring that the individual is notified of the disclosure within five days after such subpoena or other order becomes a matter of public record. The notice shall be mailed to the last known address of the individual and shall contain the following information: (1) The date the subpoena is returnable; (2) the court in which it is returnable; (3) the name and number of the case or proceeding; and (4) the nature of the information sought.

### § 9.82 Notices of emergency disclosures.

When information concerning an individual has been disclosed to any person under compelling circumstances affecting health or safety, the NRC officer or employee who made or authorized the disclosure shall notify the individual at his last known address within five days of the disclosure. The notice shall contain the following information: (a) The nature of the information disclosed; (b) the person or agency to whom the information was disclosed; (c) the date of the disclosure; and (d) the compelling circumstances justifying the disclosure.

### § 9.85 Fees.

(a) *When charged.* Fees shall not be charged for search for or review of records requested pursuant to this subpart or for making copies or extracts of records in order to grant access to records and make them available for review. Fees established pursuant to 31 U.S.C. 483a and 5 U.S.C. 552a(f)(5) shall be charged according to the schedule contained in paragraph (b) of this section for actual copies of records requested by individuals pursuant to the Privacy Act of 1974, unless the Director, Office of Administration, or his designee, waives the fee because of the inability of the individual to pay. Fees shall not be charged where they would amount, in the aggregate, to less than $3.

(b) *Schedule of fees.* Fees may only be assessed for reproduction charges for actual copies of records requested by individuals pursuant to the Privacy Act of 1974 in accordance with the following schedule:

(1) Record sizes up to 8½ x 14 inches made on office copying machines—$0.10 per page copy.

(2) Record sizes greater than 8½ x 14 inches—$0.10 for each 8½ x 14 inch unit of fraction thereof per page copy.

(3) Microfiche—8½ x 11 inches—$0.15 per page copy.

(4) The charge for reproducing records other than those specified above will be computed on the basis of NRC's direct costs.

(c) *Notice of anticipated charges.* When it is anticipated that fees chargeable under this section will amount to more than $3, and the requestor has not indicated in advance his willingness to pay fees as high as are anticipated, the requestor shall be notified of the amount of the anticipated cost before copies are made. The notification shall offer the requestor the opportunity to confer with NRC personnel with the object of reformulating the request to meet the requestor's needs at lower cost.

(d) *Form and place of payment.* Fee payments shall be by check, draft or money order payable to the U.S. Nuclear Regulatory Commission. No employee of NRC is authorized to accept payment of fees in cash.

(e) *Advance deposit.* Where the anticipated fee chargeable under this section excees $25, an advance deposit of 25% of the anticipated fee or $25, whichever is greater, may be required. Where a requestor has previously failed to pay a fee under this section, an advance deposit of the full amount of the anticipated fee may be required.

## ENFORCEMENT

### § 9.90 Violations.

(a) An injunction or other court order may be obtained pursuant to 5 U.S.C. 552a(g)(1-3) to compel NRC to permit an individual to review, amend or copy a record pertaining to him, or to be accompanied by someone of his own choosing when he reviews his record. A court order may be obtained for the payment of a civil penalty imposed pursuant to 5 U.S.C. 552a(g)(4) if NRC intentionally or willfully fails to maintain a record accurately, or fails to comply with any provision of 5 U.S.C. 552a, or any provision of this subpart, if such failure results in an adverse determination or has an adverse effect on an individual. Court costs and attorney's fees may be awarded in civil actions.

(b) Any officer or employee of NRC who willfully maintains a system of records without meeting the notice requirements of 5 U.S.C. 552a(e)(4), or who willfully discloses information knowing such disclosure to be prohibited by 5 U.S.C. 552a or by any rules or regulations issued thereunder, may be guilty of a criminal misdemeanor and upon conviction may be fined up to

$5000. Any person who knowingly and willfully requests or obtains any record concerning an individual from NRC under false pretenses may be convicted of a criminal misdemeanor and upon conviction may be fined up to $5000.

## EXEMPTIONS

### § 9.95 Specific exemptions.

Pursuant to 5 U.S.C. 552a(k), portions of the following NRC systems of records are exempt from 5 U.S.C. 552a (c)(3); (d); (e)(1); (e)(4) (G), (H) and (I) and (f) and are subject to the provisions of § 9.61 of this part:

(a) Contracts Records Files

(b) Office of Inspector and Auditor Index File and Associated Records

(c) Development and Advancement for Regulatory Employees (DARE) Records

(d) Equal Employment Opportunity Records Files

(e) General Personnel Records (Official Personnel Folder and Related Records)

(f) Personnel Security Files and Associated Records

(g) Personnel Performance Appraisals

(h) Personnel Research and Test Validation Records

(i) Recruiting, Examining and Placement Records

(j) Secretariat Records Facility Files.

(k) Protection support files and associated records

(l) Information security files and associated records

(m) Appointment and Promotion Certificate Records.

## Title 31—Money and Finance: Treasury

## Subtitle A—Office of the Secretary of the Treasury

## PART 1—ACCESS TO RECORDS

## Subpart C—Records Pertaining to Individuals

### Subpart B—Under Other Provisions

Sec. 1.12 through 1.10 [Reserved]

### Subpart C—Records Pertaining to Individuals

1.20 Purpose and scope of regulations.
1.21 Definitions.
1.22 Requirements relating to systems of records.
1.23 Publication in the FEDERAL REGISTER—annual notices of systems of records, general exemptions, specific exemptions.
1.24 Disclosures of records to person other than the individual to whom they pertain.
1.25 Accounting for disclosures made.
1.26 Procedures for notification and access to individuals—format and fees for request for access.
1.27 Procedures for amendment of records pertaining to individuals—format, agency review and appeal from initial adverse agency determination.
1.28 Training, rules of conduct, penalties for non-compliance.
1.29 Records transferred to Federal Records Center or National Archives of the United States.
1.30 Application to systems of records maintained by Government contractors.
1.31 Sale or rental of mailing lists.
1.32 Use and disclosure of Social Security Numbers.
1.33 Cooperation with Privacy Protection Study Commission.
1.34 Guardianship.
1.35 Information forms.
1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 552a and this part.

Appendix A—Office of the Secretary.
Appendix B—Internal Revenue Service.
Appendix C—United States Customs Service.
Appendix D—United States Secret Service.
Appendix E—Bureau of Alcohol, Tobacco and Firearms.
Appendix F—Bureau of Engraving and Printing.
Appendix G—Bureau of Government Financial Operations.
Appendix H—Bureau of the Mint.
Appendix I—Bureau of the Public Debt.
Appendix J—Office of the Comptroller of the Currency.
Appendix K—United States Saving Bonds Division.
Appendix L—Consolidated Federal Law Enforcement Training Center.

AUTHORITY: The provisions of this subpart C of Part 1 issued under 5 U.S.C. 552a.

### § 1.20 Purpose and scope of regulations.

The regulations in this subpart are issued to implement the provisions of the Privacy Act of 1974, (5 U.S.C. 552a). The regulations relate to all records maintained by the Department of the Treas-

ury which are identifiable by individual name or identifier and all systems of such records from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. They do not relate to those personnel records of Government employees, which are under the jurisdiction of the Civil Service Commission, to the extent such records are subject to regulations issued by such Commission. The regulations apply to all constituent units of the Deparement of the Treasury. Any reference in this subpart to the Department or its officials, employees, or records shall be deemed to refer also to the constituent units or their officials, employees, or records. The regulations set forth the requirements applicable to Department of the Treasury employees maintaining, collecting, using or disseminating records pertaining to individuals. They also set forth the procedures by which individuals may request notification of whether the Department of the Treasury maintains or has disclosed a record pertaining to them or may seek access to such records maintained in any nonexempt system of records, request amendment of such records, and appeal any initial adverse determination of any such request. For the convenience of interested persons, the constituent units of the Department of the Treasury may reprint these regulations in their entirety (less any appendices not applicable to the unit in question) in those titles of the Code of Federal Regulations which normally contain regulations applicable to such constituent units. In connection with such republication and at other appropriate times, constituent units may issue supplementary regulations applicable only to the constituent unit in question, which are consistent with these regulations. In the event of any actual or apparent inconsistency, these Departmental regulations shall govern. Persons interested in the records of a particular constituent unit should therefore, also consult the Code of Federal Regulations for any rules or regulations promulgated specifically with respect to that constituent unit (see Appendices to this subpart for cross references). The head of each unit is hereby also authorized to substitute other appropriate officials for those designated and correct addresses specified in the appendix to this subpart applicable to his unit. The constituent units of the Department of the Treasury for the purposes of this subpart are:

(a) The Office of the Secretary of the Treasury, which includes the offices of:

(1) The Secretary, including immediate staff.

(2) The Deputy Secretary, including immediate staff.

(3) The Under Secretary for Monetary Affairs, including immediate staff;

(4) The Under Secretary, including immediate staff.

(5) The General Counsel and the Legal Division, except legal counsel to the officer and offices listed in paragraph (a) (6) of this section and the constituent units listed in paragraphs (b) through (e) and (h) through (k) of this section;

(6) The Assistant Secretary (Tax Policy), including immediate staff and all offices reporting to him;

(7) The Assistant Secretary (International Affairs) and all offices reporting to him, including immediate staff;

(8) The Assistant Secretary (Trade, Energy and Financial Resources Policy Coordination) and all offices reporting to him, including immediate staff.

(9) The Assistant Secretary (Economic Policy) and all other offices reporting to him, including immediate staff.

(10) The Fiscal Assistant Secretary, including immediate staff;

(11) The Assistant Secretary (Administration) and all offices reporting to him, including immediate staff;

(12) The Assistant Secretary (Legislative Affairs), including immediate staff;

(13) The Assistant Secretary (Enforcement, Operations and Tariff Affairs), including immediate staff, and the Offices of Law Enforcement, including Interpol (National Central Bureau), Operations, Tariff Affairs and Foreign Assets Control reporting to him.

(14) The Special Assistant to the Secretary (Public Affairs), including immediate staff.

(15) The Special Assistant to the Secretary (Debt Management) and the offices reporting to him, including immediate staff.

(16) The Special Assistant to the Secretary (National Security), including immediate staff.

(17) The Treasurer of the United States, including immediate staff;

(18) The Director of Practice, including immediate staff; and

(19) Persons concerned with the completion of actions under the Economic Stabilization Act of 1970, as amended.

(b) The Internal Revenue Service;

(c) The United States Customs Service;

(d) The United States Secret Service;

(e) The Bureau of Alcohol, Tobacco and Firearms.

(f) The Bureau of Engraving and Printing.

(g) The Bureau of Government Financial Operations;

(h) The Bureau of the Mint;

(i) The Bureau of the Public Debt;

(j) The Office of the Comptroller of the Currency;

(k) The United States Savings Bond Division; and

(l) The Consolidated Federal Law Enforcement Training Center.

For purposes of this subpart, the office of the legal counsel for the constituent units listed in Paragraphs (b), (c), (d), (e), (h), (i), (j), and (k) of this section are to be considered a part of such constituent unit. Any office, which is now in existence or may hereafter be established, which is not specifically listed or known to be a constituent of any of those listed above, shall be deemed a part of the Office of the Secretary for the purpose of these regulations.

**§ 1.21 Definitions.**

(a) The term "agency" means agency as defined in 5 U.S.C. 552(e);

(b) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(c) The term "maintain" includes maintain, collect, use, or disseminate;

(d) The term "record" means any item, collection, or grouping of information about an individual that is maintained by the Department of the Treasury or any constituent unit thereof, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;

(e) The term "system of records" means a group of any records under the control of the Department of the Treasury or any constituent unit thereof from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

(f) The term "statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by 13 U.S.C. 8.

(g) The term "routine use" means with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected;

(h) The term "constituent unit" means a bureau or office of the Department of the Treasury as set forth in section 1.20 and in the appendices to these regulations. (See 5 U.S.C. 552a(a)).

**§ 1.22 Requirements relating to systems of records.**

(a) *In general.* Subject to 5 U.S.C. 552a (j) and (k) and section 1.23(c) of this subpart, each constituent unit shall in conformance with 5 U.S.C. 552a,—

(1) Maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or by executive order of the President (See 5 U.S.C. 552a(e)(1)), and

(2) Collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs (See 5 U.S.C. 552a(e)(2)).

(b) *Requests for information from individuals.* Subject to 5 U.S.C. 552a(j) and section 1.23(c)(1) of this subpart, each constituent unit of the Treasury shall inform each individual whom it asks to supply information, on the form which it uses to collect the information or on a separate form that can be retained by the individual—

(1) The authority (whether granted by statute, or by executive order of the President) which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;

(2) The principal purpose or purposes for which the information is intended to be used;

(3) The routine uses which may be made of the information, as published pursuant to 5 U.S.C. 552a(e)(4)(D), and

(4) The effects on such individual, if any, of not providing all or any part of the requested information. (See 5 U.S.C. 552a(e)(3)).

(c) *Report on new systems.* Each constituent unit of the Treasury shall provide adequate advance notice to Congress and the Office of Management and Budget through the Legislation Section, Office of the General Counsel of any proposal to establish or alter any system of records in order to permit an evaluation of the probable or potential effect of such proposal on the privacy and other personal or property rights of individuals or the disclosure of information relating to such individuals, and its effect on the preservation of the constitutional principles of federalism and separation of powers. (See 5 U.S.C. 552a(o)).

(d) *Accurate and secure maintenance of records.* Each constituent unit shall—

(1) Subject to 5 U.S.C. 552a(j) and section 1.23(c)(1) of this subpart, maintain all records which are used in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination (see 5 U.S.C. 552a(e)(5));

(2) Prior to disseminating any record about an individual to any person other than an agency, unless the dissemination is made pursuant to 5 U.S.C. 552 (see 31 CFR Part 1, Subpart A), make reasonable efforts to assure that such records are accurate, complete, timely, and relevant for Department of the Treasury purposes. (See 5 U.S.C. 552a(e)(6)), and

(3) Establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained. (See 5 U.S.C. 552a(e)(10)).

(i) System managers, with the approval of the head of their offices within a constituent unit, shall establish administrative and physical controls, consistent with Department regulations, to insure the protection of records systems from unauthorized access or disclosure and from physical damage or destruction. The controls instituted shall be proportional to the degree of sensitivity of the records but at a minimum must insure that records other than those available to the general public under the Freedom of Information Act, (5 U.S.C. 552), are protected from public view, that the area in which the records are stored is supervised during all business hours and physically secure during nonbusiness hours to prevent unauthorized personnel from obtaining access to the records. Automated systems shall comply with the security standards promulgated by the National Bureau of Standards.

(ii) System managers, with the approval of the head of their offices within a constituent unit, shall adopt access restrictions to insure that only those individuals within the agency who have a need to have access to the records for the performance of their duties have access to them. Procedures shall also be adopted to prevent accidental access to, or dissemination of, records.

(e) *Prohibition against maintenance of records concerning First Amendment rights.* No constituent unit shall maintain a record describing how any individual exercises rights guaranteed by the First Amendment, (e.g. speech), unless the maintenance of such record is—

(1) Expressly authorized by statute, or

(2) Expressly authorized by the individual about whom the record is maintained, or

(3) Pertinent to and within the scope of an authorized law enforcement activity (See 5 U.S.C. 552a(e)(7)).

(f) *Notification of disclosure under compulsory legal process.* Subject to 5 U.S.C 552a(j) and section 1.23(c)(1) of this subpart, when records concerning an individual are subpoenaed by a Grand Jury, Court, or quasi-judicial agency, the official served with the subpoena shall make reasonable efforts to assure that notice of any disclosure is provided to the individual. Notice shall be provided within 5 working days of making the records available under compulsory legal process or, in the case of a Grand Jury subpoena, within five days of its becoming a matter of public record. Notice shall be mailed to the last known address of the individual and shall contain the following information: the date and authority to which the subpoena is, or was returnable, the name and number of the case or proceeding, and the nature of the information sought and provided. Notice of the issuance of a subpoena is not required if the system of records has been exempted from the notice requirement of 5 U.S.C. 552a(e)(8) and this section, pursuant to 5 U.S.C. 552a(j) and § 1.23(c)(1), by a Notice of Exemption published in the FEDERAL REGISTER. (See 5 U.S.C. 552a(e)(8)).

(g) *Emergency disclosure.* If information concerning an individual has been disclosed to any person under compelling circumstances affecting health or safety, the individual shall be notified at his last known address within 5 days of the disclosure (excluding Saturdays, Sundays, and legal public holidays). Notification shall include the following information: the nature of the information disclosed, the person or agency to whom it was disclosed, the date of disclosure, and the compelling circumstances justifying the disclosure. Notification shall be given by the officer who made or authorized the disclosure. (See 5 U.S.C. 552a(b)(8)).

### § 1.23 Publication in the Federal Register—annual notices of systems of records, general exemptions, specific exemptions.

(a) *Annual notices of systems of records to be published in the* FEDERAL REGISTER. Each constituent unit shall publish in the FEDERAL REGISTER at least annually a notice of the existence and character of all systems of records it maintains. Such notices are set forth in the "Notices of Records Systems" published by the General Services Administration and referenced in Appendices A through L to this subpart. Subject to 5 U.S.C. 552a (j) and (k) and subsection (c) of this section, each notice shall include—

(1) The name and location of the system;

(2) The categories of individuals on whom records are maintained in the system;

(3) The categories of records maintained in the system;

(4) Each routine use of the records contained in the system, including the categories of users and the purpose of such use;

(5) The policies and practices of the constituent unit regarding storage, retrievability, access controls, retention, and disposal of the records;

(6) The title and business address of the Treasury official who is responsible for the system of records;

(7) The procedures of the constituent unit whereby an individual can be notified at his or her request if the system of records contain a record pertaining to him or her, including reasonable times, places, and identification requirements;

(8) The procedures of the constituent unit whereby an individual can be notified at his or her request how he or she can gain access to any record pertaining to him or her contained in the system of records, and how he or she can contest its content; and

(9) The categories of sources of records in the system. (See 5 U.S.C. 552a(e)(4)).

(b) *Notice of new or modified routine uses to be published in the* FEDERAL REGISTER. At least 30 days prior to a new use or modification of a routine use, as published under paragraph (a)(4) of this section, each constituent unit shall publish in the Federal Register notice of such new or modified use of the information in the system and provide an opportunity for interested persons to submit written data, views, or arguments to the constituent unit. (See 5 U.S.C. 552a(e)(11)).

(c) *Promulgation of rules exempting systems from certain requirements.*—(1) *General exemptions.* In accordance with existing procedures applicable to a Treasury constituent unit's issuance of regulations, the head of each such unit may adopt rules, in accordance with the requirements (including general notice) of 5 U.S.C. 553(b)(1), (2), and (3), (c) and (e), to exempt any system of records

within the constituent unit from any part of 5 U.S.C. 552a and these regulations except subsections (b) (§ 1.24, conditions of disclosure), (c)(1) (§ 1.25, keep accurate accounting of disclosures), (c)(2) (§ 1.25, retain accounting for five years or life of record), (e)(4)(A) through (F) (paragraphs (a) of this section, publication of annual notice of systems of records), (e)(6) (§ 1.22(d), accuracy of records prior to dissemination), (e)(7) (§ 1.22(e), maintenance of records on First Amendment rights), (e)(9) (§ 1.28, establish rules of conduct), (e)(10) (§ 1.22(d)(3), establish safeguards for records), (e)(11) (paragraph (c) of this section, publish new intended use), and (i) (§ 1.28(c), criminal penalties) if the systems of records maintained by the constituent unit or component thereof which performs as its principal function any activity pertaining to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals, and the activities of prosecutors, courts, correctional, probation, pardon, or parole authorities, and which consists of (i) information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole, and probation status; (ii) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or (iii) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision. (See 5 U.S.C. 552a(j).)

(2) *Specific exemptions.* In accordance with existing procedures applicable to a Treasury constituent unit's issuance of regulations, the head of each such unit may adopt rules, in accordance with the requirements (including general notice) of 5 U.S.C. 553(b)(1), (2), and (3), (c), and (e), to exempt any system of records within the unit from 5 U.S.C. 552a(c)(3) (§ 1.25(c)(2), accounting of certain disclosures available to the individual), (d) (§ 1.26(a), access to records), (e)(1) (§ 1.22(a)(1), maintenance of information to accomplish purposes authorized by statute or executive order only), (e)(4)(G) ((a)(7) of this section, publication of procedures for notification), (e)(4)(H) ((a)(8) of this section, publication of procedures for access and contest), (e)(4)(I) ((a)(9) of this section, publication of sources of records), and (f) (§ 1.26, promulgate rules for notification, access and contest), if the system of records is—

(i) Subject to the provisions of 5 U.S.C. 552(b)(1);

(ii) Investigatory material compiled for law enforcement purposes, other than material within the scope of subsection (j)(2) of 5 U.S.C. 552a and paragraph (a)(1) of this section. If any individual is denied any right, privilege, or benefit that he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence;

(iii) Maintained in connection with providing protective services to the President of the United States or other individuals pursuant to 18 U.S.C. 3056;

(iv) Required by statute to be maintained and used solely as statistical records;

(v) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence;

(vi) Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process; or

(vii) Evaluation material used to determine potential for promotion in the armed services, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

(3) At the time that rules under this subsection are adopted, the head of the constituent unit shall include in the statement required under 5 U.S.C. 553(c) the reasons why the system of records is to be exempted from a provision of 5 U.S.C. 552a and this part. (See 5 U.S.C. 552a(j) and (k)).

### § 1.24 Disclosure of record to person other than the individual to whom it pertains.

(a) *Conditions of disclosure.* No constituent unit of Treasury shall disclose any record which is contained in a system of records maintained by it by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, or the parent, if a minor, or legal guardian, if incompetent, of such individual, unless disclosure of the record would be—

(1) To those offices and employees of the Department of the Treasury who have a need for the record in the performance of their duties;

(2) Required under 5 U.S.C. 552 (Subpart A of this Part);

(3) For a routine use as defined in 5 U.S.C. 552a(a)(7) and § 1.21(g) and as described under 5 U.S.C. 552a(e)(4)(D) and § 1.23(a)(4);

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13 of the U.S. Code;

(5) To a recipient who has provided the constituent unit with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity,

(i) If the activity is authorized by law; and

(ii) If the head of the agency or instrumentality has made a written request to the Department of the Treasury specifying the particular portion desired and the law enforcement activity for which the record is sought;

(8) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual, if upon such disclosure, notification is transmitted to the last known address of such individual;

(9) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to the order of a court of competent jurisdiction. (See 5 U.S.C. 552a(b)).

### § 1.25 Accounting of disclosures.

(a) *Accounting of certain disclosures.* Each constituent unit, with respect to each system of records under its control, shall—

(1) Keep an accurate accounting of: (i) the date, nature, and purpose of each disclosure of a record to any person or to an agency made under 5 U.S.C. 552a(b) and § 1.24; and (ii) the name and address of the person or agency to whom the disclosure is made;

(2) Retain the accounting made under paragraph (a)(1) of this section for

at least five years or the life of the record, whichever is longer, after the disclosure for which the accounting is made; and

(3) Inform any person or other agency about any correction or notation of dispute made by the constituent unit in accordance with 5 U.S.C. 552a(d) and § 1.28 of any record that has been disclosed to the person or agency if an accounting of the disclosure was made. (see 5 U.S.C. 552(c))

(b *Accounting systems.* To permit the accounting required by paragraph (a) of this section, system managers, with the approval of the head of their offices within a constituent unit, shall establish or implement, as soon as possible, but not later than September 27, 1975, a system of accounting for all disclosures of records, either orally or in writing, made outside the Department of the Treasury. Accounting records shall—

(1) Be established in the least expensive and most convenient form that will permit the system manager to advise individuals, promptly upon request, of to whom or what agencies records concerning them have been disclosed;

(2) Provide, as a minimum, the identification of the particular record disclosed, the name and address of the person or agency to whom or to which disclosed, and the date, nature and purpose of the disclosure; and

(3) Be maintained for 5 years or until the record is destroyed or transferred to the National Archives and Records Service for storage in records centers, in which event, the accounting pertaining to those records, unless maintained separately, shall be transferred with the records themselves.

(c) *Exemptions from accounting requirements.* No accounting is required for disclosures of records—

(1) To those officers and employees of the Department of the Treasury who have a need for the record in the performance of their duties; or

(2) If disclosure would be required under 5 U.S.C. 552 and Subpart A of this part.

(d) *Access to accounting by individual.* (1) Subject to paragraphs (c) and (d)(2) of this section, each constituent unit shall establish and set forth in the appendix to this subpart applicable to the constituent unit, procedures for making the accounting required under paragraph (a) of this section available to the individual to whom the record pertains and shall thereafter make such accounting available in accordance therewith at the request of the individual. The procedures may require the requester to provide reasonable identification.

(2) Access accountings of disclosure may be withheld from the individual named in the record only if the disclosures were (i) made under 5 U.S.C. 552a (b)(7) and § 1.24(a)(7), or (ii) under a system of records exempted from the requirements of 5 U.S.C. 552a(c)(3) in accordance with 5 U.S.C. 552(a)(j) or (k) and § 1.23(c). (See 5 U.S.C. 552a(c)).

**§ 1.26 Procedures for notification and access to records pertaining to individuals—format and fees for request for access.**

(a) *Procedures for notification and access.* Each constituent unit shall establish, in accordance with the requirements of 5 U.S.C. 553, and set forth in the appendix to this subpart applicable to such constituent unit procedures whereby an individual can be notified, in response to his request, if any system of records named by the individual contains a record pertaining to him. In addition, such procedures shall set forth the requirements for access by such individual to records which pertain to him. As a minimum such procedures shall specify the times during, and the places at, which access will be accorded, together with such identification as may be required of the individual before access. (See 5 U.S.C. 552a(f)(1), (2) and (3)).

(b) *Access.* Each constituent unit, in accordance with the procedures prescribed under paragraph (a) of this section, shall upon request by any individual to gain access to his record or to any information pertaining to him which is contained in the system, permit him and upon his request, a person of his own choosing to accompany him, to review the record and have a copy made of all or any portion thereof in a form comprehensible to him, except that the agency may require the individual to furnish a written statement authorizing discussion of that individual's record in the accompanying person's presence. (See 5 U.S.C. 552a(d)(1)).

(c) *Exceptions.* Neither the procedures prescribed under paragraph (a) of this section nor the requirements for access under paragraph (b) of this section shall be applicable to—(1) systems of records exempted pursuant to 5 U.S.C. 552a (j) and (k) and § 1.23(c); (2) information compiled in reasonable anticipation of a civil action or proceeding (See 5 U.S.C. 552a(d)(5)); or (3) information pertaining to an individual which is contained in, and inseparable from, another individual's record.

(d) *Format of request.* (1) A request for notification of whether a record exists shall—

(i) Be made in writing and signed by the person making the request, who must be the individual about whom the record is maintained, or his duly authorized representative (See § 1.34);

(ii) State that it is made pursuant to the Privacy Act, 5 U.S.C. 552a or these regulations, have marked "Privacy Act Request" on the request and on the envelope;

(iii) Give the name of the system or subsystem or categories of records to which access is sought, as specified in the "Notices of Records Systems" published by the General Services Administration and referenced in the appendices to this subpart;

(iv) Describe the nature of the record(s) sought and the approximate dates covered by the record(s);

(v) Provide such identification of the requester as may be specified in the appropriate appendix to this subpart; and

(vi) Be addressed to delivered in person to the office or officer of the constituent unit indicated for the particular system or subsystem or categories of records the individual wishes access to, as specified in the "Notice of Records Systems" published by the General Services Administration and referenced in the appendices to this subpart. Assistance in ascertaining the appropriate constituent unit or in preparing a request for notification may be obtained by a written request to that effect addressed as specified in Appendix A of this part, as the address for the Office of the Secretary for "Request for notification and access to records and accountings of disclosures".

(2) A request for access to records shall, in addition to complying with paragraph (a)(1) (i) through (vi) of this section—

(i) State whether the requester wishes to inspect the records or desires to have a copy made and furnished without first inspecting them;

(ii) If the requester desires to have a copy made, state the firm agreement of the requester to pay the fees for duplication ultimately determined in accordance with [31 CFR] § 1.6, Subpart A of this title, unless such fees are waived pursuant to that section by the system manager or other appropriate official as indicated in the appropriate appendix to these regulations; and

(iii) Comply with any other requirement set forth in the applicable appendix to this subpart or the "Notice of Records Systems" applicable to the system in question.

Requesters are hereby advised that any request for access which does not comply with the foregoing requirements and those set forth elsewhere in this subpart C, will not be deemed subject to the time constraints of this section, unless and until amended so as to comply. However, constituent units shall advise the requester in what respect the request is deficient so that it may be processed. This section applies only to records in being which are contained in a system of records and which are in the possession or control of the constituent unit. (See 5.U.S.C. 552a(d) and (f)).

(e) *Requests for records not in control of constituent unit.* (1) Treasury employees shall make reasonable efforts to assist an oral requester to ascertain to which office or officer a written request should be sent. Where the request is for a record which is not in the possession or control of any constituent unit of the Department of the Treasury, the requester shall be so advised.

(2) Where the record requested was created by a Department or agency other than the Department of the Treasury or a constituent unit thereof and has been classified (e.g. National Defense or Intelligence Information) or otherwise restrictively endorsed (e.g. Civil

Service Commission records or FBI reports) by such other Department or agency, and a copy thereof is in the possession of a constituent unit of the Department of the Treasury, that portion of the request shall be referred to the originating agency for determination as to all issues in accordance with the Privacy Act. In the case of a referral to another agency under this paragraph, the requester shall be notified that such portion of his request has been so referred and that he may expect to hear from that agency.

(3) When information sought from a system manager or other appropriate official in the Department of the Treasury includes information furnished by other federal agencies not classified or otherwise restrictively endorsed, the system manager or other appropriate official receiving the request shall consult with the appropriate agency prior to making a decision to disclose or not to disclose the record but the decision as to whether the record shall be disclosed shall be made, in the first instance by the system manager or other appropriate official maintaining the record. (See 5 U.S.C. 552a (d) and (f)).

(f) *Date of receipt of request.* A request for notification or access to records shall be considered to have been received for purposes of this subpart on the date on which the requirements of paragraph (d) of this section have been satisfied. Requests for notification or access to records and any separate agreement to pay shall be stamped or endorsed with the date of receipt by the receiving office. The latest of such stamped dates will be deemed for the purposes of this subpart to be the date of receipt of the request. (See 5 U.S.C. 552a (d) and (f)).

(g) *Notification of determination*—(1) *In general.* Notification of determinations as to notification of whether a record exists or as to whether to grant access to records requested will be made by the officers designated in the appendices to this subpart. The notification of the determination shall be mailed within 30 days (excluding Saturdays, Sundays and legal public holidays) after the date of receipt of the request, as determined in accordance with paragraph (f) of this section. If it is not possible to respond within 30 days, the designated officer shall inform the requester, stating the reason for the delay (e.g. volume of records requested, scattered location of the records, need to consult other agencies, or the difficulty of the legal issues involved) and when a response will be dispatched. (See 5 U.S.C. 552a (d) and (f).

(2) *Granting of access.* When it has been determined that the request for access will be granted—(i) and a copy requested; such copy in a form comprehensible to him shall be furnished promptly, together with a statement of the applicable fees for duplication; and (ii) and the right to inspect has been requested, the requester shall be promptly notified in writing of the determination, and when and where the requested records may be inspected. An individual seeking to inspect records concerning himself may be accompanied by another individual of his own choosing. The individual seeking access shall be required to sign the required form indicating that the Department of the Treasury is authorized to discuss the contents of the subject record in the accompanying person's presence. If, after making the inspection, the individual making the request desires a copy of all or a portion of the requested records, such copy in a form comprehensible to him shall be furnished upon payment of the applicable fees for duplication. Fees to be charged are as prescribed by 31 CFR Part 1, Subpart A § 1.6. Fees shall not be charged where they would amount, in the aggregate, to less than $3.00. (See 5 U.S.C. 552a (d) and (f)).

(3) *Requirements for access to medical records.* When access is requested to medical records, including psychological records, the responsible official may determine that such release could have an adverse effect on the individual and that release will be made only to a physician authorized in writing to have access to such records by the individual making the request. Upon receipt of the authorization the physician will be permitted to review the records or to receive copies of the records by mail, upon proper verification of identity. (See 5 U.S.C. 552a (f)(3)).

(4) *Denial of request.* When it is determined that the request for notification of whether a record exists or access to records will be denied (whether in whole or in part or subject to conditions or exceptions), the person making the request shall be so notified by mail in accordance with paragraph (g)(1) of this section. The letter of notification shall specify the city or other location where the requested records are situated (if known), contain a statement of the reasons for not granting the request as made, set forth the name and title or position of the responsible official and advise the individual making the request of the right to file suit in accordance with 5 U.S.C. 552a(g)(1)(B).

(5) *Prohibition against use of 5 U.S.C. 552(b) exemptions.* Exemptions from disclosure under 5 U.S.C. 552(b), (31 CFR Part 1, Subpart A, § 1.2(c)) may not be invoked for the purpose of withholding from an individual any record which is otherwise accessible to such individual under the Privacy Act, 5 U.S.C. 552a, and this subpart. (See 5 U.S.C. 552a(q)).

(6) *Records exempt in whole or in part.* (i) When an individual requests notification as to whether a record exists or access to records concerning himself which have been exempted from individual access pursuant to 5 U.S.C. 552a(j) or which have been compiled in reasonable anticipation of a civil action or proceeding in either a court or before an administrative tribunal and the assertion of the exemption is deemed necessary, the Department of the Treasury will neither confirm nor deny the existence of the record but shall advise the individual only that no record available to him pursuant to the Privacy Act of 1974 has been identified.

(ii) Requests from individuals for access to records which have been exempted from access pursuant to 5 U.S.C. 552a(k) shall be processed as follows:

(A) Requests for information classified pursuant to Executive Order 11652 require the responsible component of the Department to review the information to determine whether it continues to warrant classification under the criteria of sections 1 and 5 (B), (C), (D) and (E) of the Executive Order. Information which no longer warrants classification under these criteria shall be declassified and made available to the individual. If the information continues to warrant classification, the individual shall be advised that the information sought is classified, that it has been reviewed and continues to warrant classification, and that it has been exempted from access pursuant to 5 U.S.C. 552(b)(1) and 5 U.S.C. 552a(k)(1). Information which has been exempted pursuant to 5 U.S.C. 552a(j) and which is also classified shall be reviewed as required by this subparagraph but the response to the individual shall be in the form prescribed by paragraph (g)(6)(i) of this section.

(B) Requests for information which has been exempted from disclosure pursuant to 5 U.S.C. 552a(k)(2) shall be responded to in the manner provided in paragraph (g)(6)(i) of this section unless the requester shows that the information has been used or is being used to deny the individual any right, privilege or benefit for which he is eligible or to which he would otherwise be entitled under federal law. In that event, the individual shall be advised of the existence of the information but such information as would identify a confidential source shall be extracted or summarized in a manner which protects the source to the maximum degree possible and the summary extract shall be provided to the requesting individual.

(C) Information compiled as part of an employee background investigation which has been exempted pursuant to 5 U.S.C. 552a(k)(5) shall be made available to an individual upon request except to the extent that it identifies the confidential source. Material identifying the confidential sources shall be extracted or summarized in a manner which protects the source to the maximum degree possible and the summary or extract shall be provided to the requesting individual.

(D) Testing or examination material which has been exempted pursuant to 5 U.S.C. 552a(k)(6) shall not be made available to an individual if disclosure would compromise the objectivity or fairness of the testing or examination process; but may be made available if no such compromise possibility exists. (See 5 U.S.C. 552 a(d)(5), (j) and (k)).

**§ 1.27 Procedures for amendment of records pertaining to individuals—format, agency review and appeal from initial adverse agency determination.**

(a) *In general.* Subject to the application of exemptions promulgated by the head of each constituent unit, in accordance with § 1.23(c), and subject to § 1.27(f), each constituent unit of the Department of the Treasury, shall in conformance with 5 U.S.C. 552 a(d)(2), permit an individual to request amendment of a record pertaining to him. Any request for amendment of records or any appeal from the initial denial of a request which does not fully comply with the requirements of this section and any additional specific requirements imposed by the constituent unit in the applicable appendix to this subpart will not be deemed subject to the time constraints of paragraph (e) of this section, unless and until amended so as to comply. However, constituent units shall, forthwith advise the requester in what respect the request or appeal is deficient so that it may be resubmitted or amended. (See 5 U.S.C. 552a (d) and (f).

(b) *Form of request to amend records.* In order to be subject to the provisions of this section, a request to amend records shall—

(1) Be made in writing and signed by the person making the request, who must be the individual about whom the record is maintained, or his duly authorized representative;

(2) State that it is made pursuant to the Privacy Act, 5 U.S.C. 552a or these regulations, have marked "Privacy Act Amendment Request" on the request and on the envelope;

(3) Be addressed to the office or officer of the constituent unit specified for such purposes in the "Notices of Records Systems" published by the General Services Administration and referenced in the appendices to this subpart for that purpose; and

(4) Reasonably describe the records which the individual desires to have amended, including, to the best of the requester's knowledge, dates of letters requesting access to such records previously and dates of letters in which notification concerning access was made, if any, and the individual's documentation justifying the correction. (See 5 U.S.C. 552a (d) and (f)).

(c) *Date of receipt of request.* A request for amendment of records pertaining to an individual shall be deemed to have been received for purposes of this subpart when the requirements of paragraph (b) of this section have been satisfied. The receiving office or officer shall stamp or otherwise endorse the date of receipt of the request. (See 5 U.S.C. 552 a(d) and (f)).

(d) *Review of requests to amend records.* Officials responsible for review of requests to amend records pertaining to an individual, as specified in the appendices to this subpart, shall:

(1) Not later than 10 days (excluding Saturdays, Sundays, and legal public holidays) after the date of receipt of such request, acknowledge in writing such receipt; and

(2) Promptly, either—(i) Make any correction of any portion thereof which the individual believes and the official agrees is not accurate, relevant, timely, or complete; or (ii) Inform the individual of the refusal to amend the record in accordance with his request, the reason for the refusal, and the name and business address of the officer designated in the applicable appendix to this subpart, as the person who is to review such refusal. (See 5 U.S.C. 552a(d) and (f)).

(e) *Administrative appeal—(1) In general.* Each constituent unit shall permit individuals to request a review of initial decisions made under paragraph (d) of this section, when an individual disagrees with a refusal to amend this record. (See 5 U.S.C. 552a(d), (f), and (g)(1)).

(2) *Form of request for administrative review of refusal to amend record.* At any time within 35 days after the date of the notification of the initial decision described in paragraph (d)(2)(ii) of this section, the requester may submit an administrative appeal from such refusal to the official specified in the notification of the initial decision and the appropriate appendix to this subpart. The appeal shall—

(i) Be made in writing stating any arguments in support thereof and be signed by the person to whom the record pertains, or his duly authorized representative;

(ii) Be addressed to and mailed or hand delivered, within 35 days of the date of the initial decision, to the office or officer specified in the appropriate appendix to this subpart and in the notification. (See the appendices to this subpart for the address to which appeals made by mail should be addressed);

(iii) Have clearly marked on the appeal and on the envelope, "Privacy Act Amendment Appeal";

(iv) Reasonably describe the records requested to be amended; and

(v) Specify the date of the initial request to amend records, and the date of the letter giving notification that the request was denied. (See 5 U.S.C. 552a(d) and (f).)

(3) *Date of receipt.* Appeals shall be promptly stamped with the date of their receipt by the office to which addressed and such stamped date will be deemed to be the date of receipt for all purposes of this subpart. The receipt of the appeal shall be acknowledged within 10 days (excluding Saturdays, Sundays, and legal public holidays) from the date of receipt (unless the determination on appeal is dispatched in 10 days, in which case no acknowledgement is required) by the responsible official and the requester advised of the date of receipt established by the foregoing and when a response is due in accordance with this paragraph. (See 5 U.S.C. 552a (d) and (f).)

(4) *Review of administrative appeals from denial of requests to amend records.* Officials responsible for deciding administrative appeals from denials of requests to amend records pertaining to an individual, as specified in the appendices to this subpart shall: complete the review, and notify the requester of the final agency decision within 30 days (exclusive of Saturdays, Sundays and legal public holidays) after the date of receipt of such appeal, unless the time is extended by the head of the agency or his delegate, for good cause shown. If such final agency decision is to refuse to amend the record, in whole or in part, the requester shall also be advised of his right—(i) to file a concise "Statement of Disagreement" setting forth the reasons for his disagreement with the decision which shall be filed within 35 days of the date of the notification of the final agency decision and (ii) to judicial review of the final agency decision under 5 U.S.C. 552a(g)(1)(A). (See 5 U.S.C. 552a (d), (f) and (g)(1)).

(5) *Notation on record and distribution of statements of disagreement.* The system manager is responsible, in any disclosure containing information about which an individual has filed a "Statement of Disagreement", occurring after the filing of the statement under paragraph (e)(4) of this section, for clearly noting any portion of the record which is disputed and providing copies of the statement and, if deemed appropriate, a concise statement of the constituent unit's reasons for not making the amendments requested to persons or other agencies to whom the disputed record has been disclosed. (See 5 U.S.C. 552a (d)(4)).

(f) *Records not subject to correction under the Privacy Act.* The following records are not subject to correction or amendment by individuals:

(1) Transcripts or written statements made under oath; and

(2) Transcripts of Grand Jury proceedings, judicial or quasi-judicial proceedings which form the official record of those proceedings; and

(3) Pre-sentence reports comprising the property of the courts but maintained in agency files; and

(4) Records pertaining to the determination, the collection and the payment of federal taxes; and

(5) Records duly exempted from correction by notice published in the FEDERAL REGISTER; and

(6) Records compiled in reasonable anticipation of a civil action or proceeding.

**§ 1.28 Training, rules of conduct, penalties for non-compliance.**

(a) *Training.* Subject to policy guidance and regulations issued by the Deputy Secretary, who has Department-wide responsibility therefor, each constituent unit shall institute a training program to instruct employees and employees of Government contractors covered by 5 U.S.C. 552a(m), who are involved in the design, development, operation or maintenance of any system of records, on a continuing basis with respect to the duties and responsibilities imposed on them and the rights conferred on individuals by the Privacy Act, the regulations in this subpart, in-

cluding the appendices thereto, and any other related regulations. Such training shall provide suitable emphasis on the civil and criminal penalties imposed on the Department and the individual employees by the Privacy Act for non-compliance with specified requirements of the Act as implemented by the regulations in this subpart. (See 5 U.S.C. 552a (e)(9).)

(b) *Rules of conduct.* In addition to the Standards of Conduct published in Part 0 of this Title, particularly 31 CFR 0.735–44, the following are applicable to employees of the Department of the Treasury (including, to the extent required by the contract or 5 U.S.C. 552a (m), Government contractors and employees of such contractors), who are involved in the design, development, operation or maintenance of any system of records, or in maintaining any records, for or on behalf of the Department, including any constituent unit thereof.

(1) The head of each component of a constituent unit of the Department shall be responsible for assuring that employees subject to his supervision are advised of the provisions of the Privacy Act, including the criminal penalties and civil liabilities provided therein, and the regulations in this subpart, and that such employees are made aware of their individual and collective responsibilities to protect the security of personal information, to assure its accuracy, relevance, timeliness and completeness, to avoid unauthorized disclosure either orally or in writing, and to insure that no information system concerning individuals, no matter how small or specialized is maintained without public notice.

(2) Employees of the Department of the Treasury involved in the design, development, operation, or maintenance of any system of records, or in maintaining any record shall:

(i) Collect no information of a personal nature from individuals unless authorized to collect it to achieve a function or carry out a responsibility of the Department;

(ii) Collect from individuals only that information which is necessary to Department functions or responsibilities, unless related to a system exempted under 5 U.S.C. 552a (j) or (k);

(iii) Collect information, wherever possible, directly from the individual to whom it relates, unless related to a system exempted under 5 U.S.C. 552a(j);

(iv) Inform individuals from whom information is collected about themselves of the authority for collection, the purposes thereof, the use that will be made of the information, and the effects, both legal and practical, of not furnishing the information (While this provision does not explicitly require it, where feasible, third party sources should be informed of the purposes for which information which they are asked to provide will be used.);

(v) Neither collect, maintain, use nor disseminate information concerning an individual's religious or political beliefs or activities or his membership in associations or organizations, unless (A) the individual has volunteered such information for his own benefits; (B) the information is expressly authorized by statute to be collected, maintained, used or disseminated; or (C) the activities involved are pertinent to and within the scope of an authorized investigation, adjudication or correctional activity;

(vi) Advise their supervisors of the existence or contemplated development of any record system which is capable of retrieving information about individuals by individual identifier;

(vii) Disseminate no information concerning individuals outside the Department except when authorized by 5 U.S.C. 552a or pursuant to a routine use published in the FEDERAL REGISTER;

(viii) Assure that an accounting is kept in the prescribed form, of all dissemination of personal information outside the Department, whether made orally or in writing, unless disclosed under 5 U.S.C. 552 and Subpart A of this part;

(ix) Maintain and process information concerning individuals with care in order to insure that no inadvertent disclosure of the information is made either within or without the Department; and

(x) Assure that the proper Department authorities are aware of any information in a system maintained by the Department which is not authorized to be maintained under the provisions of the Privacy Act of 1974, including information on First Amendment Activities, information that is inaccurate, irrelevant or so incomplete as to risk unfairness to the individual concerned.

(3) Heads of constituent units within the Department or their delegates shall, at least annually, review the record systems subject to their supervision to insure compliance with the provisions of the Privacy Act of 1974 and the regulations in this subpart. (See 5 U.S.C. 552a (e)(9), (l) and (m)).

(c) *Criminal penalties.* (1) The Privacy Act imposes criminal penalties on the conduct of Government officers and employees as follows: Any officer or employee of an agency [which term includes the Department of the Treasury]:

(i) Who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by this section [5 U.S.C. 552a] or regulations established thereunder, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, or

(ii) Who willfully maintains a system of records without meeting the notice requirements of subsection (e)(4) of this section [5 U.S.C. 552a]—shall be guilty of a misdemeanor and fined not more than $5,000. (Bracketed material added.)

(2) The Act also imposes a collateral criminal penalty on the conduct of any person as follows:

> Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than $5,000.

(3) For the purposes of 5 U.S.C. 552a (l), the provisions of paragraph (c) (1) of this section are applicable to Government contractors and employees of such contractors who by contract, entered into after September 27, 1975, operate by or on behalf of the Department of the Treasury a system of records to accomplish a Departmental function. Such contractor and employees are considered employees of the Department of the Treasury for the purposes of 5 U.S.C. 552a(l). (See 5 U.S.C. 552a(l) and (m)).

### § 1.29 Records transferred to Federal Records Center or National Archives of the United States.

(a) *Records transferred to the Administrator of General Services for storage in the Federal Records Center.* Records pertaining to an identifiable individual which are transferred to the Federal Records Center in accordance with 44 U.S.C. 3103 shall for the purposes of the Privacy Act, 5 U.S.C. 552a, be considered to be maintained by the constituent unit which deposited the record and shall be subject to the provisions of the Privacy Act and this subpart. The Administrator of General Services shall not disclose such records except to the Department of the Treasury or to others under rules consistent with the Privacy Act which may be established by the Department of the Treasury or a constituent unit thereof. If such records are retrieved for the purpose of making a determination about an individual, they must be reviewed for accuracy, relevance, timeliness, and completeness.

(b) *Records transferred to the National Archives of the United States*—(1) *Records transferred to National Archives prior to September 27, 1975.* Records pertaining to an identifiable individual transferred to the National Archives prior to September 27, 1975, as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government shall be considered to be maintained by the National Archives, and

(i) Shall not be subject to 5 U.S.C. 552a,

(ii) Except, that a statement describing such records (modeled after 5 U.S.C. 552a(e)(4)(A) through (G)) shall be published in the Federal Register.

(2) *Records transferred to National Archives on or after September 27, 1975.* Records pertaining to an identifiable individual transferred to the National Archives as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, on or after September 27, 1975, shall be considered to be maintained by the National Archives, and

(i) Shall not be subject to 5 U.S.C. 552a,

(ii) Except, that a statement describing such records in accordance with 5 U.S.C. 552a(e)(4) (A) through (G) shall be published in the FEDERAL REGISTER and rules of conduct and training in accordance with 5 U.S.C. 552a(e)(9) are to be established by the National Archives. (See 5 U.S.C. 552a(e)).

**§ 1.30 Application to Government contractors.**

When a constitutent unit contracts for the operation of a system of records to accomplish a Departmental function, the provisions of the Privacy Act, 5 U.S.C. 552a, and this subpart shall be applicable to such system. The constituent unit shall have responsibility for insuring that the contractor complies with the contract requirements relating to privacy. All such contracts entered into after September 27, 1975, shall contain the standard contract requirements promulgated by the General Services Administration to insure compliance with the Privacy Act of 1974. All such contracts entered into prior to September 27, 1975, shall be amended as soon as feasible to also include such standard requirements. No constituent unit of the Department shall contract or extend an existing contract after September 27, 1975, for the operation of a record system by or on behalf of the agency without the express approval of the Assistant Secretary for Administration. (See 5 U.S.C. 552a(m)).

**§ 1.31 Sale or rental of mailing list.**

(a) *In general.* An individual's name and address shall not be sold or rented by a constituent unit unless such action is specifically authorized by law.

(b) *Withholding of names and addresses.* This section shall not be construed to require the withholding of names and addresses otherwise permitted to be made public (See 5 U.S.C. 552a(n)).

**§ 1.32 Use and disclosure of social security numbers.**

(a) *In general.* An individual shall not be denied any right, benefit, or privilege provided by law by a constituent unit because of such individual's refusal to disclose his social security number.

(b) *Exceptions.* The provisions of paragraph (a) of this section shall not apply with respect to—

(1) Any disclosure which is required by Federal statute, or

(2) The disclosure of a social security number to any Federal, State, or local agency maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted prior to such date to verify the identity of an individual.

(c) *Requests for disclosure of social security number.* Any constituent unit which requests an individual to disclose his social security account number shall inform that individual whether—

(1) Disclosure is mandatory or voluntary,

(2) By what statutory or other authority such number is solicited, and

(3) What uses will be made of it. (See section 7 of the Privacy Act of 1974 set forth at 5 U.S.C. 552a, note.)

**§ 1.33 Cooperation with Privacy Protection Study Commission.**

(a) *Furnishing of information, reports and assistance to Commission.* Each constituent unit is authorized to furnish to the Commission, upon request made by the Chairman, such information, data, reports and such other assistance as the Commission deems necessary to carry out its functions under 5 U.S.C. 552a. A copy of reports made by the constituent units to Congress and the Office of Management and Budget in accordance with § 1.22(c), shall be transmitted to the Commission.

(b) *Confidentiality of information disclosed to the Commission.* Any constituent unit providing information to the Commission shall obtain assurance from the Commission that the information is to be used only for the purpose for which it is provided, and upon completion of that purpose such information shall be destroyed or returned. (See section 5(e)(2)(A) of the Privacy Act of 1974 set forth at 5 U.S.C. 552a, note.)

**§ 1.34 Guardianship.**

The parent or guardian of a minor or a person judicially determined to be incompetent shall, in addition to establishing the identity of the minor or other person he represents, establish his own parentage or guardianship by furnishing a copy of a birth certificate showing parentage or a court order establishing the guardianship and may thereafter, act on behalf of such individual. (See 5 U.S.C. 552a(h)).

**§ 1.35 Information forms.**

(a) *Review of forms.* Except for forms developed and used by constituent units, the Assistant Secretary for Administration shall be responsible for reviewing all forms developed and used by the Department of the Treasury to collect information from and about individuals. The heads of constituent units shall each be responsible for the review of forms used by such unit to collect information from and about individuals.

(b) *Scope of review.* The responsible officers shall review each form for the purpose of eliminating any requirement for information that is not relevant and necessary to carry out an agency function and to accomplish the following objectives:

(1) To insure that no information concerning religion, political beliefs or activities, association memberships (other than those required for a professional license), or the exercise of First Amendment rights is required to be disclosed unless such requirement of disclosure is expressly authorized by statute or is pertinent to, and within the scope of, any authorized law enforcement activity;

(2) To insure that the form or a separate form that can be retained by the individual makes clear to the individual which information he is required by law to disclose and the authority for that requirement and which information is voluntary;

(3) To insure that the form or a separate form that can be retained by the individual states clearly the principal purpose or purposes for which the information is being collected, and summarizes concisely the routine uses that will be made of the information;

(4) To insure that the form or a separate form that can be retained by the individual clearly indicates to the individual the effect in terms of rights, benefits or privileges of not providing all or part of the requested information; and

(5) To insure that any form requesting disclosure of a Social Security Number, or a separate form that can be retained by the individual, clearly advises the individual of the statute or regulation requiring disclosure of the number or clearly advises the individual that disclosure is voluntary and that no consequence will flow from his refusal to disclose it and the uses that will be made of the number whether disclosed mandatorily or voluntarily.

(c) *Revision of forms.* Any form which does not meet the objectives specified in the Privacy Act and in this section, shall be revised to conform thereto. If revision, printing and distribution cannot be accomplished prior to September 27, 1975, a separate statement shall be prepared to accompany each form advising the individual that the form is not in compliance with the Privacy Act and specifying the portions thereof which are not in compliance. The statement shall include all the information necessary to accomplish the objectives specified in the Privacy Act and this section.

**§ 1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 552a and this part.**

In accordance with 5 U.S.C. 552a (j) and (k) and § 1.23(c), constituent units of the Department of the Treasury exempt the following systems of records from certain provisions of the Privacy Act for the reasons indicated:

OFFICE OF THE SECRETARY

OFFICE OF THE GENERAL COUNSEL

*Notice exempting certain systems from requirements of the Privacy Act*

(a) *In general.* The General Counsel of the Treasury hereby issues rules exempting the General Counsel's Civil Litigation Records System from the provisions of subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of 5 U.S.C. 552a. This system of records contains information or documents related to litigation involving or concerning the Department or its officials, and includes pending, active, and closed files. The records consist of copies of pleadings, investigative reports, information compiled in reasonable anticipation of a civil action or proceeding, legal memoranda, and related correspondence. Pleadings which have been filed with a court or administrative tribunal are matters of public record, and no exemption is claimed as to them. The purpose of the proposed exemptions is to maintain the confidentiality of investigatory material compiled for law enforcement purposes; information compiled in reasonable anticipation of a civil action or proceeding is exempt from access under subsection (d)(5) until the file is closed; thereafter subsection (k)(2) may apply in part to the information. Legal memoranda and related correspondence contain no personal information and are not subject to disclosure under section 552(a). Deter-

minations concerning whether particular information contained in this system is exempt from disclosure will be made at the time a request is received from an individual to gain access to information pertaining to him

(b) *Authority.* These rules are promulgated pursuant to the authority vested in the Secretary of the Treasury by 5 U.S.C. 552(a)(k), and pursuant to the authority vested in the General Counsel by paragraph 1.23(c) of Subpart C of Part 1 of Subtitle A of Title 31 of the Code of Federal Regulations.

(c) *Name of system.* Civil Litigation Records.

(d) *Provisions from which exempted.* This system contains records described in 5 U.S.C. 552a(k), the Privacy Act of 1974. Exemption will be claimed for such records only where appropriate from the following provisions, subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of 5 U.S.C. 552a.

(e) *Reasons for claimed exemptions.* Those sections would otherwise require the Department to notify an individual of investigatory materials maintained in a record pertaining to him, permit access to such record, permit requests for its correction (section 552a(d), (e)(4)(G), (H), and (f)); make available to him any required accounting of disclosures made of the record (section 552a(c)(3)), publish the sources of records in the system (section 552a(e)(4)(I)); and screen records to insure that there is maintained only such information about an individual as is relevant to accomplish a required purpose of the Department (section 552a(e)(1)). The records compiled for the prosecution or defense of civil litigation on behalf of the Department or its officials contain investigatory materials compiled for litigation purposes, together with memoranda concerning the applicable law, and related correspondence. The use of investigatory material in court proceedings is governed by due process and statutory procedural requirements. Informing individuals that they are on record in a particular system enables such individuals to learn the nature of the investigatory material and the evidentiary basis for prosecuting or defending legal proceedings to which they are a party; furthermore, the disclosure of certain investigatory material compiled for law enforcement purposes may disclose investigative techniques and procedures so that future law enforcement efforts would be hindered. Access to an accounting of disclosures of such records would have a similar detrimental effort upon the successful prosecution of legal claims. In addition, screening for relevancy to Department purposes, and correction or attempted correction of such materials could require excessive amounts of time and effort on the part of all concerned. Accordingly, the General Counsel finds that the public interest and public policy in maintaining an effective legal services program requires exemption from the stated sections of the Act to the extent that they are applicable to appropriate materials in this system.

DIRECTOR OF PRACTICE

*Notice of rules exempting certain systems from requirements of the Privacy Act*

(a) *In general.* The General Counsel of the Treasury hereby issues rules exempting certain systems of records of the Office of Director of Practice from the provisions of (c)(3), (d)(1), (2), (3) and (4), (e)(1), (e)(4)(G), (H) and (f)(1), (2), (3), (4) and (5) of 5 U.S.C. 552a. The systems of records for which exemptions from the above provisions are claimed are the following:

(1) Treasury—OS—Applicant Appeal Files

(2) Treasury—OS—Closed Files Containing Derogatory Information about Individuals' Practice before the Internal Revenue Service and Files of Attorneys and Certified Public Accountants Formerly Enrolled to Practice

(3) Treasury—OS—Derogatory Information (No Action)

(4) Treasury—OS—Disbarments

(5) Treasury—OS—Inventory

(6) Treasury—OS—Resigned Enrolled Agents, and

(7) Treasury—OS—Present Suspensions from Practice before the Internal Revenue Service

The purpose of the proposed exemptions is to maintain the confidentiality of investigatory material compiled for law enforcement purposes; information compiled in reasonable anticipation of a civil action or proceeding is exempt from access under subsection (d)(5) until the file is closed; thereafter subsection (k)(2) may apply in whole or in part to the information. Legal memoranda and related correspondence contain no personal information and are not subject to disclosure under section 552a. Determinations concerning whether particular information contained in this system is exempt from disclosure will be made at the time a request is received from an individual to gain access to information pertaining to him.

(b) *Authority.* These rules are promulgated pursuant to the authority vested in the Secretary of the Treasury by 5 U.S.C. 552a(k), and pursuant to the authority vested in the General Counsel by section 1.23(c) of Subpart C of Part 1 of Subtitle A of Title 31 of the Code of Federal Regulations.

(c) *Names of systems.* (1) Treasury—OS—Applicant Appeal Files

(2) Treasury—OS—Closed Files Containing Derogatory Information about Individuals' Practice before the Internal Revenue Service and Files of Attorneys and Certified Public Accountants Formerly Enrolled to Practice.

(3) Treasury—OS—Derogatory Information (No Action)

(4) Treasury—OS—Disbarments

(5) Treasury—OS—Inventory

(6) Treasury—OS—Resigned Enrolled Agents, and

(7) Treasury—OS—Present Suspensions from Practice before the Internal Revenue Service.

(d) *Provisions from which exempted.* These systems contain records described in 5 U.S.C. 552a(k), the Privacy Act of 1974. Exemption will be claimed for such records only where appropriate from the following provisions, subsections (c)(3), (d)(1), (2), (3) and (4), (e)(1), (e)(4)(G) and (H), and (f)(1), (2), (3), (4) and (5) of 5 U.S.C. 552a.

(e) *Reasons for claimed exemptions.* (1) The Privacy Act of 1974 creates several methods by which individuals may learn of and obtain records containing information on such individuals and consisting of investigatory material compiled for law enforcement purposes. These methods are as follows: subsection (c)(3) allows individuals to discover if other agencies are investigating such individuals; subsections (d)(1), (e)(4)(H) and (f)(2), (3) and (5) establish the ability of individuals to gain access to investigatory material compiled on such individuals; subsections (d)(2), (3) and (4), (e)(4)(H) and (f)(4) presuppose access and enable individuals to contest the contents of investigatory material compiled on these individuals; and subsections (e)(4)(G) and (f)(1) allow individuals to determine whether or not they are under investigation. Because these subsections are variations upon the individuals' ability to ascertain whether their civil or criminal misconduct has been discovered, these subsections have been grouped together for purposes of this notice.

(2)(A) The General Counsel believes that imposition of the requirements of subsection (c)(3), which requires that accountings of disclosures be made available to individuals, would impair the ability of the Office of Director of Practice and other investigative entities to conduct investigations of alleged or suspected violations of the regulations governing practice before the Internal Revenue Service and of civil or criminal laws. Making the accountings of disclosures available to individuals enables such individuals to identify entities investigating them and thereby to determine the nature of the violations of which they are suspected. With such knowledge, individuals would be able to alter their illegal activities, destroy or alter evidence of such activities and seriously impair the successful completion of investigations. For these reasons, the General Counsel claims exemptions from the requirements of subsection (c)(3).

(2)(B) With respect to subsections (d)(1), (e)(4)(H), and (f)(2), (3) and (5), the General Counsel believes that access to investigatory material would prevent the successful completion of investigations. Individuals who gain access to investigatory material involving them discover the nature and extent of the violations of regulations, and of civil and criminal laws, of which they are suspected. By gaining access, such individuals also learn the facts developed during investigations. Knowledge of these matters enables these individuals to destroy or alter evidence which would otherwise have been used against them. In addition, knowledge of the facts and the suspected violations gives individuals, who are committing ongoing viola-

tions, or who are about to commit violations of regulations, or of civil or criminal laws, the opportunity to temporarily postpone the commission of the violations or to effectively disguise the commission of these violations. Material compiled on investigated individuals reveals investigative techniques and procedures, disclosure of which enables such individuals to structure their illegal activities so as to escape detection. Further, such material may contain, or by its very nature reveal the identity of confidential sources. When the identities of confidential sources are revealed, they may be subjected to various forms of reprisal. If confidential sources of information are subjected to actual reprisals or fear thereof, they may become reluctant to provide information necessary to identify or prove the guilt of persons who violate regulations, or civil or criminal laws. Further except in unusual circumstances, the Office of Director of Practice must bring facts or conduct evidencing violation of the regulations governing practice before the Internal Revenue Service to the attention of the suspected violator prior to instituting a proceeding for disciplinary action against him. In addition, the protections afforded by the above-referenced subsections are unnecessary because, unless a suspected violator offers his consent to a disciplinary action against him, no such action can be taken until a hearing before an administrative law judge, at which all applicable due process protections (i.e., notice and opportunity to be heard) are afforded, is held. For the reasons stated in this subparagraph, the General Counsel claims exemptions from the requirements of subsections (d)(1), (e)(4)(H) and (f)(2), (3) and (5).

(2)(C) With respect to subsections (d)(2), (3) and (4), (e)(4)(H), and (f)(4), the General Counsel believes that the imposition of these requirements, which presuppose access and provide for amending records, would impair the ability to conduct investigations and would be unnecessary for the same reasons stated in the preceding subparagraph (2)(B). Those reasons herein are incorporated by reference. Therefore, the General Counsel claims exemptions from the requirements of subsections (d)(2), (3) and (4), (e)(4)(H), and (f)(4).

(2)(D) With respect to subsections (e)(4)(G) and (f)(1), the General Counsel believes that informing individuals that they are the subjects of a particular system or systems of records would impair the ability of the Office of Director of Practice and its agents to successfully complete investigations of suspected or alleged violators of the regulations governing practice before the Internal Revenue Service. Individuals who learn that they are suspected of violating such regulations are given the opportunity to destroy or alter evidence needed to prove the alleged violations. Such individuals may also be able to impair investigations by temporarily suspending or restructuring the activities which place them in violation of said regulations. Further, as noted in preceding subparagraph (2)(B) and incorporated by reference herein, the procedural requirements imposed on the Office of Director of Practice by the regulations governing practice before the Internal Revenue Service and by procedural due process safeguards make the protections afforded by subsections (e)(4)(G) and (f)(1) unnecessary. For these reasons, the General Counsel claims exemptions from the requirements of subsections (e)(4)(G) and (f)(1).

(2)(E) Subsection (e)(1) of the Privacy Act of 1974 requires that the Office of Director of Practice maintain in its records only information that is relevant and necessary to accomplish a purpose of the Office required to be accomplished by statute or by executive order of the President. The General Counsel believes that imposition of said requirement would seriously impair the ability of the Office of Director of Practice, its agents and other investigative entities to effectively investigate suspected or alleged violations of regulations and of civil and criminal laws. The Office of Director of Practice does not initiate inquiries into individuals' conduct unless it receives information evidencing violation by such individuals of the regulations governing practice before the Internal Revenue Service. Sources of such information may be unfamiliar with this Office's interpretations of the regulations governing practice before the Internal Revenue Service and, therefore, may not always provide only relevant and necessary information. Frequently, even this Office cannot make determinations of relevance and necessity without further investigation. The nature of investigations conducted for the Office of Director of Practice requires that a wide range of facts and data be provided its legal staff for analysis under applicable rules and regulations. Further, it is often impossible to determine whether or not information is relevant and necessary until an investigation is completed. For these reasons, the General Counsel claims an exemption from the requirement of subsection (e)(1).

ASSISTANT SECRETARY FOR ADMINISTRATION

The Assistant Secretary for Administration exempts under § (k) of the Privacy Act of 1974, 5 U.S.C. 552a, the Department's Personnel Security Files and Personnel Security Files and Indices from sections (c)(3), (d), (e)(1), (e)(4)(G) through (e)(4)(I), and (f) of the Act. The records maintained in the exempt systems of records are of the type described in section (k)(5) of the Act:

Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Thus to the extent that the records in this system can be disclosed without revealing the identity of a confidential source, they are not within the scope of this exemption and are subject to all the requirements of the Privacy Act.

The sections of the Act from which this system of records are exempt are in general those providing for individual access to records. When such access would cause the identity of a confidential source to be revealed, it would impair the future ability of the Treasury Department to compile investigatory material for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information.

In addition, the systems are exempt from § (e)(1) which requires that the agency maintain in its records only such information about an individual as is relevant and necessary to accomplish a statutory or executively ordered purpose. The Director finds that to fulfill the requirements of § (e)(1) would unduly restrict the agency in its information gathering inasmuch as it is often not until well after the investigation that it is possible to determine the relevance and necessity of particular information.

If any investigations within the scope of § (k)(5) become involved with civil or criminal matters, exemptions from the Act could also be asserted under sections (k)(2) or (j)(2).

ASSISTANT SECRETARY (ENFORCEMENT, OPERATIONS, AND TARIFF AFFAIRS)

*Notice of rules exempting certain systems from requirements of the Privacy Act*

(a) *In general.* The Assistant Secretary (Enforcement, Operations, and Tariff Affairs) hereby issues rules exempting the International Criminal Police Organization (INTERPOL) criminal investigative records from the provisions of certain subsections of 5 U.S.C. 552a, the Privacy Act of 1974. The purpose of the exemption is to maintain the confidentiality of information compiled for law enforcement purposes.

(b) *Authority.* These rules are promulgated pursuant to the authority vested in the Secretary of the Treasury by 5 U.S.C. 552a(j) and (k) and pursuant to the authority vested in the Assistant Secretary (Enforcement, Operations, and Tariff Affairs) by paragraph 1.23(c) of Subpart C of Part 1 of Subtitle A of Title 31 of the Code of Federal Regulations.

(c) *Name of System.* International Criminal Police Organization (INTERPOL) Criminal Investigative Records.

(d) *Provisions from which exempted.* This system contains records described in 5 U.S.C. 552a(j) and (k), the Privacy Act of 1974. Exemptions will be claimed for such described records only where appropriate from the following provisions of the Privacy Act of 1974: subsections (c)(3) and (4); (d); (e)(1), (2) and (3); (e)(4)(G), (H) and (I); (e)(5) and (8); (f) and (g) of 5 U.S.C. 552a.

(e) *Reasons for claimed exemptions.* Those sections would otherwise require

the Department to notify an individual of investigatory materials maintained in a record pertaining to him, permit access to such record, permit requests for its correction (section 552a(d), (e)(4)(G), (H) and (f)); make available to him any required accounting of disclosures made of the record (section 552a(c)(3)), publish the sources of records in the system (section 552a(e)(4)(I)); and screen records to insure that there is maintained only such information about an individual as is relevant to accomplish a required purpose of the Department (section 552a(e)(1)). Disclosure to an individual of investigatory materials pertaining to him would hamper law enforcement by prematurely disclosing the knowledge of illegal activities and the evidentiary bases for possible enforcement actions. Furthermore, the disclosure of certain investigatory material compiled for law enforcement purposes may disclose investigative techniques and procedures, so that future law enforcement efforts would be hindered. Access to an accounting of disclosures of such records would have a similar detrimental effect on law enforcement. In addition, screening for relevancy to Department purposes, and correction or attempted correction of such materials could require excessive amounts of time on the part of all concerned. Accordingly, the Assistant Secretary (Enforcement, Operations, and Tariff Affairs) tentatively finds that the public interest and public policy in maintaining an effective law enforcement program requires exemption from the stated sections of the Act to the extent that they are applicable to appropriate materials in this system.

EXEMPTION OF FOREIGN ASSETS CONTROL ENFORCEMENT RECORDS FROM CERTAIN PROVISIONS OF THE PRIVACY ACT OF 1974 (P.L. 93-579, 5 U.S.C. 552a.)

The new regulations promulgated by the Office of Foreign Assets Control (as amendments to its Foreign Assets Control Regulations; Transaction Control Regulations; Cuban Assets Control Regulations; and, Rhodesian Sanction Regulations) read as follows:

Pursuant to subsection (k)(2) of 5 U.S.C. 552a, the Privacy Act of 1974, the Enforcement Records of the Office of Foreign Assets Control are hereby exempted from the requirements of subsections (c)(3), (d), (e)(1), (e)(4)(G-I), and (f) of 5 U.S.C. 552a, as materials which are compiled and maintained for the purpose of conducting and recording investigations of criminal violations of relevant statutes and regulations administered by the Office of Foreign Assets Control. These records contain, among other things, information and evidence which was furnished in confidence by individuals, corporations, partnerships and other entities, Federal, State and local agencies, and by foreign individuals, corporations, partnerships and other entities, and foreign government sources. If it should appear that the individual concerning whom a record is maintained has been or will be denied any right, privilege, or benefit to which he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, except for the maintenance of such material, such material shall be disclosed to such individual, except: (1) to the extent that disclosure would reveal the identity of a source who furnished information to the government under an express promise that the identity of the source would be held in confidence; or (2) to the extent that disclosure would reveal the identity of a source who furnished information prior to the effective date of the Privacy Act (September 27, 1975) under an implied promise that the identity of the source would be held in confidence.

THE INTERNAL REVENUE SERVICE

NOTICE OF EXEMPT SYSTEMS

The Commissioner of Internal Revenue finds that the orderly and efficient administration of the internal revenue laws necessitates that certain systems of records maintained by the Internal Revenue Service be exempted from certain sections of the Privacy Act of 1974 (88 Stat. 1986).

(a) *Exemptions under 5 U.S.C. 552a (j)(2).* (1) This paragraph applies to the following systems of records maintained by the Internal Revenue Service, for which exemptions are claimed under 5 U.S.C. 552a(j)(2).

| Name of system: | No. |
|---|---|
| Strike Force | 42.009 |
| Open and Closed Narcotics Traffickers Files | 42.015 |
| Alphabetical Name File and Index | 46.001 |
| Case Management and Time Reporting System | 46.002 |
| Confidential Informants | 46.003 |
| Electronic Surveillance File | 46.005 |
| Information Gathering and Retrieval System | 46.006 |
| Information Indexing System | 46.007 |
| Information Items | 46.009 |
| Joint Compliance Program | 46.010 |
| National Register | 46.012 |
| Project Files | 46.013 |
| Project Personnel | 46.014 |
| Relocated Witnesses | 46.015 |
| Secret Service Details | 46.016 |
| Strike Force Disclosure Authorization List | 46.018 |
| Tax Practitioner Files | 46.019 |
| Tax Termination File | 46.020 |
| Treasury Enforcement Communications System (TECS) | 46.022 |
| Assault and Threat Investigation Files | 60.001 |
| Bribery Investigation Files | 60.002 |
| Disclosure Investigation Files | 60.004 |
| Chief Counsel Criminal Tax Files | 90.001 |

(2) Under 5 U.S.C. 552a(j)(2), the head of any agency may promulgate rules to exempt any system of records within the agency from certain provisions of the Privacy Act of 1974 if the agency or component thereof that maintains the system performs as its principal function any activities pertaining to the enforcement of criminal laws. Certain components of the Internal Revenue Service have as their principal function activities pertaining to the enforcement of criminal laws.

(3) To the extent the exemption under 5 U.S.C. 552a(j)(2) does not apply to any of the above-named systems, then exemptions under 5 U.S.C. 552a(k)(2), relating to investigatory material compiled for law enforcement purposes, are hereby claimed for such systems.

(4) The provisions of the Privacy Act of 1974 from which exemptions are claimed under 5 U.S.C. 552a(j)(2) are as follows:

5 U.S.C. 552a(c) (3) and (4)
5 U.S.C. 552a(d)(1), (2), (3), and (4)
5 U.S.C. 552a(e)(1), (2), and (3)
5 U.S.C. 552a(e)(4)(G), (H), and (I)
5 U.S.C. 552a(e)(5) and (8)
5 U.S.C. 552a(f)
5 U.S.C. 552a(g)

(5) See paragraph (c) for reasons for the exemptions.

(b) *Exemptions under 5 U.S.C. 552a (k)(2).* (1) This paragraph applies to the following systems of records maintained by the Internal Revenue Service, for which exemptions are claimed under 5 U.S.C. 552a(k)(2):

| Name of system: | No. |
|---|---|
| Audit Underreporter Case File | 22.005 |
| Collection Case File | 22.012 |
| Discriminant Function File (DIF) | 22.014 |
| Multiple Refund Files | 22.040 |
| Taxpayer Delinquent Investigation Notice File | 22.057 |
| Wage and Information Document (WAID) File | 22.061 |
| Acquired Property Records | 26.001 |
| Adjustment and Payment Tracer Files | 26.002 |
| Collateral Files | 26.003 |
| File of Persons Making Threats of Force or Forcible Assaults | 26.005 |
| Form 2209, Courtesy Investigations | 26.006 |
| Form 2990, Miscellaneous Investigations | 26.007 |
| IRS and Treasury Employee Delinquency | 26.008 |
| Litigation Case Files | 26.011 |
| Offer in Compromise (OIC) File | 26.012 |
| (One-Hundred) 100-Percent Penalty Cases | 26.013 |
| Records Being Maintained at the Request of Congressional Committees | 26.015 |
| Returns Compliance Programs (RCP) | 26.016 |
| Seized Property Records | 26.017 |
| Tax Collection Waiver Form 900 Files | 26.018 |
| TDA (Taxpayer Delinquent Accounts) | 26.019 |
| TDI (Taxpayer Delinquency Investigations) Files | 26.020 |
| Transferee Files | 26.021 |
| Delinquency Prevention Programs | 26.022 |
| Administrative File | 42.001 |
| Audit Information Management System (AIMS) | 42.008 |
| Classification and Audit Selection Files | 42.016 |
| Compliance Programs and Projects Files | 42.021 |
| Coordinated Examinations of Large Cases Program | 42.024 |
| International Enforcement Files | 42.017 |
| System for Controlling Returns in Inventory and Production Data (SCRIP) | 42.003 |
| Tax Shelter Program Files | 42.012 |
| Appellate Case Files | 44.001 |
| Information and Correspondence | 46.008 |
| Disclosure to Department of Justice | 48.001 |

| Name of system: | No. |
|---|---|
| Disclosure to Executive Departments and Congressional Committees | 48.002 |
| Testimony of IRS Employees in Nontax Matters | 48.003 |
| Collateral and Information Requests System | 49.001 |
| Collateral Files and Competent Authority Requests | 49.002 |
| Overseas Compliance Projects System | 49.007 |
| Conduct Investigation Files | 60.003 |
| Enrollee Charge Investigation Files | 60.006 |
| Miscellaneous Information File | 60.007 |
| Special Inquiry (Complaint) Investigation Files | 60.009 |
| Chief Counsel Disclosure Division Case Files | 90.002 |
| Chief Counsel General Legal Services Case Files | 90.004 |
| Chief Counsel General Litigation Case Files | 90.005 |
| Chief Counsel Refund Litigation Division Case Files | 90.008 |
| Chief Counsel Tax Court Case Files | 90.009 |
| Digest Room Files Containing Briefs and Digests of Documents Generated Internally or by the Department of Justice Relating to the Administration of the Revenue Laws | 90.010 |
| Legal Case Files of the Chief Counsel, Deputy Chief Counsel, Associate Chief Counsels, Assistant Chief Counsel and their Staff Assistants | 90.013 |
| Reports and Information Retrieval Activity Computer and Microfilm Records | 90.016 |
| Correspondence Files—Inquiries about Enforcement Activities | 00.002 |

(2) Under 5 U.S.C. 552a (k) (2), the head of any agency may promulgate rules to exempt any system of records within the agency from certain provisions of the Privacy Act of 1974 if the system is investigatory material compiled for law enforcement purposes. To the extent that information contained in the above-named systems has as its principal purpose the enforcement of criminal laws, exemption for such information under 5 U.S.C. 552a (j) (2) is hereby claimed.

(3) The provisions of the Privacy Act of 1974 from which exemptions are claimed under 5 U.S.C. 552a(k)(2) are as follows:

5 U.S.C. 552a(c)(3)
5 U.S.C. 552a(d)(1), (2), (3), and (4)
5 U.S.C. 552a (e)(1)
5 U.S.C. 552a(e)(4)(G), (H), and (I)
5 U.S.C. 552a(f)

(4) See paragraph (c) for reasons for the exemptions.

(c) *Reasons for exemptions.* The following are the reasons for exempting systems of records maintained by the Internal Revenue Service pursuant to 5 U.S.C. 552a (j)(2) and (k)(2) of the Privacy Act of 1974.

(1) 5 U.S.C. 552a(c)(3). This provision of the Privacy Act provides for the release of the disclosure accounting required by 5 U.S.C. 552a(c)(1) and (2) to the individual named in the record at his request. The reasons for exempting systems of records from the foregoing provision are as follows:

(i) The release of disclosure accounting would put the subject of an investigation on notice of the existence of an investigation and that such person is the subject of that investigation;

(ii) Such release would provide the subject of an investigation with an accurate accounting of the date, nature, and purpose of each disclosure and the name and address of the person or agency to whom the disclosure is made. The release of such information to the subject of an investigation would provide the subject with significant information concerning the nature of the investigation and could result in the altering or destruction of documentary evidence, the improper influencing of witnesses, and other activities that could impede or compromise the investigation. In the case of a delinquent account, such release might enable the subject of the investigation to dissipate assets before levy;

(iii) Release to the individual of the disclosure accounting would alert the individual as to which agencies were investigating this person and the scope of the investigation, and could aid the individual in impeding or compromising investigations by those agencies.

(2) 5 U.S.C. 552a (c)(4), (d)(1), (2), (3), and (4), (e)(4) (G) and (H), (f), and (g). These provisions of the Privacy Act relate to an individual's right to notification of the existence of records pertaining to such individual; requirements for identifying an individual who requests access to records; the agency procedures relating to access to records and the contest of the information contained in such records; and the civil remedies available to the individual in the event of adverse determinations by an agency concerning access to or amendment of information contained in record systems. The reasons for exempting systems of records from the foregoing provisions are as follows: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual or to grant access to an investigative file could interfere with investigative and enforcement proceedings; deprive co-defendants of a right to a fair trial or an impartial adjudication; constitute an unwarranted invasion of the personal privacy of others; disclose the identity of confidential sources and reveal confidential information supplied by such sources; and disclose investigative techniques and procedures.

(3) 5 U.S.C. 552a(e)(4)(I). This provision of the Privacy Act requires the publication of the categories of sources of records in each system of records. In cases where an exemption from this provision has been claimed, the reasons are as follows:

(i) Revealing categories of sources of information could disclose investigative techniques and procedures;

(ii) Revealing categories of sources of information could cause sources who supply information to investigators to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality.

(4) 5 U.S.C. 552a(e)(1). This provision of the Privacy Act requires each agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or executive order. The reasons for exempting systems of records from the foregoing provision are as follows:

(i) The Internal Revenue Service will limit its inquiries to information which is necessary for the enforcement and administration of tax laws. However, an exemption from the foregoing provision is needed because, particularly in the early stages of a tax audit or other investigation, it is not possible to determine the relevance or necessity of specific information.

(ii) Relevance and necessity are questions of judgment and timing. What appears relevant and necessary when collected may subsequently be determined to be irrelevant or unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established with certainty.

(iii) When information is received by the Internal Revenue Service relating to violations of law within the jurisdiction of other agencies, the Service processes this information through Service systems in order to forward the material to the appropriate agencies.

(5) 5 U.S.C. 552a(e)(2). This provision of the Privacy Act requires an agency to collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs. The reasons for exempting systems of records from the foregoing provisions are as follows:

(i) In certain instances the subject of a criminal investigation can not be required to supply information to investigators. In those instances, information relating to a subject's criminal activities must be obtained from other sources;

(ii) In a criminal investigation it is necessary to obtain evidence from a variety of sources other than the subject of the investigation in order to accumulate and verify the evidence necessary for the successful prosecution of persons suspected of violating the criminal laws.

(6) 5 U.S.C. 552a(e)(3). This provision of the Privacy Act requires that an agency must inform the subject of an investigation who is asked to supply information of (A) the authority under which the information is sought and whether disclosure of the information is mandatory or voluntary, (B) the purposes for which the information is intended to be used, (C) the routine uses which may be made of the information, and (D) the effects on the subject, if any, of not providing the requested information. The reasons for exempting systems of records from the foregoing provision are as follows:

(i) The disclosure to the subject of an investigation of the purposes for which the requested information is intended to be used would provide the subject with significant information concerning the nature of the investigation and could result in impeding or compromising the investigation.

(ii) Informing the subject of an investigation of the matters required by this provision could seriously undermine the actions of undercover officers, requiring them to disclose their identity and impairing their safety, as well as impairing the successful conclusion of the investigation.

(iii) Individuals may be contacted during preliminary information gathering, surveys, or compliance projects concerning the administration of the internal revenue laws before any individual is identified as the subject of an investigation. Informing the individual of the matters required by this provision would impede or compromise subsequent investigations.

(7) 5 U.S.C. 522a(e)(5). This provision of the Privacy Act requires an agency to maintain all records which are used in making any determination about an individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination. The reasons for exempting systems of records from the foregoing provision are as follows: Since the law defines "maintain" to include the collection of information, compliance with the foregoing provision would prohibit the initial collection of any data not shown to be accurate, relevant, timely, and complete at the moment of its collection. In gathering information during the course of a criminal investigation, it is not feasible or possible to determine completeness, accuracy, timeliness, or relevancy prior to collection of the information. Facts are first gathered and then placed into a cohesive order which objectively proves or disproves criminal behavior on the part of a suspect. Seemingly nonrelevant, untimely, or incomplete information when gathered may acquire new significance as an investigation progresses. The restrictions of the foregoing provision could impede investigators in the preparation of a complete investigative report.

(8) 5 U.S.C. 552a (e) (8). This provision of the Privacy Act requires an agency to make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record. The reasons for exempting systems of records from the foregoing provision are as follows: The notice requirement of the foregoing provision could prematurely reveal the existence of criminal investigations to individuals who are the subject of such investigations.

(d) *Exemption under 5 U.S.C. 552a (k) (4).* (1) This paragraph applies to the following system of records maintained by the Internal Revenue Service, for which exemption is claimed under 5 U.S.C. 552a (k) (4): Statistics of Income—Individual Tax Returns 70.001.

(2) Under 5 U.S.C 552a (k) (4), the head of any agency may promulgate rules to exempt any system of records within the agency from certain provisions of the Privacy Act of 1974 if the system is required by statute to be maintained and used solely as statistical records.

(3) The above-named system is maintained under section 6108 of the Internal Revenue Code, which provides that "the Secretary or his delegate shall prepare and publish annually statistics reasonably available with respect to the operation of the income tax laws, including classifications of taxpayers and of income, the amounts allowed as deductions, exemptions, and credits, and any other facts deemed pertinent and valuable".

(4) The reason for exempting the above-named system of records is that disclosure of statistical records (including release of accounting for disclosures) would in most instances be of no benefit to a particular individual since the records do not have a direct effect on a given individual.

(5) The provisions of the Privacy Act of 1974 from which exemption is claimed under 5 U.S.C. 522a(k)(4) are as follows:

5 U.S.C. 552a (c) (3)
5 U.S.C. 522a(d) (1), (2), (3), and (4)
5 U.S.C. 552a (e) (1)
5 U.S.C. 552a (e) (4) (G), (H), and (I)
5 U.S.C. 552a (f)

(e) *Exemptions under 5 U.S.C. 552a (k) (5).* (1) This paragraph applies to the following systems of records maintained by the Internal Revenue Service, for which exemptions are claimed under 5 U.S.C. 552a (k) (5):

| Name of system: | No. |
|---|---|
| Personnel Investigation Records | 36.006 |
| Recruiting, Examining and Placement Records | 36.008 |
| Security, Background and Character Investigations Files | 60.008 |
| Chief Counsel General Administrative Systems | 90.003 |
| Employee Recruiting Files Maintained by the Administrative Services Division | 90.011 |
| Management Files Maintained by Administrative Services Division and the Assistant Chief Counsel other than the Civil Service Commission's Official Personnel Files | 90.014 |

(2) Under 5 U.S.C. 552a (k) (5), the head of any agency may promulgate rules to exempt any system of records within the agency from certain provisions of the Privacy Act of 1974 if the system is investigatory material compiled solely for the purpose of determining suitability, eligibility, and qualifications for Federal civilian employment or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Thus, to the extent that records in the above-named systems can be disclosed without revealing the identity of a confidential source, they are not within the scope of this exemption and are subject to all the requirements of the Privacy Act.

(3) The provisions of the Act from which exemptions are claimed for the above-named systems of records are in general those providing for individual access to records. When such access would cause the identity of a confidential source to be revealed, it would impair the future ability of the Service to compile investigatory material for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information. In addition, the systems are to be exempt from 5 U.S.C. 552a(e)(1), which requires that the agency maintain in its records only such information about an individual as is relevant and necessary to accomplish a statutory or executively ordered purpose. The Service finds that to fulfill the requirements of 5 U.S.C. 552a(e)(1) would unduly restrict the agency in its information gathering inasmuch as it is often not until well after the investigation that it is possible to determine the relevance and necessity of particular information.

(4) If any investigatory material contained in the above-named systems becomes involved in criminal or civil matters, exemptions of such material under 5 U.S.C. 552a (j)(2) or (k)(2) is hereby claimed.

(5) The provisions of the Privacy Act of 1974 from which exemptions are claimed under 5 U.S.C. 552a(k)(5) are as follows:

5 U.S.C. 552a (c) (3)
5 U.S.C. 552a (d) (1), (2), (3), and (4)
5 U.S.C. 552a (e) (1)
5 U.S.C. 552a (e) (4) (G), (H), and (I)
5 U.S.C. 552a (f)

(f) *Exemption under 5 U.S.C. 552a (k)(6).* (1) This paragraph applies to the following system of records maintained by the Internal Revenue Service, for which exemption is claimed under 5 U.S.C. 552a(k)(6): Recruiting, Examining and Placement Records 36.008.

(2) Under 5 U.S.C. 552a(k)(6), the head of any agency may promulgate rules to exempt any system of records that is testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

(3) The reason for exempting the above-named system is that disclosure of the material in the system would compromise the objectivity or fairness of the examination process.

(4) The provisions of the Privacy Act of 1974 from which exemptions are

claimed under 5 U.S.C. 552a(k)(6) are as follows:

5 U.S.C. 552a (c) (3)
5 U.S.C. 552a (d) (1), (2), (3), and (4)
5 U.S.C. 552a (e) (1)
5 U.S.C. 552a (e) (4) (G), (H), and (I)
5 U.S.C. 552a (f)

(g) *Exempt information included in another system.* Any information from a system of records for which an exemption is claimed under 5 U.S.C. 552a(j) or (k) which also is included in another system of records retains the same exempt status such information has in the system for which such exemption is claimed.

UNITED STATES CUSTOMS SERVICE

NOTICE OF EXEMPT SYSTEMS

In accordance with 5 U.S.C. 552a(j) and (k), general notice is hereby given of rulemaking pursuant to the Privacy Act of 1974 by the Commissioner, United States Customs Service, under authority delegated to him by the Secretary of the Treasury The Commissioner, United States Customs Service, exempts the systems of records identified in the paragraphs below from certain provisions of the Privacy Act of 1974 as set forth in such paragraphs.

a. *General exemptions under 5 U.S.C. 552a(j)(2)* Pursuant to the provisions of 5 U.S.C 552a(j)(2), the Commissioner, United States Customs Service, hereby exempts certain systems of records, maintained by the United States Customs Service, from the provisions of 5 U.S.C. 552a(c)(3) and (4), (d)(1), (2), (3) and (4), (e)(1), (2), (3), (4)(G), (H) and (I), (5) and (8), (f) and (g).

1. *Exempt systems.* The following systems of records which contain information of the type described in 5 U.S.C. 552a (j)(2), shall be exempt from the provisions of 5 U.S.C. 552a listed in paragraph a. above except as otherwise indicated below and in the general notice of the existence and character of systems of records which appears elsewhere in the FEDERAL REGISTER:

*Aircraft Registers*
*Cargo Security File*
*CARNET Information System*
*Confidential Source Identification File*
*Currency and Monetary Instrument Reporting System (CMIR)*
*Customs Fugitive Program*
*Customs Licensing and Identification Program (Proposed)* (exemptions applicable solely to the extent necessary to protect identity of confidential sources).
*Investigations Record System*
*Private Aircraft Inspection Reporting System (PAIRS)* (exemptions applicable solely to the extent necessary to protect identity of confidential sources).
*Private Yacht Inspection Reporting System* (exemptions applicable solely to the extent necessary to protect identity of confidential sources)
*Search, Arrest and Seizure Reporting System*
*Seventy-two Hour Archives Search System*
*Telephone Analysis Program (TELAN)*
*Theft Information System (TIS)*
*Treasury Enforcement Communications System (TECS)*
*Vessel Violation Profile System*
*Violators File*

2. *Reasons for exemptions.* (a). 5 U.S.C. 552a(e)(4)(G) and (f)(1) enable individuals to be notified whether a system of records contains records pertaining to them. The Customs Service believes that application of these provisions to the above-listed systems of records would give individuals an opportunity to learn whether they are of record either as suspects or as subjects of a criminal investigation; this would compromise the ability of the Customs Service to complete investigations and to detect and apprehend violators of the Customs and related laws in that individuals would thus be able (1) to take steps to avoid detection, (2) to inform co-conspirators of the fact that an investigation is being conducted, (3) to learn the nature of the investigation to which they are being subjected, (4) to learn the type of surveillance being utilized, (5) to learn whether they are only suspects or identified law violators, (6) to continue or resume their illegal conduct without fear of detection upon learning that they are not in a particular system of records, and (7) to destroy evidence needed to prove the violation.

(b). 5 U.S.C. 552a(d)(1), (e)(4)(H) and (f) (2), (3) and (5) enable individuals to gain access to records pertaining to them. The Customs Service believes that application of these provisions to the above-listed systems of records would compromise its ability to complete or continue criminal investigations and to detect and apprehend violators of the Customs and related criminal laws. Permitting access to records contained in the above-listed systems of records would provide individuals with significant information concerning the nature of the investigation, and this could enable them to avoid detection or apprehension in the following ways: (1) By discovering the collection of facts which would form the basis for their arrest, (2) by enabling them to destroy contraband or other evidence of criminal conduct which would form the basis for their arrest and, (3) by learning that the criminal investigators had reason to believe that a crime was about to be committed, they could delay the commission of the crime or change the scene of the crime to a location which might not be under surveillance. Granting access to on-going or closed investigative files would also reveal investigative techniques and procedures, the knowledge of which could enable individuals planning criminal activity to structure their future operations in such a way as to avoid detection or apprehension, thereby neutralizing law enforcement officers' established investigative tools and procedures. Further, granting access to investigative files and records could disclose the identity of confidential sources and other informers and the nature of the information which they supplied, thereby endangering the life or physical safety of those sources of information by exposing them to possible reprisals for having provided information relating to the criminal activities of those individuals who are the subjects of the investigative files and records; confidential sources and other informers might refuse to provide criminal investigators with valuable information if they could not be secure in the knowledge that their identities would not be revealed through disclosure of either their names or the nature of the information they supplied, and this would seriously impair the ability of the Customs Service to carry out its mandate to enforce the Customs criminal and related laws. Additionally, providing access to records contained in the above-listed systems of records could reveal the identities of undercover law enforcement officers who compiled information regarding individual's criminal activities, thereby endangering the life or physical safety of those undercover officers or their families by exposing them to possible reprisals.

(c). 5 U.S.C. 552a(d) (2), (3) and (4), (e)(4)(H) and (f)(4), which are dependent upon access having been granted to records pursuant to the provisions cited in subparagraph (b) above, enable individuals to contest (seek amendment to) the content of records contained in a system of records and require an agency to note an amended record and to provide a copy of an individual's statement (of disagreement with the agency's refusal to amend a record) to persons or other agencies to whom the record has been disclosed. The Customs Service believes that the reasons set forth in subparagraph (b) above are equally applicable to this subparagraph and, accordingly, those reasons are hereby incorporated herein by reference.

(d). 5 U.S.C. 552a(c)(3) requires that an agency make accountings of disclosures of records available to individuals named in the records at their request; such accountings must state the date, nature and purpose of each disclosure of a record and the name and address of the recipient. The Customs Service believes that application of this provision to the above-listed systems of records would impair the ability of other law enforcement agencies to make effective use of information provided by the Customs Service in connection with the investigation, detection and apprehension of violators of the criminal laws enforced by those other law enforcement agencies. Making accountings of disclosure available to violators would alert those individuals to the fact that another agency is conducting an investigation into their criminal activities, and this could reveal the geographic location of the other agency's investigation, the nature and purpose of that investigation, and the dates on which that investigation was active. Violators possessing such knowledge would thereby be able to take appropriate measures to avoid detection or apprehension by altering their operations, by transferring their criminal activities to other geogrpahical areas or by destroying or concealing evidence which would form the basis for their arrest. In addition, providing violators with ac-

countings of disclosure would alert those individuals to the fact that the Customs Service has information regarding their criminal activities and could inform those individuals of the general nature of that information; this, in turn, would afford those individuals a better opportunity to take appropriate steps to avoid detection or apprehension for violations of the Customs and related criminal laws.

(e). 5 U.S.C. 552a(c)(4) requires that an agency inform any person or other agency about any correction or notation of dispute made by the agency in accordance with 5 U.S.C. 552a(d) of any record that has been disclosed to the person or agency if an accounting of the disclosure was made. Since this provision is dependent on an individual's having been provided an opportunity to contest (seek amendment to) records pertaining to him, and since the above-listed systems of records are proposed to be exempted from those provisions of 5 U.S.C. 552a relating to amendments of records as indicated in subparagraph (c) above, the Customs Service believes that this provision should not be applicable to the above-listed systems of records.

(f). 5 U.S.C. 552a(e)(4)(I) requires that an agency publish a public notice listing the categories of sources for information contained in a system of records. The Customs Service believes that application of this provision to the above-listed systems of records could compromise its ability to conduct investigations and to identify, detect and apprehend violators of the Customs and related criminal laws for the reasons that revealing sources for information could 1) disclose investigative techniques and procedures, 2) result in threatened or actual reprisal directed to informers by the subject under investigation, and 3) result in the refusal of informers to give information or to be candid with criminal investigators because of the knowledge that their identities as sources might be disclosed.

(g). 5 U.S.C. 552a(e)(1) requires that an agency maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or executive order. The term "maintain" as defined in 5 U.S.C. 552a(a)(3) includes "collect" and "disseminate." At the time that information is collected by the Customs Service, there is often insufficient time to determine whether the information is relevant and necessary to accomplish a purpose of the Customs Service; in many cases information collected may not be immediately susceptible to a determination of whether the information is relevant and necessary, particularly in the early stages of investigation, and in many cases information which initially appears to be irrelevant and unnecessary may, upon further evaluation or upon continuation of the investigation, prove to have particular relevance to an enforcement program of the Customs Service. Further, not all violations of law discovered during a Customs Service criminal investigation fall within the investigative jurisdiction of the Customs Service; in order to promote effective law enforcement, it often becomes necessary and desirable to disseminate information pertaining to such violations to other law enforcement agencies which have jurisdiction over the offense to which the information relates. The Customs Service should not be placed in a position of having to ignore information relating to violations of law not within its jurisdiction where that information comes to the attention of the Customs Service through the conduct of a lawful Customs Service investigation. The Customs Service therefore believes that it is appropriate to exempt the above-listed systems of records from the provisions of 5 U.S.C. 552a(e)(1).

(h) 5 U.S.C. 552a(e)(2) requires that an agency collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs. The Customs Service believes that application of this provision to the above-listed systems of records would impair the ability of the Customs Service to conduct investigations and to identify, detect and apprehend violators of the Customs and related criminal laws for the following reasons: 1) most information collected about an individual under criminal investigation is obtained from third parties such as witnesses and informers, and it is usually not feasible to rely upon the subject of the investigation as a source for information regarding his criminal activities, 2) an attempt to obtain information from the subject of a criminal investigation will often alert that individual to the existence of an investigation, thereby affording the individual an opportunity to attempt to conceal his criminal activities so as to avoid apprehension, 3) in certain instances the subject of a criminal investigation is not required to supply information to criminal investigators as a matter of legal duty, and 4) during criminal investigations it is often a matter of sound investigative procedure to obtain information from a variety of sources in order to verify information already obtained.

(i). 5 U.S.C. 552a(e)(3) requires that an agency inform each individual whom it asks to supply information, on the form which it uses to collect the information or on a separate form that can be retained by the individual: the authority which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary; the principal purposes for which the information is intended to be used; the routine uses which may be made of the information; and the effects on the individual of not providing all or part of the requested information. The Customs Service believes that the above-listed systems of records should be exempted from this provision in order to avoid adverse effects on its ability to identify, detect and apprehend violators of the Customs and related criminal laws. In many cases information is obtained by confidential sources or other informers or by undercover law enforcement officers under circumstances where it is necessary that the true purpose of their actions be kept secret so as to not let it be known by the subject of the investigation or his associates that a criminal investigation is in progress. Further, if it became known that the undercover officer was assisting in a criminal investigation, that officer's life or physical safety could be endangered through reprisal, and, further, under such circumstances it may not be possible to continue to utilize that officer in the investigation. In many cases individuals for personal reasons would feel inhibited in talking to a person representing a criminal law enforcement agency but would be willing to talk to a confidential source or undercover officer who they believed was not involved in law enforcement activities. In addition, providing a source of information with written evidence that he was a source, as required by this provision, could increase the likelihood that the source of information would be the subject of retaliatory action by the subject of the investigation. Further, application of this provision could result in an unwarranted invasion of the personal privacy of the subject of the criminal investigation, particularly where further investigation would result in a finding that the subject was not involved in any criminal activity.

(j). 5 U.S.C. 552a(e)(5) requires that an agency maintain all records used by the agency in making any determination about any individual with such accuracy, relevance, timeliness and completeness as is reasonably necessary to assure fairness to the individual in the determination. Since 5 U.S.C. 552a(a)(3) defines "maintain" to include "collect" and "disseminate," application of this provision to the above-listed systems of records would hinder the initial collection of any information which could not, at the moment of collection, be determined to be accurate, relevant, timely and complete. Similarly, application of this provision would seriously restrict the necessary flow of information from the Customs Service to other law enforcement agencies where a Customs Service investigation revealed information pertaining to a violation of law which was under the investigative jurisdiction of another agency. In collecting information during the course of a criminal investigation, it is not possible or feasible to determine accuracy, relevance, timeliness or completeness prior to collection of the information; in disseminating information to other law enforcement agencies it is often not possible to determine accuracy, relevance, timeliness or completeness prior to dissemination because the disseminating agency may not have the expertise with which to make such determinations. Further, information which may initially appear to be inaccurate, irrelevant, untimely or incomplete may, when gathered, grouped, and evaluated with other available information, become

more pertinent as an investigation progresses. In addition, application of this provision could seriously impede criminal investigators and intelligence analysts in the exercise of their judgement in reporting on results obtained during criminal investigations. The Customs Service therefore believes that it is appropriate to exempt the above-listed systems of records from the provisions of 5 U.S.C. 552a(e)(5).

(k). 5 U.S.C. 552a(e)(8) requires that an agency make reasonable efforts to serve notice on an individual when any record on the individual is made available to any person under compulsory legal process when such process becomes a matter of public record. The Customs Service believes that the above-listed systems of records should be exempt from this provision in order to avoid revealing investigative techniques and procedures outlined in those records and in order to prevent revelation of the existence of an on-going investigation where there is a need to keep the existence of the investigation secret.

(l). 5 U.S.C. 552a(g) provides civil remedies to an individual for an agency refusal to amend a record or to make a review of a request for amendment, for an agency refusal to grant access to a record, for an agency failure to maintain accurate, relevant, timely and complete records which are used to make a determination which is adverse to the individual, and for an agency failure to comply with any other provision of 5 U.S.C. 552a in such a way as to have an adverse effect on an individual. The Customs Service believes that the above-listed systems of records should be exempted from this provision to the extent that the civil remedies provided therein may relate to provisions of 5 U.S.C. 552a from which the above-listed systems of records are proposed to be exempt. Since the provisions of 5 U.S.C. 552a enumerated in subparagraphs (a) through (k) above are proposed to be inapplicable to the above-listed systems of records for the reasons stated therein, there should be no corresponding civil remedies for failure to comply with the requirements of those provisions to which the exemption is proposed to apply. Further, the Customs Service believes that application of this provision to the above-listed systems of records would adversely affect its ability to conduct criminal investigations by exposing to civil court action every stage of the criminal investigative process in which information is compiled or used in order to identify, detect, apprehend and otherwise investigate persons suspected or known to be engaged in criminal conduct in violation of the Customs and related laws.

b. *Specific exemptions under 5 U.S.C. 552a(k)(2)*

Pursuant to the provisions of 5 U.S.C. 552a(k)(2), the Commissioner, United States Customs Service, hereby exempts certain systems of records, maintained by the United States Customs Service, from the provisions of 5 U.S.C. 552a(c)(3), (d)(1), (2), (3) and (4), (e)(1) and (4)(G), (H) and (I) and (f).

1. *Exempt systems.* The following systems of records, which contain information of the type described in 5 U.S.C. 552a(k)(2), shall be exempt from the provisions of 5 U.S.C. 552a listed in paragraph b. above except as otherwise indicated below and in the general notice of the existence and character of systems of records which appears elsewhere in the FEDERAL REGISTER:

*Advice Requests (Legal)*
*Aircraft Registers*
*Aircraft Ownership File*
*Arrest/Seizure/Search Report and Notice of Penalty File*
*Attorney Case File*
*Boarding Report.*
*Cargo Security File*
*CARNET Information System*
*Cartmen or Lightermen*
*Case Files (Regional Counsel—Region V)*
*Claims Case File*
*Claims Files (Region VIII)*
*Claims for Automobile Accidents*
*Collection File*
*Confidential Source Identification File*
*Container Station Operator Files* (exemptions applicable solely to the extent necessary to protect identity of confidential sources)
*Cooperating Individual Files*
*Court Case File*
*Court Case Files (Region VIII)*
*Court Docket Records System*
*Currency and Monetary Instrument Reporting System (CMIR)*
*Customhouse Brokers File, Chief Counsel*
*Customhouse Brokers, Headquarters Records*
*Customhouse Brokers Records*
*Customhouse Brokers Records (Headquarters)*
*Customs Fugitive Program*
*Customs Licensing and Identification Program (Proposed)* (exemptions applicable solely to the extent necessary to protect identity of confidential sources).
*Disciplinary Action and Resulting Grievance or Appeal Case Files*
*Disclosure of Information File* (two systems of the same name)
*Disclosure of Information Request Files (Region VIII)*
*Equal Employment Opportunity Program*
*Equal Opportunity Discrimination Complaint Case File*
*Federal Tort Claims Act File* (two systems of the same name)
*Fines, Penalties, and Forfeitures (Supplemental Petitions)*
*Fines, Penalties, and Forfeiture Files (Supplemental Petitions)*
*Fines, Penalties and Forfeiture Records*
*Fines, Penalties and Forfeiture Records (Headquarters)*
*Fines, Penalty, and Forfeiture (FP&F) Record System*
*Florida Boat Registration File*
*Information and Investigative Reports From Other Federal Agencies*
*Information Received File (Patrol File)*
*Information Received File (Patrol Division—New Orleans, La.)* (two systems of the same name)
*Information Received (MOIR) File (San Diego DD)*
*Information Received File (San Juan Patrol)*
*Intelligence Log*
*Internal Security Records System*
*Investigations Record System*
*Justice Court Case File* (two systems of the same name)
*Justice Department Case File*
*Litigation Issue Files*
*Lookout Notice*
*Narcotics Suspect File*
*Notification of Personnel Management Division When An Employee is Placed Under Investigation by the Office of Internal Affairs*
*Patrol Information Data System*
*Patrol Officers Case File*
*Penalty Case File*
*Personal Search Negative* (exemptions applicable solely to the extent necessary to protect enforcement techniques)
*Personal Search, (Negative Results)* (exemptions applicable solely to the extent necessary to protect enforcement techniques)
*Personal Search—Negative (District Director—Mobile, Alabama)* (exemptions applicable solely to the extent necessary to protect enforcement techniques)
*Personal Search—Negative (District Patrol—New Orleans, La. and Mobile, Alabama)* (exemptions applicable solely to the extent necessary to protect enforcement techniques)
*Personal Search File* (exemptions applicable solely to the extent necessary to protect enforcement techniques)
*Personal Search Report* (exemptions applicable solely to the extent necessary to protect enforcement techniques)
*Personnel Action Records System*
*Personnel Case File* (two systems of the same name)
*Personnel Case Files (Region VIII)*
*Private Aircraft Inspection Reporting System (PAIRS)* (exemptions applicable solely to the extent necessary to protect identity of confidential sources).
*Private Yacht Inspection Reporting System* (exemptions applicable solely to the extent necessary to protect identity of confidential sources).
*Regulatory Audits of Customhouse Brokers*
*Search/Arrest/Seizure Report*
*Search, Arrest and Seizure Reporting System*
*Seizure File*
*Seventy-two Hour Archives Search System*
*Suspect File* (two systems of the same name)
*Suspect Persons Index*
*Telephone Analysis Program (TELAN)*
*Theft Information System*
*Tort Claims Act File* (three systems of the same name)
*Tort Claim Records System*
*Treasury Enforcement Communications System (TECS)*
*Treasury Enforcement Communications System Card File*
*Vessel Identification Report*
*Vessel Violation Profile System*
*Violator's Case Files*
*Violators File*
*Warehouse Proprietor Files*

2. *Reasons for exemptions.* (a). 5 U.S.C. 552a(e)(4)(G) and (f)(1) enable individuals to be notified whether a system of records contains records pertaining to them. The Customs Service believes that application of these provisions (to those of the above-listed systems of records for which no notification procedures have been provided in the general notice of the existence and character of systems of records which appears elsewhere in the Federal Register) would impair the ability of the Customs Service to successfully complete investigations and inquiries of suspected violators of civil and criminal laws and regulations under its jurisdiction. In many cases investigations and inquiries into violations of civil and criminal laws and regulations involve complex and continuing patterns of behavior. Individuals, if informed that they have been identified as suspected violators of civil or criminal laws and regulations, would

have an opportunity to take measures to prevent detection of illegal action so as to avoid prosecution or the imposition of civil sanctions. They would also be able to learn the nature and location of the investigation or inquiry and the type of surveillance being utilized, and they would be able to transmit this knowledge to co-conspirators. Finally, violators might be given the opportunity to destroy evidence needed to prove the violation under investigation or inquiry.

(b). 5 U.S.C. 552a(d)(1), (e)(4)(H) and (f)(2), (3) and (5) enable individuals to gain access to records pertaining to them. The Customs Service believes that application of these provisions to the above-listed systems of records would impair its ability to complete or continue civil or criminal investigations and inquiries and to detect and apprehend violators of the Customs and related laws. Permitting access to records contained in the above-listed systems of records would provide violators with significant information concerning the nature of the civil or criminal investigation or inquiry. Knowledge of the facts developed during an investigation or inquiry would enable violators of criminal and civil laws and regulations to learn the extent to which the investigation or inquiry has progressed, and this could provide them with an opportunity to destroy evidence that would form the basis for prosecution or the imposition of civil sanctions. In addition, knowledge gained through access to investigatory material could alert a violator to the need to temporarily postpone commission of the violation or to change the intended point where the violation is to be committed so as to avoid detection or apprehension. Further, access to investigatory material would disclose investigative techniques and procedures which, if known, could enable violators to structure their future operations in such a way as to avoid detection or apprehension, thereby neutralizing investigators' established and effective investigative tools and procedures. In addition, investigatory material may contain the identity of a confidential source of information or other informer who would not want his identity to be disclosed for reasons of personal privacy or for fear of reprisal at the hands of the individual about whom he supplied information. In some cases mere disclosure of the information provided by an informer would reveal the identity of the informer either through the process of elimination or by virtue of the nature of the information supplied. If informers cannot be assured that their identities (as sources for information) will remain confidential, they would be very reluctant in the future to provide information pertaining to violations of criminal and civil laws and regulations, and this would seriously compromise the ability of the Customs Service to carry out its mission. Further, application of 5 U.S.C. 552a(d)(1), (e)(4)(H) and (f)(2), (3) and (5) to the above-listed systems of records would make available attorney's work product and other documents which contain evaluations, recommendations, and discussions of ongoing civil and criminal legal proceedings; the availability of such documents could have a chilling effect on the free flow of information and ideas within the Customs Service which is vital to the agency's predecisional deliberative process, could seriously prejudice the agency's or the Government's position in a civil or criminal litigation, and could result in the disclosure of investigatory material which should not be disclosed for the reasons stated above. It is the belief of the Customs Service that, in both civil actions and criminal prosecutions, due process will assure that individuals have a reasonable opportunity to learn of the existence of, and to challenge, investigatory records and related materials which are to be used in legal proceedings.

(c). 5 U.S.C. 552a(d)(2),(3) and (4), (e)(4)(H) and (f)(4), which are dependent upon access having been granted to records pursuant to the provisions cited in subparagraph (b) above, enable individuals to contest (seek amendment to) the content of records contained in a system of records and require an agency to note an amended record and to provide a copy of an individual's statement (of disagreement with the agency's refusal to amend a record) to persons or other agencies to whom the record has been disclosed. The Customs Service believes that the reasons set forth in subparagraph (b) above are equally applicable to this subparagraph, and, accordingly, those reasons are hereby incorporated herein by reference.

(d). 5 U.S.C. 552a(c)(3) requires that an agency make accountings of disclosures of records available to individuals named in the records at their request; such accountings must state the date, nature and purpose of each disclosure of a record and the name and address of the recipient. The Customs Service believes that application of this provision to the above-listed systems of records would impair the ability of the Customs Service and other law enforcement agencies to conduct investigations and inquiries into civil and criminal violations under their respective jurisdictions. Making accountings available to violators would alert those individuals to the fact that the Customs Service or another law enforcement authority is conducting an investigation or inquiry into their activities, and such accountings could reveal the geographic location of the investigation or inquiry, the nature and purpose of the investigation or inquiry and the nature of the information disclosed, and the dates on which that investigation or inquiry was active. Violators possessing such knowledge would thereby be able to take appropriate measures to avoid detection or apprehension by altering their operations, transferring their activities to other locations or destroying or concealing evidence which would form the basis for prosecution or the imposition of civil sanctions.

(e). 5 U.S.C. 552a(e)(1) requires that an agency maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or executive order. The term "maintain" as defined in 5 U.S.C. 552a(a)(3) includes "collect" and "disseminate." At the time that information is collected by the Customs Service there is often insufficient time to determine whether the information is relevant and necessary to accomplish a purpose of the Customs Service. In many cases information collected may not be immediately susceptible to a determination of whether the information is relevant and necessary, particularly in the early stages of investigation or inquiry, and in many cases information which initially appears to be irrelevant and unnecessary may, upon further evaluation or upon continuation of the investigation or inquiry, prove to have particular relevance to an enforcement program of the Customs Service. Further, not all violations of law uncovered during a Customs Service investigation or inquiry fall within the civil or criminal jurisdiction of the Customs Service. In order to promote effective law enforcement it often becomes necessary and desirable to disseminate information pertaining to such violations to other law enforcement agencies which have jurisdiction over the offense to which the information relates. The Customs Service should not be placed in a position of having to ignore information relating to violations of law not within its jurisdiction where that information comes to the attention of the Customs Service through the conduct of a lawful Customs Service civil or criminal investigation or inquiry. The Customs Service therefore believes that it is appropriate to exempt the above-listed systems of records from the provisions of 5 U.S.C. 552a(e)(1).

c. *Specific exemptions under 5 U.S.C. 552a(k)(5).* Pursuant to the provisions of 5 U.S.C. 552a(k)(5), the Commissioner, United States Customs Service, hereby exempts the *Internal Security Records System* from the provisions of 5 U.S.C. 552a(c)(3), (d)(1), (2), (3) and (4), (e)(1) and (4)(G), (H) and (I) and (f). The records maintained in the exempt system of records are of the type described in 5 U.S.C. 552a(k)(5): "investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence."

Thus to the extent that the records in this system can be disclosed without revealing the identity of a confidential source, they are not within the scope of this exemption and are subject to all the requirements of 5 U.S.C. 552a, except where those records contain other information which is exempt under the provisions of 5 U.S.C. 552a(k)(2) for the reasons stated under paragraph b, above.

The sections of 5 U.S.C. 552a from which this system of records is exempt include in general those providing for individuals' access to or amendment of records. When such access or amendment would cause the identity of a confidential source to be revealed, it would impair the future ability of the Customs Service to compile investigatory material for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information.

In addition, the systems shall be exempt from 5 U.S.C. 552a(e)(1) which requires that an agency maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or executive order. The Customs Service believes that to fulfill the requirements of 5 U.S.C. 552a(e)(1) would unduly restrict the agency in its information gathering inasmuch as it is often not until well after the investigation that it is possible to determine the relevance and necessity of particular information.

If any investigations within the scope of 5 U.S.C. 552a(k)(5) become involved with civil or criminal matters, exemptions from 5 U.S.C. 552a could also be asserted under 5 U.S.C. 552a(k)(2) or (j)(2).

UNITED STATES SECRET SERVICE

*Notice of rules exempting certain systems from requirements of the Privacy Act*

(a) *In general.* The Director of the U.S. Secret Service hereby issues rules exempting the Criminal Investigation Information System of records, the Non-Criminal Investigation Information System of records, and the Protection Information System of records from the provisions of certain subsections of 5 U.S.C. 552a, the Privacy Act of 1974. The purpose of the exemptions is to maintain the confidentiality of information compiled for the purpose of criminal, non-criminal, and protective investigations.

(b) *Authority.* These rules are promulgated pursuant to the authority vested in the Secretary of the Treasury by 5 U.S.C. 552a (j) and (k) and pursuant to the authority vested in the Director, U.S. Secret Service by paragraph 123(c) of Subpart C of Part 1 of Subtitle A of Title 31 of the Code of Federal Regulations.

(c) *Exempted Systems.* 1. U.S. Secret Service Criminal Investigation Information System. The Criminal Investigation Information System is further described in "Notices of Records Systems" published by the General Services Administration.

(1) *Provisions from which exempted.* The Criminal Investigation Information System maintained by the Secret Service contains records described in 5 U.S.C. 552a (j) and (k), the Privacy Act of 1974. Exemptions are claimed for such described records only where appropriate from the following provisions of the Privacy Act of 1974 subsections (c) (3) and (4); (d) (1), (2), (3) & (4); (e) (1), (2) and (3); (e)(4) (G), (H) and (I); (e) (5) and (8); (f) and (g) of 5 U.S.C. 552a.

(2) *Reasons for claimed exemptions.* a. 5 U.S.C. 552a(c)(3): This provision of the Privacy Act provides for the release of the disclosure accounting required by 5 U.S.C. 552a(c) (1) and (2) to the individual named in the record at his request. The reasons why the Criminal Investigation Information System is exempted from the foregoing provision are as follows:

(i) The release of accounting disclosures would put the subject of a criminal investigation on notice of the existence of an investigation and that he is the subject of that investigation;

(ii) It would provide the subject of a criminal investigation with an accurate accounting of the date, nature, and purpose of each disclosure and the name and address of the person or agency to whom the disclosure is made. Obviously, the release of such information to the subject of a criminal investigation would provide him with significant information concerning the nature of the investigation and could result in impeding or compromising the efforts of law enforcement personnel to detect and arrest persons suspected of criminal activity;

(iii) Disclosure to the individual of the disclosure accounting after the investigation is closed would alert the individual as to which agencies were investigating him and would put him on notice concerning the scope of his suspected criminal activities and could aid him in avoiding detection and apprehension.

b. 5 U.S.C. 552a(c)(4); (d); (e)(4) (G) and (H); (f) and (g): The foregoing provisions of the Privacy Act relate to an individual's right to notification of the existence of records pertaining to him and access to such records; the agency procedures relating to notification, access and contest of the information contained in such records; and the civil remedies available to the individual in the event of adverse determinations by an agency concerning access to or amendment of information contained in record systems. The reasons why the Criminal Investigation Information System of records is exempted from the foregoing provisions are as follows:

(i) To notify an individual at his request of the existence of records pertaining to him in the Criminal Investigation Information System would inform the individual of the existence of an investigation and that he is the subject of that investigation. This would enable the individual to avoid detection and would further enable him to inform co-conspirators of the fact that an investigation is being conducted;

(ii) To permit access to the records contained in the Criminal Investigation Information System would not only inform an individual that he is or was the subject of a criminal investigation, but would also provide him with significant information concerning the nature of the investigation which might enable him to avoid detection or apprehension;

(iii) To grant access to an on-going or closed criminal investigative file could interfere with Secret Service investigative and enforcement proceedings, deprive co-defendants of a right to a fair trial or an impartial adjudication, constitute an unwarranted invasion of the personal privacy of others, disclose the identity of confidential sources and reveal confidential information supplied by such sources, and disclose investigative techniques and procedures, or endanger the life or physical safety of law enforcement personnel, informants, witnesses, and other persons supplying information to investigators.

c. 5 U.S.C. a(e)(4)(I): This provision of the Privacy Act requires the publication of the categories of sources of records, in each system of records. The reasons why the Criminal Investigation Information System of records is exempted from the foregoing provision are as follows:

(i) Revealing sources of information could disclose investigative techniques and procedures;

(ii) Revealing sources of information could result in retaliation and threat of reprisal by the subject under investigation against such sources;

(iii) Revealing sources of information could cause witnesses, informants and others who supply information to criminal investigators to refrain from giving such information because of fear of reprisal, or ear of breach of promises of anonymity and confidentiality;

(iv) Revealing sources of information could result in the refusal of some sources to give full and complete information or to be candid with investigators because of the knowledge that the identity of such sources may be disclosed.

d. 5 U.S.C. 552a(e)(1): This provision of the privacy Act requires each agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency. The reasons why the Criminal Investigation Information System of records is exempted from the foregoing provisions are as follows:

(i) In a criminal investigation it is difficult to accurately determine the relevancy and necessity of information during the process of information gathering. Only after the information is evaluated can the relevancy and necessity of such information be ascertained;

(ii) In a criminal investigation, the Secret Service often obtains information concerning the violations of laws other than those within the scope of its criminal investigative jurisdiction. In the interest of effective law enforcement, the Secret Service should retain this information as it may aid in establishing patterns of criminal activity, and provide valuable leads for those law enforcement agencies charged with enforcing other segments of the criminal law;

(iii) In interviewing persons, or obtaining other forms of evidence during a criminal investigation, information will be supplied to the investigator which relates to matters which are ancillary to

the main purpose of the investigation but which may relate to matters under the investigative jurisdiction of another agency. Such information is not readily susceptible to segregation.

e. 5 U.S.C. 552a(e)(2): This provision of the Privacy Act requires an agency to collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's right, benefits and privileges under Federal programs. The reasons why the Criminal Investigation Information System is exempted from from the foregoing provision are as follows:

(i) In certain instances, the subject of a criminal investigation is not required to supply information to investigators as a matter of legal right. In those instances, information relating to a subject's criminal activities must be obtained from other sources;

(ii) A requirement that information be collected from an individual who is the subject of a criminal investigation would put the individual on notice of the existence of the investigation and could enable him to avoid detection or apprehension;

(iii) In a criminal investigation it is necessary to obtain evidence from a variety of sources other than the subject of the investigation in order to accumulate and verify the evidence necessary for the successful prosecution of persons suspected of violating the criminal laws.

f. 5 U.S.C. a (e)(3): This provision of the Privacy Act requires an agency to inform each individual whom it asks to supply information of the authority which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary; the principle purposes for which the information is intended to be used; the routine uses which may be made of the information; and the effect on the individual of not providing the requested information. The reasons why the Criminal Information System is exempted from the foregoing provision are as follows:

(i) Informing each individual who is asked to supply information in a criminal investigation of the information required under the foregoing provision could inform the individual of the existence of a confidential investigation; reveal the identity of confidential sources of information; and endanger the life or physical safety of confidential informants;

(ii) Informing each individual who is asked to supply information in a criminal investigation of the information required under the foregoing provision could result in an unwarranted invasion of the privacy of individuals who may be the subject of a criminal investigation or who are suspected of engaging in criminal activity;

(iii) Informing each individual who is asked to supply information in a criminal investigation of the information required under the foregoing provision would inhibit such individuals from supplying the requested information and thereby present a serious impediment to the successful investigation and prosecution of violations of the criminal law.

g. 5 U.S.C. 552a(e)(5): This provision of the Privacy Act requires an agency to maintain all records which are used in making any determination about an individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination. The reasons why the Criminal Investigation Information System is exempted from the foregoing provisions are as follows:

(i) In gathering information during the course of a criminal investigation it is usually not possible to determine in advance what information is accurate, relevant, timely, and complete. Seemingly nonrelevant or untimely information may acquire new significance as an investigation progresses;

(ii) The restrictions on the maintenance of the records contained in the foregoing provision could impede investigators and intelligence analysts in the exercise of their judgment and discretion in reporting on criminal investigations;

(iii) Compliance with the records maintenance criteria listed in the foregoing provision could require the periodic up-dating of Secret Service criminal investigations to insure that the records maintained in the system remain timely and complete.

h. 5 U.S.C. a (e)(8): This provision of the Privacy Act requires an agency to make reasonable efforts to serve notice to an individual when any record on such individual is made available to any person under compulsory legal process becomes a matter of public record. The reasons why the Criminal Investigation Information System is exempted from the foregoing provision are as follows:

(i) The notice requirement of the foregoing provision could impede law enforcement by revealing investigative techniques and procedures;

(ii) The notice requirement of the foregoing provision could reveal the existence of confidential investigations to individuals who are the subjects of such investigations.

i. The foregoing exemptions are claimed for materials maintained in the Criminal Investigation Information System to the extent that such materials contain information and reports described in 5 U.S.C. 552a(j)(2). Further, records maintained in the Criminal Investigation Information System described in 5 U.S.C. 552a(k) are exempted from subsections (c)(3), (d)(1), (2), (3) & (4); (e)(1), (e)(4)(G), (H) and (I) and (f) of 5 U.S.C. 552a for the reasons previously stated.

II. U.S. Secret Service Non-Criminal Investigation Information System. The Non-Criminal Investigation Information System is further described in "Notices of Records Systems" published by the General Services Administration.

(1) Provisions from which exempted: The Non-Criminal Investigation Information System maintained by the Secret Service contains records similar to those described in 5 U.S.C. 552a(k), the Privacy Act of 1974. Exemptions are claimed for such described records where appropriate from the following provisions of the Privacy Act of 1974: subsections (c)(3), (d)(1), (2), (3) & (4), (e)(1); (e)(4)(G), (H), and (I) and (f) of 5 U.S.C. 552(a).

(2) *Reasons for claimed exemptions*:

a. 5 U.S.C. 552a(c)(3): This provision of the Privacy Act provides for the release of the disclosure accounting required by 5 U.S.C. 552a(c)(1) and (2) to the individual named in the record at his request. The reasons why the Non-Criminal Investigation Information System is exempted from the foregoing provision are as follows:

(i) The release of accounting disclosures would put the subject of an investigation on notice of the existence of an investigation and that he is the subject of that investigation;

(ii) It would provide the subject of an investigation with an accurate accounting of the date, nature, and purpose of each disclosure and the name and address of the person or agency to whom the disclosure is made. Obviously, the release of such information to the subject of an investigation would provide him with significant information concerning the nature of the investigation and could result in impeding or compromising the efforts of law enforcement personnel to obtain information essential to the successful conclusion of the investigation;

(iii) Disclosure to the individual of the disclosure accounting after the investigation is closed would alert the individual as to which agencies were investigating him, put him on notice concerning the scope of his suspected activities and reveal investigatory techniques and the identity of confidential informants. It could result in an invasion of privacy of private citizens who provide information in connection with a particular investigation.

(3) 5 U.S.C. 552a: (d), (e)(4)(G), (H) and (f): The foregoing provisions of the Privacy Act relate to an individual's right to notification of the existence of records pertaining to him and access to such records and the agency procedures relating to notification, access and contest of the information contained in such records. The reasons why the Non-Criminal Investigation Information System of records is exempted from the foregoing provisions are as follows:

(i) To notify an individual at his request of the existence of records pertaining to him in the Non-Criminal Investigation Information System would inform the individual of the existence of an investigation and that he is the subject of that investigation. This could enable the individual to secrete or destroy evidence essential to the successful completion of the investigation;

(ii) To permit access to the records contained in the Non-Criminal Investigation System would not only inform an individual that he is or was the subject of an investigation, but would also provide him with significant information con-

cerning the nature of the investigation which might enable him to avoid detection or apprehension;

(iii) To grant access to an on-going or closed non-criminal investigative file would interfere with Secret Service investigative and enforcement proceedings; deprive other parties involved in the investigations of a right to a fair trial or an impartial adjudication, constitute an unwarranted invasion of the personal privacy of others, disclose the identity of confidential sources and reveal confidential information supplied by such sources; and disclose investigative techniques and procedures.

(3) 5 U.S.C a 3 (e) (4) (I). This provision of the Privacy Act requires the publication of the categories of sources of records in each system of records. The reasons why the Non-Criminal Investigation Information System of records is exempted from the foregoing provision are as follows:

(i) Revealing sources of information would disclose investigative techniques and procedures;

(ii) Revealing sources of information would result in retaliation and threat of reprisal by the subject under investigation against such sources;

(iii) Revealing sources of information could cause witnesses, informants and others who supply information to investigators to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality;

(iv) Revealing sources of information could result in the refusal of some sources to give full and complete information or to be candid with investigators because of the knowledge that the identity of such sources may be disclosed.

(4) 5 U.S.C 552a(e)(1): This provision of the Privacy Act requires each agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency. The reasons why the Criminal Investigation Information System of records is exempted from the foregoing provision are as follows:

(i) In a non-criminal investigation it is difficult to determine accurately the relevancy and necessity of information during the process of information gathering. It is only after the information is evaluated that the relevancy and necessity of such information can be ascertained;

(ii) In a non-criminal investigative case, the Secret Service often obtains information concerning the violation of laws other than those within the scope of its jurisdiction. In the interest of effective law enforcement, it is desirable that the Secret Service retain this information since it can aid in establishing patterns of unlawful activity and provide valuable leads for those law enforcement agencies that are charged with enforcing other segments of the criminal, regulatory and civil laws;

(iii) In interviewing persons, or obtaining other forms of evidence during an investigation, information will be supplied to the investigator which relates to matters which are ancillary to the main purpose of the investigation but which may relate to matters under the investigative jurisdiction of another agency. Such information is not readily susceptible to segregation.

(5) The foregoing exemptions are claimed for records maintained in the Non-Criminal Investigation Information System only to the extent that such records contain materials described in subsection (k) of 5 U.S.C. 552a, the Privacy Act of 1974.

III. U.S. Secret Service Protection Information System. The Protection Information System is further described in "Notices of Records Systems" published by the General Services Administration.

(1) *Provisions from which exempted.* The Protection Information System maintained by the Secret Service contains records similar to those described in 5 U.S.C. 552a (j) and (k), the Privacy Act of 1974. The Protection Information System contains material relating to criminal investigations concerned with the enforcement of criminal statutes involving the security of persons and property. Further, this system contains records described in 5 U.S.C. 552a(k) including, but not limited to, classified materials and investigatory material compiled for law enforcement purposes. There are maintained in the Protection Information System, in addition to the categories of records described above, records which are considered necessary to assuring the safety of individuals protected by the Secret Service pursuant to the provisions of 18 U.S.C. 3056 and Public Law 90-331, (5 U.S.C. 522a(k)(3)). Exemptions are claimed for the above described records only where appropriate from the following provisions of the Privacy Act of 1974: subsections (c)(3) and (d) (1), (2), (3) and (4); (e) (1), (2) and (3); (e)(4) (G), (H) and (I); (e)(5) and (8); (f) and (g) of 5 U.S.C. 552a.

(2) *Reasons for claimed exemptions.* a. 5 U.S.C. 552(c)(3): This provision of the Privacy Act provides for the release of the disclosure accounting required by 5 U.S.C. 552a(c) (1) and (2) to the individual named in the record at his request. The reasons why the Protection Information System is exempted from the foregoing provision are as follows:

(i) The release of accounting disclosures would put the subject of a protective intelligence file on notice of the existence of an investigation and that he is the subject of that investigation;

(ii) It would provide the subject of a protective intelligence file with an accurate accounting of the date, nature, and purpose of each disclosure and the name and address of the person or agency to whom the disclosure is made. Obviously, the release of such information to the subject of a protective intelligence file would provide him with significant information concerning the nature of the investigation, and could result in impeding or compromising the efforts of Secret Service personnel to detect persons suspected of criminal activities or to collect information necessary for the proper evaluation of persons considered to be of protective interest;

(iii) Disclosures of the disclosure accounting after the protective intelligence file is closed would alert the individual as to which agencies were investigating him and would put him on notice concerning the scope of the protective intelligence investigation and could aid him in avoiding detection.

b. 5 U.S.C. 552a(c)(4); (d); (e)(4)(G) and (H); (f) and (g): The foregoing provisions of the Privacy Act relate to an individual's right to notification of the existence of records pertaining to him and access to such records; the agency procedures relating to notification, access and contest of the information contained in such records; and the civil remedies available to the individual in the event of adverse determinations by an agency concerning access to or amendment of information contained in record systems. The reasons why the Protection Information System of records is exempted from the foregoing provisions are as follows:

(i) To notify an individual at his request of the existence of records pertaining to him in the Protection Information System would be injurious to the protective intelligence activities of the Secret Service if the existence of files on the subject were even acknowledged. Granting access to the criminal and the unstable person would necessarily lead to knowledge of the sources of Secret Service information and could endanger other enforcement and intelligence operations and confidential sources including co-workers, friends and relatives of the subjects of such records;

(ii) Limitation on access to the materials contained in the Protection Information System is considered necessary to the preservation of the utility of intelligence files and in safeguarding those persons the Secret Service is authorized to protect. Without such denial of access the Protection Information System could adversely effect in the poor quality of information available; in compromised confidential sources; in the inability to keep track of persons of protective interest; and from interference with Secret Service protective intelligence activities by individuals gaining access to protective intelligence files. Many of the persons on whom records are maintained in the Protection Information System suffer from mental aberrations. Knowledge of their condition and progress comes from authorities, family members and witnesses. Many times this information comes to the Secret Service as a result of two party conversations where it would be impossible to hide the identity of informants. Sources of information must be developed, questions asked and answers recorded. Trust must be extended and guarantees of confidentiality and anonymity must be maintained. Allowing access of information of this kind to individuals who are the subjects of protective interest may well lead to violence directed against an informant by a mentally disturbed individual;

(iii) Permitting access to protective intelligence files would reveal techniques and procedures, not only of Secret Service protective investigations but could reveal the criteria by which protective intelligence subjects are evaluated;

(iv) To notify an individual at his request of the existence of records pertaining to him in the Protection Information System would inform the individual of the existence of an investigation and that he is the subject of protective interest. This would enable the individual to avoid detection and would further enable him to inform co-conspirators of the fact that an investigation is being conducted;

(v) To permit access to the records contained in the Protection Information System would not only inform an individual that he is or was the subject of protective interest, but would also provide him with significant information concerning the nature of any investigation concerning his activities;

(vi) To grant access to current or closed protective intelligence files would interfere with Secret Service investigative and enforcement proceedings; deprive co-defendants of a right to a fair trial or an impartial adjudication; constitute an unwarranted invasion of the personal privacy of others; disclose the identity of confidential sources; reveal confidential information supplied by such sources; and disclose investigative techniques and procedures, and endanger the life or physical safety of law enforcement personnel, informants, witnesses, and other persons suppling information to investigators.

c. 5 U.S.C. 552a(e)(4)(I). This provision of the Privacy Act requires the publication of the categories of sources of records in each system of records. The reasons why the Protection Information System of records is exempted from the foregoing provision are as follows:

(i) Revealing sources of information would disclose investigative techniques and procedures;

(ii) Revealing sources of information would result in retaliation and threat of reprisal by the subject of a protective intelligence file;

(iii) Revealing sources of information would cause witnesses, informants and others who supply information to Secret Service investigators to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality;

(iv) Revealing sources of information would result in the refusal of some sources to give full and complete information or to be candid with investigators because of the knowledge that the identity of such sources may be disclosed.

d. 5 U.S.C. 552a(e)(1): This provision of the Privacy Act requires each agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency. The reasons why the Protection Information System of records is exempted from the foregoing provisions are as follows:

(i) In gathering protective intelligence information it is difficult to determine accurately the relevancy and necessity of information during the process of information gathering. It is only after the information is evaluated that the relevancy and necessity of such information can be ascertained;

(ii) In carrying out protective intelligence responsibilities the Secret Service often obtains information concerning the violation of laws other than those within the scope of its protective intelligence jurisdiction. In the interest of effective law enforcement, it is desirable that the Secret Service retain this information since it can aid in establishing patterns of criminal activity and provide valuable leads for those law enforcement agencies that are charged with enforcing other segments of the criminal law;

(iii) During protective intelligence investigations, information will be supplied to the investigator which relates to matters which are ancillary to the main purpose of the investigation but which may relate to matters under the investigative jurisdiction of another agency. Such information is not readily susceptible to segregation.

e. 5 U.S.C. 552a(e)(2): This provision of the Privacy Act requires an agency to collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's right, benefits and privileges under Federal programs. The reasons why the Protection Information System is exempted from the foregoing provision are as follows:

(i) In certain instances, where the protective intelligence subject is suspected of criminal activity, he is not required to supply information to investigators as a matter of legal right. In those instances, information relating to a subject's criminal activities must be obtained from other sources;

(ii) A requirement that information be collected from an individual who is of protective interest would put the individual on notice of the existence of the intelligence investigation and such knowledge would enable him to avoid detection in the event that the individual attempted to physically harm persons protected by the Secret Service;

(iii) In a protective intelligence investigation where the subject of the investigation is suspected of engaging in criminal activities it is necessary to obtain evidence from a variety of sources other than the subject of the investigation in order to accumulate and verify the evidence necessary for the successful prosecution of persons suspected of violating the criminal laws.

f. 5 U.S.C. 552a (e)(3): This provision of the Privacy Act requires an agency to inform each individual whom it asks to supply information of the authority which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary; the principle purposes for which the information is intended to be used; the routine uses which may be made of the information; and the effect on the individual of not providing the requested information. The reasons why the Protection Information System is exempted from the foregoing provision are as follows:

(i) Informing each individual who is asked to supply information in a protective intelligence investigation of the information required under the foregoing provision would inform the individual of the existence of a confidential investigation, reveal the identity of confidential sources of information, and endanger the life or physical safety of confidential informants;

(ii) Informing each individual who is asked to supply information in a protective intelligence investigation of the information required under the foregoing provision would result in an unwarranted invasion of the privacy of individuals who may be the subject of a criminal investigation or who are suspected of engaging in criminal activity;

(iii) Informing each individual who is asked to supply information in a protective intelligence investigation of the information required under the foregoing provision would inhibit such individuals from supplying the requested information and thereby present a serious impediment to the success of the Secret Service in carrying out its protective intelligence activities.

g. 5 U.S.C. 552a(e)(5): This provision of the Privacy Act requires an agency to maintain all records which are used in making any determination about an individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination. The reasons why the Protection Information System is exempted from the foregoing provisions are as follows:

(i) In gathering information during the course of a protective intelligence investigation it is usually not possible to determine in advance what information is accurate, relevant, timely, and complete. Seemingly nonrelevant or untimely information may acquire new significance as an investigation progresses;

(ii) The restrictions on the maintenance of the records contained in the foregoing provision would impede investigators and intelligence analysts in the exercise of their judgment and discretion in reporting on protective intelligence subjects;

(iii) Compliance with the records maintenance criteria listed in the foregoing provision would require the periodic up-dating of Secret Service protective intelligence files to insure that the records maintained in the system remain timely and complete.

h. 5 U.S.C. 552a(e)(8): This provision of the Privacy Act requires an agency to make reasonable efforts to serve notice to an individual when any record on such individual is made available to any person under compulsory legal process becomes a matter of public record. The reasons why the Protection Information System is exempted from the foregoing provision are as follows:

(i) The notice requirement of the foregoing provision could impede Secret

Service protective efforts by revealing techniques and procedures;

(ii) The notice requirements of the foregoing provision could reveal the existence of confidential investigations to individuals who are the subjects of such investigations.

1. The foregoing exemptions are claimed for materials maintained in the Protection Information System to the extent that such materials contain information and reports described in 5 U.S.C. 552a(j)(2). Further records maintained in the Protection Information System described in 5 U.S.C. 552a(k) are to be exempted from subsections (c)(3), (d)(1), (2), (3) & (4), (e)(1), (e)(4) (G), (H) and (I) and (f) of 5 U.S.C. 552a for the reasons previously stated.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

NOTICE OF SYSTEMS EXEMPT FROM CERTAIN PROVISIONS OF THE PRIVACY ACT OF 1974

In accordance with 5 U.S.C. § 552a (j) and (k) general notice is hereby given of rulemaking under the Privacy Act of 1974 by the Director, Bureau of Alcohol, Tobacco and Firearms. The Director, Bureau of Alcohol, Tobacco and Firearms, exempts the systems of records identified in paragraphs (a), (b) and (c) of this section from certain provisions of the Privacy Act of 1974 as set forth in such paragraphs.

EXEMPTIONS

(a) *General exemptions.* Under the provisions of 5 U.S.C. 552a(j), the Director, Bureau of Alcohol, Tobacco and Firearms, hereby determines that certain provisions of the Privacy Act of 1974 shall not apply to the *Treasury—ATF Criminal Investigation Report System.*

(1) The Privacy Act of 1974 creates several methods by which individuals who are of record in this system of records may discover information collected about their criminal activities. These methods are as follows: subsections (e)(4)(G) and (f)(1) allow individuals to ascertain whether their criminal activities have been recorded; subsections (d)(1), (e)(4)(H), and (f) (2), (3) and (5) establish the ability of individuals to gain access into the investigatory files maintained on their criminal activities; subsections (d) (2), (3) and (4), (e)(4)(H), and (f)(4) presuppose access and further enable individuals to contest the contents of their criminal files; subsection (c)(3) allows individuals to discover if other law enforcement agencies are investigating their criminal activities and subsection (e)(4)(I) discloses the categories of sources of records in the system. Since these subsections are variations upon the criminal subjects' ability to ascertain whether a Federal law enforcement agency has uncovered their criminal misdeeds, these subsections have been grouped together for purposes of this notice.

(A) With respect to subsections (e)(4) (G) and (f)(1), the Bureau of Alcohol, Tobacco and Firearms believes that imposition of these requirements would identify to individuals the fact that they are of record, and in so doing, compromise the ability of ATF to successfully complete an investigation into violations of law. Where individuals have the ability to discover the location and specific character of their investigative records in this system, they will be able to determine the nature of the investigation, the type of surveillance utilized and the precise stage of the investigation into their criminal activities. When individuals can determine that the investigation into their criminal activities has been closed, they are placed on notice that they may safely resume their illegal conduct. For these reasons, ATF seeks exemption of this system from subsections (e)(4)(G) and (f)(1).

(B) With respect to subsections (d)(1), (e)(4)(H) and (f)(2), (3) and (5), the Bureau of Alcohol, Tobacco and Firearms believes that access into criminal investigative files poses present and future dangers on the ability of this agency to effectively enforce the criminal laws committed to its administration. Where individuals may break into an ongoing criminal investigative file they discover the collection of facts which will form the basis of their arrests. Knowledge of these facts enables them to destroy valuable contraband or other evidence of their activities prior to lawful seizure and thereby prevent enforcement proceedings. The ongoing investigative file may reveal that reasonable cause exists to believe that a crime is about to be committed. Disclosure of these facts enable individuals with criminal intent to either postpone the commission of their criminal acts or relocate the scene of the crime to an alternatively acceptable location where Federal agents will not be anticipated. After a criminal investigation has been closed, information in the file nevertheless reveals to the investigated subjects the techniques and procedures utilized by a law enforcement agency. Knowledge of these investigative techniques and procedures by individuals and groups devoted to crime enables them to structure their future operations in such a way as to place these activities beyond discovery until after the crime has been committed. Thus, the ability of Federal agents to prevent crime by apprehension of the criminals at the precise moment of commission of the criminal act is seriously jeopardized.

Disclosure of investigative techniques and procedures could further render the commission of the criminal act itself not susceptible to reconstruction and tracing to its originator. Armed with a knowledge of forensic science and the applied technology of criminal investigation contained in their own files, individuals and groups of individuals devoted to crime have the necessary information to develop counter-techniques which may effectively neutralize established investigative tools and procedures. Additionally, a closed criminal file reveals the identities of informers and undercover agents who have possibly risked their lives and the lives of their families by contributing information concerning the criminal activities of individuals and groups. Oftentimes, friends, family, neighbors and business associates of the subject under investigation, secure in the assured anonymity of a Federal criminal investigation, are not afraid to furnish valuable information relating to the criminal activities of the subjects of investigation. Where criminal subjects have access to the confidential information in their criminal files (with or without the identities of the sources) they can determine from the nature of the information and by process of elimination the identity of those individuals against whom to retaliate. This legitimate fear of reprisal exists in the minds of neighbors, relatives, and co-workers, especially with regard to individuals who are violence-prone or emotionally unstable. As a direct result of this fear of discovery through access to the investigative file, sources close to the criminal subject would decline to be interviewed or otherwise refrain from contact with the Bureau. This absence of information would render the Bureau unable to comply effectively with the mandates of the statutes committed to its administration. For these reasons, ATF seeks exemption of this system from subsections (d)(1), (e)(4)(H) and (f)(2), (3) and (5).

(C) With respect to subsections (d)(2), (3) and (4), (e)(4)(H), and (f)(4), which presuppose access and provide for contest of the content of records contained in this system, the Bureau of Alcohol, Tobacco and Firearms believes that the reasons set forth in subparagraph (B) of paragraph (1) of this subsection are equally applicable to this subparagraph, and are hereby incorporated by reference. For these reasons, ATF seeks exemption of this system from subsections (d)(2), (3) and (4), (e)(4)(H) and (f)(4).

(D) With respect to subsection (c)(3) which provides for making the accounting of disclosures available to the requester, the Bureau of Alcohol, Tobacco and Firearms believes that access to this accounting by a subject under investigation would impair the ability of other law enforcement agencies to utilize information developed by ATF for their investigations into violations of criminal laws not enforced by ATF. Where the interstate criminal activities of individuals or groups span the jurisdictions of several law enforcement agencies, information will be shared by these agencies in their attempts to bring these violators to justice. Disclosure of the accounting will alert such individuals to which agencies are conducting investigations, the geographic locations of such investigations, the nature and purpose of the investigations, and the date during which the investigation received information maintained by ATF. Supplied with this information, individuals or groups may ascertain which of their criminal activities have been discovered and the law enforcement agencies which are in current pursuit. For these reasons, ATF seeks exemption of this system from subsection (c)(3).

(E) With respect to subsection (e)(4)(I), which requires publication of the

categories of sources for a record system, the Bureau of Alcohol, Tobacco and Firearms believes that imposition of subsection (e)(4)(I) upon this system would reveal investigative techniques and procedures. For this reason, ATF seeks exemption of this system from subsection (e)(4)(I).

(2) The Privacy Act of 1974 provides, at subsection (e)(1), that an agency may maintain only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by a statute or executive order of the President. The term "maintain" is defined in the Privacy Act to include the initial collection of information. The Bureau of Alcohol, Tobacco and Firearms believes that exemption of this system from subsection (e)(1) is appropriate because not all violations uncovered in an investigation are capable of enforcement by ATF. Where individuals or groups are engaged in a multiplicity of criminal violations, this evidence should be recorded by ATF and transferred to the appropriate law enforcement agencies. This Bureau should not and cannot legally ignore violations of law uncovered in a lawful ATF investigation merely because ATF has no authority to bring the criminal to justice for these non-ATF violations. Where other agencies uncover evidence of ATF violations, this information must be susceptible to collection and preservation by that agency for subsequent use by ATF. Where an investigation by ATF uncovers only ATF violations, information may initially appear irrelevant and unnecessary when collected. However, a later stage of the investigation may uncover additional facts which when placed together with the initially collected irrelevant information, form the basis for reasonable cause to believe that additional suspects are involved or additional crimes have been or are being committed. Until all facts have been gathered and evaluated at the conclusion of the investigation it may not be possible to determine relevancy and necessity. For these reasons, ATF seeks exemption of this system from subsection (e)(1).

(3) The Privacy Act of 1974 provides at subsection (e)(2) that an agency must collect information to the greatest extent practicable directly from the subject individual. The Bureau of Alcohol, Tobacco and Firearms believes that this system should be exempted from subsection (e)(2) because most information gathered upon a subject under investigation is obtained from third parties and witnesses. There is a minimal degree of practicability in contacting a criminal subject for purposes of seeking information as to his criminal activities. Such contact alerts the individual that he is under investigation and affords him opportunity to conceal his criminal activities or otherwise avoid detection or apprehension. In certain instances, the subject of a criminal investigation is not required to supply information to investigators as a matter of legal right. Law violators seldom give self-incriminatory information about their involvement in criminal activities. In those instances, information relating to the subject's criminal activities must be obtained from other sources. For these reasons, ATF seeks exemption of this system from subsection (e)(2).

(4) The Privacy Act of 1974 provides at subsection (e)(3) that each individual must be informed of the authority, principle purposes, and routine uses and effects on the individual when requested to provide information. The Bureau of Alcohol, Tobacco and Firearms believes that this system should be exempted from subsection (e)(3). When information is obtained by undercover officers, conformity to (e)(3) discloses their identity as agents of a law enforcement authority and thereby impairs their physical safety as well as the successful conclusion of the investigation. When presented with a written statement complying with (e)(3) by special agents acting in undercover capacity, the individual may not thereafter be completely open with such agents. For these reasons, ATF seeks exemption of this system from subsection (e)(3).

(5) The Privacy Act of 1974 provides at subsection (e)(5) that an agency maintain all records which are used in making any determination about an individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination. Since the law defines "maintain" to include collection of information, the Bureau of Alcohol, Tobacco and Firearms believes that this system should be exempt from subsection (e)(5) because it would prohibit the initial collection of any data not shown to be accurate, relevant, timely or complete at the moment of its collection. In gathering information during the course of a criminal investigation it is not feasible or possible to determine completeness, accuracy, timeliness or relevancy prior to collection of the information. Facts are first gathered then placed into a cohesive order which objectively proves or disproves criminal behavior on the part of a suspect. Seemingly irrelevant, untimely and incomplete information when gathered may acquire new significance as an investigation progresses. The restrictions of (e)(5) could impede special agents in the preparation of a complete investigative report. For these reasons, ATF seeks exemption of this system from subsection (e)(5).

(6) The Privacy Act of 1974 provides, at subsection (e)(8), that an agency must make reasonable efforts to serve notice on an individual when his records are made available pursuant to compulsory legal process, when such process becomes a matter of public record. Such a requirement would impose unnecessary and unusual administrative demands on the Bureau of Alcohol, Tobacco and Firearms by requiring a record system to follow up on legal process emanating from court proceedings to which ATF is not a party. The Bureau of Alcohol, Tobacco and Firearms believes the duty of serving notice in such a case properly rests with the moving party who seeks disclosure by utilization of the court's compulsory legal process. Further, in most cases where an individual's criminal records have been disclosed pursuant to compulsory legal process, the individual who is the subject of the records will be a party to the proceedings and will have actual notice of the disclosure. For these reasons, ATF seeks exemption of this system from subsection (e)(8).

(7) The Privacy Act of 1974 provides, at subsection (g), civil remedies for agency failure to grant access, agency failure to amend records, agency failure to maintain accurate, relevant, timely and complete records and agency failure to comply with provisions of the Privacy Act which have an adverse effect on an individual. The Bureau of Alcohol, Tobacco and Firearms believes that this system should be exempted from subsection (g) because the civil remedies provided in this subsection apply to provisions in the Privacy Act which have been exempted from application to this system by virtue of this notice. Since these provisions are not intended to apply to this system, there should be no corresponding civil penalty for failure to comply with the requirements of these sections due to exercise of the exemption authority. ATF believes that application of this subsection to this system of records would impair ATF's ability to conduct investigations into the criminal behavior of suspects because every step in the investigation process in which information is compiled for prosecution purposes would be susceptible to civil action under this subsection. For these reasons, ATF seeks exemption of this system from subsection (g).

(b) *Specific exemptions under § 552a (k)(2).* Under the provisions of 5 U.S.C. 552a(k)(2), the Director, Bureau of Alcohol, Tobacco and Firearms, hereby determines that certain provisions of the Privacy Act of 1974 shall not apply to the *Treasury—ATF—Regulatory Enforcement Record System*, the *Treasury—ATF—Technical and Scientific Services Record System*, and that portion of the *Treasury—ATF—Internal Security Record System* relating to "conduct of employees" and "integrity of employees" records.

(1) The Privacy Act of 1974 creates several methods by which individuals may discover records containing information on such individuals and consisting of investigatory material compiled for law enforcement purposes. These methods are as follows: subsection (c)(3) allows individuals to discover if other agencies are investigating such individuals; subsections (d)(1), (e)(4)(H), and (f)(2), (3) and (5) establish the ability of individuals to gain access to investigatory material compiled on such individuals; subsections (d)(2), (3) and (4), (e)(4)(H) and (f)(4) presuppose access and enable individuals to contest the contents of investigatory material compiled on these individuals; and subsections (e)(4)(G) and (f)(1) allow individuals to determine whether or not they are under investigation. Since these subsections

are variations upon the individuals' ability to ascertain whether their civil or criminal misdeeds have been discovered, these subsections have been grouped together for purposes of this notice.

(A) The Bureau of Alcohol, Tobacco and Firearms believes that imposition of the requirements of subsection (c)(3), requiring accounting of disclosures be made available to individuals, would impair the ability of ATF and other investigative entities to conduct investigations of alleged or suspected violations of civil or criminal laws. Making the accounting of disclosures available identifies to individuals which investigative entities are investigating the individuals, the nature of the violations of which they are suspected, and the purpose for the exchange of information. Supplied with this information, the individuals concerned would be able to alter their ongoing and future illegal activities, conceal or destroy evidentiary materials and documents, and otherwise seriously impair the successful completion of investigations. Further, where individuals learn the geographic location and identity of the investigative entities which are interested in them, such individuals are able to move the site of their illegal activities or become secure in the knowledge that their illegal activities have not been detected in particular geographic locations. For these reasons, ATF seeks an exemption from the requirements of subsection (c)(3).

(B) With respect to subsections (d)(1), (e)(4)(H), and (f)(2), (3) and (5), the Bureau of Alcohol, Tobacco and Firearms believes that access into investigatory material would prevent the successful completion of ongoing investigations. Individuals who gain access to investigatory material compiled on them discover the nature and extent of the violations of civil or criminal laws which they are suspected or alleged to have committed. By gaining access, such individuals also learn the facts developed during an investigation. Knowledge of the facts and the nature and extent of the suspected or alleged violations enables these individuals to destroy materials or documents which would have been used as evidence against them. In addition, knowledge of the facts and the suspected violations gives individuals, who are committing ongoing violations or who are about to commit violations of civil or criminal laws, the opportunity to temporarily postpone the commission of the violations or to effectively disguise the commission of these violations. Access to material compiled on investigated individuals reveals investigative techniques and the procedures followed in conducting investigations. Disclosure of these techniques and procedures enables individuals who intend to violate civil or criminal laws to structure their future illegal activities in such a way that they escape detection. Investigative material may contain the identity of confidential sources of information. Individuals who gain access to investigatory material compiled on them learn the identity of these confidential sources. Even where the name of the source is not revealed, investigated individuals may learn the identity of confidential sources by the process of elimination or by the very nature of the information contained in the files. Where the identity of confidential sources has been revealed, they may be subject to various forms of reprisal. If confidential sources of information are subjected to reprisals or the fear of reprisals, they would become reluctant to provide information necessary to identify or prove the guilt of individuals who violate civil or criminal laws. Without the information that is often supplied by confidential sources, the ability of investigative entities would be seriously impaired. For the reasons stated in this subparagraph, ATF seeks exemption from the requirements of subsections (d)(1), (e)(4)(H), and (f)(2), (3) and (5).

(C) With respect to subsections (d)(2), (3) and (4), (e)(4)(H), and (f)(4), the Bureau of Alcohol, Tobacco and Firearms believes that the imposition of these requirements, which presuppose access and provide for amending records, would impair ATF's ability to conduct investigations for the same reasons stated in the preceding subparagraph (b)(1)(B), and are incorporated by reference herein. Therefore, ATF seeks exemption from the requirements of subsections (d)(2), (3) and (4), (e)(4)(H), and (f)(4).

(D) With respect to subsections (e)(4)(G) and (f)(1), the Bureau of Alcohol, Tobacco and Firearms believes that informing individuals that they are of record would impair the ability of ATF to successfully complete the investigations of suspected or alleged violators of civil or criminal laws. Individuals who are informed that they have been identified as suspected violators of civil or criminal laws, are given the opportunity to destroy evidence or other material needed to prove the alleged violations. Such individuals would also be able to impair investigations by temporarily suspending ongoing illegal activities or by restructuring intended illegal activities. Informing individuals that they are of record in a particular system of records enables such individuals to learn the nature of the investigation, the character of the investigatory material and the specific civil or criminal laws they are suspected of violating. For these reasons, ATF seeks exemption from the requirements of subsections (e)(4)(G) and (f)(1).

(2) Subsection (e)(1) of the Privacy Act of 1974 requires that ATF maintain in its records only information that is relevant and necessary to accomplish a purpose of ATF required to be accomplished by statute or by executive order of the President. The Bureau of Alcohol, Tobacco and Firearms believes that imposition of such requirement would seriously impair the ability of ATF and other investigative entities to effectively investigate suspected or alleged violations of civil or criminal laws. Where individuals are engaged in a broad variety of violations, if ATF were only to collect information necessary and relevant to laws under ATF's jurisdiction, ATF would be unable to perform one of its functions, i.e., working with other governmental agencies which have similar jurisdictional concerns. Additionally, it is often impossible to determine whether or not information is relevant and necessary until the investigation is completed. When initially collected, information may appear irrelevant or immaterial. However, when this information is placed together with additional data gathered at a later stage of the investigation, the initially collected irrelevant information may form the basis for reasonable cause to believe additional violations of law are present or additional suspects are involved. Until all facts have been gathered and evaluated it may not be possible to determine relevancy and materiality. For these reasons, ATF seeks an exemption from the requirement of subsection (e)(1).

(c) *Specific exemptions under § 552a (k)(5).* The Director, Bureau of Alcohol, Tobacco and Firearms exempts under § (k) of the Privacy Act of 1974, 5 U.S.C. 552a, that portion of the *Treasury—ATF—Internal Security Record System* relating to "security clearances for employees" records, and the *Treasury—ATF—Personnel Record System* from sections (c)(3), (d)(1) through (4), (e)(1), (e)(4)(G) through (e)(4)(I), and (f) of the Act. The records maintained in the exempt systems of records are of the type described in section (k)(5) of the Act. Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Thus to the extent that the records in this system can be disclosed without revealing the identity of a confidential source, they are not within the scope of this proposed exemption and are subject to all the requirements of the Privacy Act.

The sections of the Act from which this system of records are exempt are in general those providing for individual access to records. When such access would cause the identity of a confidential source to be revealed, it would impair the future ability of the Treasury Department to compile investigatory material for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information.

In addition, the systems are exempt from § (e)(1) which requires that the agency maintain in its records only such information about an individual as is relevant and necessary to accomplish a statutory or executively ordered purpose. The Director finds that to fulfill the requirements of § (e)(1) would unduly restrict the agency in its information gathering inasmuch as it is often

not until well after the investigation that it is possible to determine the relevance and necessity of particular information.

If any investigations within the scope of § (k)(5) become involved with civil or criminal matters, exemptions from the Act could also be asserted under sections (k)(2) or (j)(2).

(d) *Application of exemptions to records exempt in whole or in part.* (1) When an individual requests records about himself which have been exempted from individual access pursuant to 5 U.S.C. 552a(j) or which have been compiled in reasonable anticipation of a civil action or proceding in either a court or before an administrative tribunal, the Bureau of Alcohol, Tobacco and Firearms will neither confirm nor deny the existence of the record but shall advise the individual only that no record available to him pursuant to the Privacy Act of 1974 has been identified.

(2) When there is a request for information which has been classified by ATF pursuant to Executive Order 11652 and Treasury Order 160, ATF will review the information to determine whether it continues to warrant classification under the criteria of sections 1 and 5(B), (C), (D), and (E) of the Executive Order. Information which no longer warrants classification under these criteria shall be declassified. After declassification, the information shall be made available to the individual, unless an exemption is claimed. If the information continues to warrant classification, the provisions of EO 11652 shall apply.

(3) Requests for information which have been exempted from disclosure pursuant to 5 U.S.C. 552a(k)(2) shall be responded to in the manner provided in paragraph (d)(1) of this section unless a review of the information indicates that the information has been used to deny the individual any right, privilege, or benefit for which he is eligible or to which he would otherwise be entitled under federal law. In that event, the individual shall be advised of the existence of the information and shall be provided the information except to the extent it would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

(4) Information compiled as part of an employee background investigation which has been exempted pursuant to 5 U.S.C. 552a(k)(5) shall be made available to an individual upon request except to the extent it would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

(5) Even though the exemptions described in paragraphs (a), (b) and (c) of this section may be fully applicable, the Bureau may, if not precluded by law, elect under the circumstances of a particular case not to apply the exemption; or to exempt only a part. The fact that the exemption is not applied by the Bureau in a particular case has no precedential significance as to the application of the exemption to such matter in other cases. It is merely an indication that in the particular case involved, the Bureau finds no compelling necessity for applying the exemption to such matter. Where the Bureau has elected not to apply an exemption in whole or in part, Appendix E of 31 CFR Part 1, Subpart C, relating to ATF's notice, access and amendment procedures shall apply to the records requested only to the extent that the exemption was not asserted.

BUREAU OF ENGRAVING AND PRINTING, DEPARTMENT OF THE TREASURY

*Notice of rules exempting certain systems from requirements of the Privacy Act*

(a) *In general.* The Director of the Bureau of Engraving and Printing exempts the Office of Security Investigative Files from the provisions of certain subsections of 5 U.S.C. 552a, the Privacy Act of 1974. The purpose of the exemptions is to maintain the confidentiality of information compiled for the purpose of criminal, non-criminal, employee suitability and security investigations.

(b) *Authority.* These rules are promulgated pursuant to the authority vested in the Secretary of the Treasury by 5 U.S.C. 552a(k) and pursuant to the authority vested in the Director, Bureau of Engraving and Printing.

(c) *Exempted System.* Bureau of Engraving and Printing, Office of Security, Investigative Files.

(1) *Provisions from which exempted.* The Investigative Files maintained by the Office of Security contain records described in 5 U.S.C. 552a(k)(2), the Privacy Act of 1974. Exemptions will be claimed for such described records only where appropriate from the following provisions of the Privacy Act of 1974: Subsections (c)(3); (d) (1), (2), (3), (4); (e)(1); (e)(4) (G), (H), and (I); and (f) of 5 U.S.C. 552a.

(2) *Reasons for claimed exemptions.* a. 5 U.S.C. 552a(c)(3): This provision of the Privacy Act provides for the release of the disclosure accounting required by 5 U.S.C. 552a(c) (1) and (2) to the individual named in the Investigative Files. The reasons why these files are exempted from the foregoing provision are as follows:

(i) The release of accounting disclosures would put the subject of a security investigation on notice of the existence of an investigation and that he is the subject of that investigation;

(ii) It would provide the subject of an investigation with an accurate accounting of the date, nature, and purpose of each disclosure and the name and address of the person or agency to whom the disclosure is made. Obviously, the release of such information to the subject of a security investigation would provide him with significant information concerning the nature of the investigation and could result in impeding or compromising the efforts of Bureau Security personnel to detect and report persons suspected of illegal, unlawful, or unauthorized activity;

(iii) Disclosure to the individual of the disclosure accounting after the investigation is closed would alert the individual as to which agencies were investigating him and would put him on notice concerning the scope of his suspected improper activities and could aid him in avoiding detection and apprehension.

b. 5 U.S.C. 552a(d) (1), (2), (3), (4); (e)(4) (G) and (H); and (f): The foregoing provisions of the Privacy Act relate to an individual's right to notification of the existence of records pertaining to him and access to such records; the agency procedures relating to notification, access and contest of the information continued in such records. The reasons why the Investigative Files are exempted from the foregoing provisions are as follows:

(i) To notify an individual at his request of the existence of records pertaining to him in the Investigative Files would inform the individual of the existence of an investigation and that he is the subject of that investigation. This would enable the individual to avoid detection and would further enable him to inform co-conspirators of the fact that an investigation is being conducted;

(ii) To permit access to the records contained in the Investigative Files would not only inform an individual that he is or was the subject of a security investigation, but would also provide him with significant information concerning the nature of the investigation which might enable him to avoid detection or apprehension;

(iii) To grant access to an on-going or closed investigative file could interfere with Office of Security investigative proceedings, disclose the identity of confidential sources and reveal confidential information supplied by such sources, and disclose investigative techniques and procedures, or endanger the life or physical safety of Office of Security personnel, informants, witnesses, and other persons supplying information to investigators.

c. 5 U.S.C. a(e)(4)(I). This provision of the Privacy Act requires the publication of the categories of sources of records in each system of records. The reasons why the Investigative Files are exempted from the foregoing provision are as follows:

(i) Revealing sources of information could disclose investigative techniques and procedures;

(ii) Revealing sources of information could result in retaliation and threat of reprisal by the subject under investigation against such sources;

(iii) Revealing sources of information could cause witnesses, informants and others who supply information to Office of Security investigators to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality;

(iv) Revealing sources of information could result in the refusal of some

sources to give full and complete information or to be candid with investigators because of the knowledge that the identity of such sources may be disclosed.

d. 5 U.S.C. 552a(e)(1): This provision of the Privacy Act requires each agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency. The reasons why the Investigative Files are exempted from the foregoing provision are as follows:

(i) In a security investigation it is difficult to determine accurately the relevancy and necessity of information during the process of information gathering. It is only after the information is evaluated that the relevancy and necessity of such information can be ascertained;

(ii) In a security investigation, the Office of Security often obtains information concerning the violation of laws other than those within the scope of its responsibilities. In the interest of effective law enforcement, it is desirable that the Office of Security retain this information since it can aid in establishing patterns of criminal activity and provide valuable leads for those law enforcement agencies that are charged with enforcing other segments of the criminal law;

(iii) In interviewing persons, or obtaining other forms of evidence during a criminal investigation, information will be supplied to the investigator which relates to matters which are ancillary to the main purpose of the investigation but which may relate to matters under the investigative jurisdiction of another agency. Such information is not readily susceptible to segregation.

e. The foregoing exemptions are claimed for materials maintained in the Investigative Files to the extent that such materials contain information and reports described in 5 U.S.C. 552a(k)(2).

The Bureau of Engraving and Printing exempts under § (k) of the Privacy Act of 1974, 5 USC 552a, the Bureau's Personnel Security Files and Personnel Security Files and Indices from sections (c)(3), (d), (e)(1), (e)(4)(G) through (e)(4)(I), and (f) of the Act. The records maintained in the exempt systems of records are of the type described in section (k)(5) of the Act:

> investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished the information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Thus to the extent that the records in this system can be disclosed without revealing the identity of a confidential source, they are not within the scope of this exemption and are subject to all the requirements of the Privacy Act.

The sections of the Act from which this system of records are exempt are in general those providing for individual access to records. When such access would cause the identity of a confidential source to be revealed, it would impair the future ability of the Treasury Department to compile investigatory material for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information.

In addition, the systems are exempt from § (e)(1) which requires that the agency maintain in its records only such information about an individual as is relevant and necessary to accomplish a statutory or executively ordered purpose. The Director finds that to fulfill the requirements of § (e)(1) would unduly restrict the agency in its information gathering inasmuch as it is often not until well after the investigation that it is possible to determine the relevance and necessity of particular information.

If any investigations within the scope of § (k)(5) become involved with civil and criminal matters, exemptions from the Act should also be asserted under sections (k)(2) or (j)(2).

BUREAU OF THE MINT

*Notice of rules exempting certain systems from requirements of the Privacy Act*

(a) *In general.* The Director of the Mint exempts investigatory files on theft of Mint property and examination reports of coins forwarded to the Mint by the U.S. Secret Service from certain subsections of 5 U.S.C. 552a, the Privacy Act of 1974. The purpose of the exemption is to maintain the confidentiality of investigatory material compiled for law enforcement purposes.

(b) *Authority.* These rules are promulgated pursuant to the authority vested in the Secretary of the Treasury by 5 U.S.C. 552(a)(k)(2), and pursuant to the authority vested in the Director of the Mint by paragraph 1.23(c) of Subpart C of Part 1 of Subtitle A of Title 31 of the Code of Federal Regulations.

(c) *Name of systems.* Examination Reports of Coins Forwarded to Mint from U.S. Secret Service and Investigatory Files on Theft of Mint Property.

(d) *Provisions from which exempted.* These two systems consist in large part of records generated by the U.S. Secret Service in connection with its responsibilities to enforce various criminal laws. Those records are described in 5 U.S.C. 552a(j) and are exempted from various provisions of the Privacy Act of 1974 by the Director of the U.S. Secret Service. To a lesser extent, these two systems also contain records generated and compiled by the Bureau of the Mint in assisting the U.S. Secret Service in its law enforcement efforts. Those records are described in 5 U.S.C. 552a(k)(2), the Privacy Act of 1974. Exemptions will be claimed for such records only where appropriate from the following provisions, subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f) of 5 U.S.C. 552a.

(e) *Reasons for claimed exemptions.* Those provisions of the Privacy Act would otherwise require the Bureau of the Mint to notify an individual of investigatory material maintained in a record pertaining to him, permit access to such record, permit request for its correction (section 552a(d), (e)(4)(G), (H) and (f)); make available to him any required accounting of disclosures made of the record (section 552a(c)(3)), publish the sources of records in the system (section 552a(e)(4)(I)); and screen records to insure that there is maintained only such information about an individual as is relevant to accomplish a required purpose of the Bureau (section 552a(e)(1)). Disclosure to an individual of investigatory material pertaining to him would hamper law enforcement by prematurely disclosing the knowledge of illegal activities and the evidentiary bases for possible enforcement actions. Furthermore, the disclosure of certain investigatory material compiled for law enforcement purposes may disclose investigative techniques and procedures, so that future law enforcement efforts would be hindered. Access to an accounting of disclosures of such records would have a similar detrimental effect on law enforcement. Accordingly, the Director of the Mint finds that the public interest and public policy in protecting the coinage and property of the United States require exemption from the stated sections of the Act to the extent that they are applicable to appropriate materials in these two systems.

COMPTROLLER OF THE CURRENCY

*Notice of rules exempting certain systems of records from the requirements of the Privacy Act of 1974*

*In general.* Notice is hereby given that the Comptroller of the Currency exempts certain systems of its records. They are the following: (1) Information file on individual and commercial entities known or suspected of being involved in fraudulent activities and (2) Federal Bureau of Investigation Reports relating to persons charged with or suspected of criminal activity concerning National Banks. The Department of Justice has exempted these systems of records from certain provisions of 5 U.S.C. 552a (see Justice Department Exemptions). The purpose of these exemptions is to maintain the confidentiality of information compiled for the purpose of criminal investigation.

*Authority.* The authority to issue exemptions for this agency is vested in the Secretary of the Treasury pursuant to 5 U.S.C. 552a (j) and (k) but has been delegated by the Secretary to the Comptroller 31 CFR 1.23(c).

The authority to rely upon the exemption promulgated by the Department of Justice for its records which are disseminated to our agency is set forth at 5 U.S.C. 552a, Section 6 and Office of Management and Budget Guidelines for the implementation of the Privacy Act (40 FR 28971-28974).

APPENDIX A—OFFICE OF THE SECRETARY

1. *In general.* This appendix applies to the Office of the Secretary as defined in 31 CFR Part 1, Subpart C § 1.20. It sets forth specific notification and access procedures with respect to particular systems of records, identifies the officers designated to make the initial determinations with respect to notification and access to records, the officers designated to make the initial and appellate determinations with respect to requests for amendment of records, the officers designated to grant extensions of time on appeal, the officers with which "Statements of Disagreement" may be filed, the officer designated to receive service of process and the addresses for delivery of requests, appeals and service of process. In addition, it references the official annual notice of systems of records and notices of the intended uses of the information in the system required by 5 U.S.C. 552a (e)(4) and (11) and published by the General Services Administration as "Notices of Records Systems".

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR § 1.26, as to whether to grant requests for notification and access to records and accountings of disclosures for the Office of the Secretary will be made by the head of the organizational unit having immediate custody of the records requested, or his delegate as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send requests for records should be addressed to:

Privacy Act Request, OS, Department of the Treasury, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

Requests may be delivered personally to the Library, Room 5030, Main Treasury Building, 1500 Pennsylvania Avenue, N.W., Washington, D.C.

3. *Requests for amendments of records.* Initial determinations under 31 CFR § 1.27(a) through (d) as to whether to grant requests to amend records for the Office of the Secretary will be made by the head of the organization or unit having immediate custody of the records or his delegate. Requests for amendment of records should be addressed as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send such requests should be addressed to:

Privacy Act Amendment Request, OS, Department of the Treasury, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

4. *Administrative appeal of initial determination refusing to amend record.* Appellate determinations under 31 CFR § 1.27(e) with respect to records of the Office of the Secretary (including extensions of time on appeal) will be made by the Secretary, Deputy Secretary, Under Secretary, General Counsel or Assistant Secretary having jurisdiction over the organizational unit which has immediate custody of the records, or the delegate of such officer, as limited by 5 U.S.C. 552a (d)(2) and (3). Appeals made from initial determinations refusing to amend records made by mail should be addressed as indicated in the letter of initial decision or to:

Privacy Act Amendment Appeal, OS, Department of the Treasury, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

Appeals may be delivered personally to the Library, Room 5030, Main Treasury Building, 1500 Pennsylvania Avenue, N.W., Washington, D.C.

5. *Statements of Disagreement.* "Statements of Disagreement" pursuant to 31 CFR § 1.27(e)(4)(i) shall be filed with the official signing the notification of refusal to amend at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

6. *Service of process.* Service of process will be received by the General Counsel of the Department of the Treasury or his delegate and shall be delivered to such officer at the following location:

General Counsel, Department of the Treasury, Room 3000, Main Treasury Building, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

7. *Annual notice of systems of records.* The annual notice of systems of records required by 5 U.S.C. 552a(e)(4) with respect to records maintained by the Office of the Secretary is set forth in the General Services Administration publication entitled "Notices of Records Systems". Any specific requirements for access, including identification requirements, in addition to the requirements set forth in 31 CFR § 1.26 and § 1.27 and (8) below, and locations for access are indicated in the notice for the pertinent system.

(8) *Verification of identity.* An individual seeking notification or access to records, or seeking to amend a record, must satisfy one of the following identification requirements before action will be taken by the Office of the Secretary on any such request:

(i) An individual seeking notification or access to records in person, or seeking to amend a record in person, may establish identity by the presentation of a single document bearing a photograph (such as a passport or identification badge) or by the presentation of two items of identification which do not bear a photograph but do bear both a name and signature (such as a driver's license or credit card).

(ii) An andividual seeking notification or access to records by mail, or seeking to amend a record by mail, may establish identity by a signature, address, and one other identifier such as a photocopy of a driver's license or other document bearing the individual's signature.

(iii) Notwithstanding subdivisions (i) and (ii) of this subparagraph, an individual seeking notification or access to records by mail or in person, or seeking to maend a record by mail or in person, who so desires, may establish identity by providing a notarized statement, swearing or affirming to such individual's identity and to the fact that the individual understands the penalties provided in 5 U.S.C. 552a(i)(3) for requesting or obtaining access to records under false pretenses.

Notwithstanding subdivision (i), (ii), or (iii) of this subparagraph, a designated official may require additional proof of an individual's identity before action will be taken on any request if such official determines that it is necessary to protect against unauthorized disclosure of information in a particular case. In addition, a parent of any minor or a legal guardian of any individual will be required to provide adequate proof of legal relationship before such person may act on behalf of such minor or such individual.

APPENDIX B—INTERNAL REVENUE SERVICE

(a) *Purpose.* The purpose of this section is to set forth the procedures which have been established by the Internal Revenue Service for individuals to exercise their rights under the Privacy Act of 1974 (88 Stat. 1896) with respect to systems of records maintained by the Internal Revenue Service, including the Office of the Chief Counsel. The proposed procedures contained in this section are to be promulgated under the authority of 5 U.S.C. 552a (f). The procedures contained in this section relate to the following:

(1) The procedures whereby an individual can be notified in response to a request if a system of records named by the individual contains a record pertaining to such individual (5 U.S.C. 552a (f)(1)).

(2) The procedures governing reasonable times, places, and requirements for identifying an individual who requests a record of information pertaining to such individual before the Internal Revenue Service will make the record or information available to the individual (5 U.S.C. 552a (f)(2)).

(3) The procedures for the disclosure to an individual upon a request of a record of information pertaining to such individual, including special procedure for the disclosure to an individual of medical records, including psychological records (5 U.S.C. 552a (f)(3)).

(4) The procedures for reviewing a request from an individual concerning the amendment of any record or information pertaining to the individual, for making a determination on the request, for an appeal within the Internal Revenue Service of an initial adverse agency determination, and for whatever additional means may be necessary for individuals to be able to exercise fully their right under 5 U.S.C. 552a (5 U.S.C. 552a (f)(4)).

Any individual seeking to determine whether a system of records maintained by any office of the Internal Revenue Service contains a record or information pertaining to such individual, or seeking access to, or amendment of, such a record, must comply fully with the applicable procedure contained in paragraph (c) or (d) of this section before

the Internal Revenue Service will act on the request. Neither the notification and access (or accounting of disclosures) procedures under paragraph (c) of this section nor the amendment procedures under paragraph (d) of this section are applicable to (i) systems of records exempted pursuant to 5 U.S.C. 552a (j) and (k), (ii) information compiled in reasonable anticipation of a civil action or proceeding (see 5 U.S.C. 552a(d)(5)), or (iii) information pertaining to an individual which is contained in, and inseparable from, another individual's record.

(b) *Access to and amendment of tax records.* The provisions of the Privacy Act of 1974 may not be availed of by an individual to amend or correct any tax record. The determination of liability for taxes imposed by the Internal Revenue Code, the collection of such taxes, and the payment (including credits or refunds of overpayments) of such taxes are governed by the provisions of the Internal Revenue Code and by the procedural rules of the Internal Revenue Service. These provisions set forth the established procedures governing the determination of liability for tax, the collection of such taxes, and the payment (including credits or refunds of overpayments) of such taxes. In addition, these provisions set forth the procedures (including procedures for judicial review) for resolving disputes between taxpayers and the Internal Revenue Service involving the amount of tax owed, or the payment or collection of such tax. These procedures are the exclusive means available to an individual to contest the amount of any liability for tax or the payment or collection thereof. See, for example, 26 CFR § 601.103 for summary of general tax procedures. Individuals are advised that Internal Revenue Service procedures permit the examination of certain tax records during the course of an investigation, audit, or collection activity. Accordingly, individuals should contact the Internal Revenue Service employee conducting an audit or effecting the collection of tax liabilities to gain access to such records, rather than seeking access under the provisions of the Privacy Act. Where, on the other hand, an individual desires information or records not in connection with an investigation, audit, or collection activity, the individual may follow these procedures.

(c) *Procedures for access to records*—(1) *In general.* This paragraph sets forth the procedure whereby an individual can be notified in response to a request if a system of records named by the individual which is maintained by the Internal Revenue Service contains a record pertaining to such individual. In addition, this paragraph sets forth the procedure for the disclosure to an individual upon a request of a record or information pertaining to such individual, including procedures for verifying the identity of the individual before the Internal Revenue Service will make a record available, and the procedure for requesting an accounting of disclosures of such records. An individual seeking to determine whether a particular system of records contains a record or records pertaining to such individual and seeking access to such records (or seeking an accounting of disclosures of such records) shall make a request for notification and access (or a request for an accounting of disclosures) in accordance with the rules provided in paragraph (c)(2) of this section.

(2) *Form of request for notification and access or request for an accounting of disclosures.* (i) A request for notification and access (or a request for an accounting of disclosures) shall be made in writing and shall be signed by the person making the request.

(ii) Such request shall be clearly marked "Request for notification and access", or "Request for accounting of disclosures".

(iii) Such request shall contain a statement that it is being made under the provisions of the Privacy Act of 1974.

(iv) Such request shall contain the name and address of the individual making the request. In addition, if a particular system employs an individual's social security number as an essential means of accessing the system, the request must include the individual's social security number. In the case of a record maintained in the name of two or more individuals (*e.g.*, husband and wife), the request shall contain the names, addresses, and social security numbers (if necessary) of both individuals.

(v) Such request shall specify the name and location of the particular system of records (as set forth in the Notice of Systems) for which the individual is seeking notification and access (or an accounting of disclosures), and the title and business address of the official designated in the access section for the particular system (as set forth in the Notice of Systems). In the case of two or more systems of records which are under the control of the same designated official at the same systems location, a single request may be made for such systems. In the case of two or more systems of records which are not in the control of the same designated official at the same systems location, a separate request must be made for each such system.

(vi) If an individual wishes to limit a request for notification and access to a particular record or records, the request should identify the particular record. In the absence of a statement to the contrary, a request for notification and access for a particular system of records shall be considered to be limited to records which are currently maintained by the designated official at the systems location specified in the request.

(vii) If such request is seeking notification and access to material maintained in a system of records which is exempt from disclosure and access under 5 U.S.C. 552a(k)(2), the individual making the request must establish that such individual has been denied a right, privilege, or benefit that such individual would otherwise be entitled to under Federal law as a result of the maintenance of such material.

(viii) Such request shall state whether the individual wishes to inspect the record in person, or desires to have a copy made and furnished without first inspecting it. If the individual desires to have a copy made, the request must include an agreement to pay the fee for duplication ultimately determined to be due. If the individual does not wish to inspect a record, but merely wishes to be notified whether a particular system of records contains a record pertaining to such individual, the request should so state.

(3) *Time and place for making request.* A request for notification and access to records under the Privacy Act (or a request for accounting of disclosures) shall be addressed to or delivered in person to the office of the official designated in the access section for the particular system of records for which the individual is seeking notification and access (or an accounting of disclosures). The title and office address of such official is set forth for each system of records in the Notice of Systems of Records. A request delivered to an office in person must be delivered during the regular office hours of that office.

(4) *Sample request for notification and access to records.* The following are sample requests for notification and access to records which will satisfy the requirements of this paragraph:

REQUEST FOR NOTIFICATION AND ACCESS TO RECORDS BY MAIL

I, John Doe, of 100 Main Street, Boston, Massachusetts 02108 (soc. sec. num. 000-00-0000) request under the Privacy Act of 1974 that the following system of records be examined and that I be furnished with a copy of any record (or a specified record) contained therein pertaining to me. I agree that I will pay the fees ultimately determined to be due for duplication of such record. I have enclosed the necessary identification.

SYSTEM NAME:
SYSTEM LOCATION:
DESIGNATED OFFICIAL:

John Doe

REQUEST FOR NOTIFICATION AND ACCESS TO RECORDS IN PERSON

I, John Doe, of 100 Main Street, Boston, Massachusetts 02108 (soc. sec. num. 000-00-0000) request under the provisions of the Privacy Act of 1974, that the following system of records be examined and that I be granted access in person to inspect any record (or a specified record) contained therein pertaining to me. I have enclosed the necessary identification.

SYSTEM NAME:
SYSTEM LOCATION:
DESIGNATED OFFICIAL:

John Doe

(5) *Processing a request for notification and access to records or a request for an accounting of disclosures.* If a request for notification and access (or request for an accounting of disclosures) omits any information which is essential to processing the request, the request will not be acted upon and the individual making the request will be promptly advised of the additional information

which must be submitted before the request can be processed.

(ii) Within 30 days (not including Saturdays, Sundays, and legal public holidays) after the receipt of a request for notification and access (or a request for an accounting of disclosures), to a particular system of records by the designated official for such system, a determination will be made as to whether the particular system of records is exempt from the notification and access provisions of the Privacy Act, and if such system is not exempt, whether it does or does not contain a record pertaining to the individual making the request. If a determination cannot be made within 30 days, the individual will be notified of the delay, the reasons therefor, and the approximate time required to make a determination. If it is determined by the designated official that the particular system of records is exempt from the notification and access provisions of the Privacy Act, the individual making the request will be notified of the provision of the Privacy Act under which the exemption is claimed. On the other hand, if it is determined by the designated official that the particular system of records is not exempt from the notification and access provisions of the Privacy Act and that such system contains a record pertaining to the individual making the request, the individual will be notified of the time and place where inspection may be made. If an individual has not requested that access be granted to inspect the record in person, but merely requests that a copy of the record be furnished, or if it is determined by the designated official that the granting of access to inspect a record in person is not feasible in a particular case, then the designated official will furnish a copy of the record with the notification, or if a copy cannot be furnished at such time, a statement indicating the approximate time such copy will be furnished. If the request is for an accounting of disclosures from a system of records which is not exempt from the accounting of disclosure provisions of the Privacy Act, the individual will be furnished with an accounting of such disclosures.

(6) *Granting of access.* Normally, an individual will be granted access to inspect a record in person within 30 days (excluding Saturdays, Sundays, and legal public holidays) after the receipt of a request for notification and access by the designated official. If access cannot be granted within 30 days, the notification will state the reasons for the delay and the approximate time such access will be granted. An individual wishing to inspect a record may be accompanied by another person of his choosing. Both the individual seeking access and the individual accompanying him may be required to sign a form supplied by the Internal Revenue Service indicating that the Service is authorized to disclose or discuss the contents of the record in the presence of both individuals. See 26 CFR 601.502 for requirements to be met by taxpayer's representatives in order to be recognized for the purpose of discussing the contents of any tax records.

(7) *Medical records.* When access is requested to medical records (including psychological records), the designated official may determine that release of such records will be made only to a physician designated by the individual to have access to such records.

(8) *Verification of identity.* An individual seeking notification or access to records, or seeking to amend a record, must satisfy one of the following identification requirements before action will be taken by the Internal Revenue Service on any such request.

(i) An individual seeking notification or access to records in person, or seeking to amend a record in person, may establish identity by the presentation of a single document bearing a photograph (such as a passport or identification badge) or by the presentation of two items of identification which do not bear a photograph but do bear both a name and signature (such as a driver's license or credit card).

(ii) An individual seeking notification or access to records by mail, or seeking to amend a record by mail, may establish identity by a signature, address, and one other identifier such as a photocopy of a driver's license or other document bearing the individual's signature.

(iii) Notwithstanding subdivisions (i) and (ii) of this subparagraph, an individual seeking notification or access to records by mail or in person, or seeking to amend a record by mail or in person, who so desires, may establish identity by providing a notarized statement, swearing or affirming to such individual's identity and to the fact that the individual understands the penalties provided in 5 U.S.C. 552a(i)(3) for requesting or obtaining access to records under false pretenses.

Notwithstanding subdivision (i), (ii), or (iii) of this subparagraph, a designated official may require additional proof of an individual's identity before action will be taken on any request if such official determines that it is necessary to protect against unauthorized disclosure of information in a particular case. In addition, a parent of any minor or a legal guardian of any individual will be required to provide adequate proof of legal relationship before such person may act on behalf of such minor or such individual.

(9) *Fees.* The fee for costs required of the Internal Revenue Service in copying records pursuant to this paragraph is $0.10 per page. However, no fee will be charged if the aggregate costs required of the Internal Revenue Service in copying records is less than $3.00. If an individual who has requested access to inspect a record in person is denied such access by the designated official because it would not be feasible in a particular case, copies of such record will be furnished to the individual without payment of the fees otherwise required under this subparagraph. If the Internal Revenue Service estimates that the total fees for costs incurred in complying with a request for copies of records will amount to $50 or more, the individual making the request may be required to enter into a contract for the payment of the actual fees with respect to the request before the Service will furnish the copies requested. Payment of fees for copies of records should be made by check or money order payable to the Internal Revenue Service.

(d) *Procedures for amendment of records*—(1) *In general.* This paragraph sets forth the procedures for reviewing a request from an individual concerning the amendment of any record or information pertaining to such individual, for making a determination on the request, for making an appeal within the Internal Revenue Service of an initial adverse determination, and for judicial review of a final determination.

(2) *Amendment of record.* Under 5 U.S.C. 552a(d)(2), an individual who has been granted access to a record pertaining to such individual may, after inspecting the record, request that the record be amended to make any correction of any portion thereof which the individual believes is not accurate, relevant, timely, or complete. An individual seeking to amend a record shall make a request to amend a record in accordance with the rules provided in paragraph (d)(3) of this section. See paragraph (b) of this section for prohibition against amendment of tax records.

(3) *Form of request for amendment of record.* (i) A request for amendment of a record shall be in writing and shall be signed by the individual making the request.

(ii) Such request shall be clearly marked "Request for amendment of record."

(iii) Such request shall contain a statement that it is being made under the provisions of the Privacy Act of 1974.

(iv) Such request shall contain the name and address of the individual making the request. In addition, if a particular system employs an individual's social security number as an essential means of accessing the system, the request must include the individual's social security number. In the case of a record maintained in the name of two or more individuals (*e.g.*, husband and wife), the request shall contain the names, addresses, and social security numbers (if necessary) of both individuals.

(v) Such request shall specify the name and location of the system of records (as set forth in the Notice of Systems) in which such record is maintained, and the title and business address of the official designated in the access section for such system (as set forth in the Notice of Systems).

(vi) Such request shall specify the particular record in the system which the individual is seeking to amend.

(vii) Such request shall clearly state the specific changes which the individual wishes to make in the record and a concise explanation of the reasons for the changes. If the individual wishes to correct or add any information, the request shall contain specific language making the desired correction or addition.

(4) *Time and place for making request.* A request to amend a record under the Privacy Act shall be addressed to or delivered in person to the office of the official designated in the access section for the particular system of records. The title and office address of such official is set forth for each system of records in the Notice of Systems of Records. A request delivered to an office in person must be delivered during the regular office hours of that office.

(5) *Processing a request for amendment of a record.* (i) Within 10 days (not including Saturdays, Sundays, and legal public holidays) after the receipt of a request to amend a record by the designated official, the individual will be sent a written acknowledgement that the request has been received. The acknowledgement will state that the request has been received, that action is being taken thereon, and that the individual will be notified within 30 days (not including Saturdays, Sundays, and legal public holidays) after the receipt of the request whether the requested amendments will or will not be made. If a request for amendment of a record omits any information which is essential to processing the request, the request will not be acted upon and the individual making the request will be promptly advised of the additional information which must be submitted before the request can be processed.

(ii) Within 30 days (not including Saturdays, Sundays, and legal public holidays) after the receipt of a request to amend a record by the designated official, a determination will be made as to whether to grant the request in whole or in part. The individual will then be notified in writing of the determination. If a determination cannot be made within 30 days, the individual will be notified in writing within such time of the reasons for the delay and the approximate time required to make a determination. If it is determined by the designated official that the request will be granted, the requested changes will be made in the record and the individual will be notified of the changes. In addition, to the extent an accounting was maintained, all prior recipients of such record will be notified of the changes. Upon request, an individual will be furnished with a copy of the record as amended subject to the payment of the appropriate fees. On the other hand, if it is determined by the designated official that the request, or any portion thereof, will not be granted, the individual will be notified in writing of the adverse determination. The notification of an adverse determination will set forth the reasons for the refusal to amend the record. In addition, the notification will contain a statement informing the individual of such individual's right to request an independent review of the adverse determination by a reviewing officer in the national office of the Internal Revenue Service and the procedures for requesting such a review.

(6) *Administrative review of adverse determination.* Under 5 U.S.C. 552a(d)(3), an individual who disagrees with the refusal of the agency to amend a record may, within 35 days of being notified of the adverse determination, request an independent review of such refusal by a reviewing officer in the national office of the Internal Revenue Service. The reviewing officer for the Internal Revenue Service is the Commissioner of Internal Revenue, the Deputy Commissioner, or an Assistant Commissioner. In the case of an adverse determination relating to a system of records maintained by the Office of the Chief Counsel for the Internal Revenue Service, the reviewing officer is the Chief Counsel or his delegate. An individual seeking a review of an adverse determination shall make a request for review in accordance with the rules provided in paragraph (d)(7) of this section.

(7) *Form of request for review.* (i) A request for review of an adverse determination shall be in writing and shall be signed by the individual making the request.

(ii) Such request shall be clearly marked "Request for review of adverse determination".

(iii) Such request shall contain a statement that it is being made under the provisions of the Privacy Act of 1974.

(iv) Such request shall contain the name and address of the individual making the request. In addition, if a particular system employs an individual's social security number as an essential means of accessing the system, the request must include the individual's social security number. In the case of a record maintained in the name of two or more individuals (*e.g.*, husband and wife), the request shall contain the names, addresses, and social security numbers (if necessary) of both individuals.

(v) Such request shall specify the particular record which the individual is seeking to amend, the name and location of the system of records (as set forth in the Notice of Systems) in which such record is maintained, and the title and business address of the designated official for such system (as set forth in the Notice of Systems).

(vi) Such request shall include the date of the initial request for amendment of the record, and the date of the letter notifying the individual of the initial adverse determination with respect to such request.

(vii) Such request shall clearly state the specific changes which the individual wishes to make in the record and a concise explanation of the reasons for the changes. If the individual wishes to correct or add any information, the request shall contain specific language making the desired correction or addition.

(8) *Time and place for making the request.* A request for review of an adverse determination under the Privacy Act shall be addressed to or delivered in person to the Chief, Disclosure Staff, Attention: CP:D, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224. A request for review of an adverse determination will be promptly referred by the Chief, Disclosure Staff to the appropriate reviewing officer for his view and final determination.

(9) *Processing a request for review of adverse determination.* Within 30 days (not including Saturdays, Sundays, and legal public holidays) after the receipt of a request for review of an adverse determination by the appropriate reviewing officer, the reviewing officer will review the initial adverse determination, make a final determination whether to grant the request to amend the record in whole or in part, and notify the individual in writing of the final determination. If a final determination cannot be made within 30 days, the Commissioner of Internal Revenue may extend such 30-day period, and the individual will be notified in writing within such time of the cause for the delay and the approximate time required to make a final determination. If it is determined by the reviewing officer that the request to amend the record will be granted, the reviewing officer will cause the requested changes to be made and the individual will be so notified. Upon request, an individual will be furnished with a copy of the record as amended subject to the payment of appropriate fees. On the other hand, if it is determined by the reviewing officer that the request to amend the record, or any portion thereof, will not be granted, the individual will be notified in writing of the final adverse determination. The notification of a final adverse determination will set forth the reasons for the refusal of the reviewing officer to amend the record. The notification shall include a statement informing the individual of the right to submit a concise statement for insertion in the record setting forth the reasons for the disagreement with the refusal of the reviewing officer to amend the record. In addition, the notification will contain a statement informing the individual of the right to seek judicial review by a United States district court of a final adverse determination.

(10) *Statement of disagreement.* Under 5 U.S.C. 552a(d)(3), an individual who disagrees with a final adverse determination not to amend a record subject to amendment under the Privacy Act may submit a concise statement for insertion in the record setting forth the reasons for disagreement with the refusal of the reviewing officer to amend the record. A statement of disagreement should be addressed to or delivered in person to the Chief, Disclosure Staff, Attention: CP:D, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224. The Chief, Disclosure Staff will forward the statement of disagreement to the appropriate designated official who will cause the statement to be inserted in the individual's record. Any such statement will be available to anyone to whom the record is subsequently disclosed and the prior recipients of the record will be provided with a copy of the statement of disagreement to the extent an accounting of disclosures was maintained.

(11) *Judicial review.* If, after a review and final determination on a request to amend a record by the appropriate reviewing officer, the individual is notified that the request will not be granted, or if, after the expiration of 30 days (not including Saturdays, Sundays, and legal public holidays) from the receipt of such request by the Chief, Disclosure Staff, action is not taken thereon in accordance with the requirements of paragraph (d)(9) of this section, an individual may commence an action within the time prescribed by law in a U.S. district court pursuant to 5 U.S.C. 552a(g)(1). The statute authorizes an action only against the agency. With respect to records maintained by the Internal Revenue Service, the agency is the Internal Revenue Service, not an officer or employee thereof. Service of process in such an action shall be in accordance with the Federal Rules of Civil Procedure (28 U.S.C. App.) applicable to actions against an agency of the United States. Where provided in such Rules, delivery of process upon the Internal Revenue Service must be directed to the Commissioner of Internal Revenue, Attention: CC:GLS, 1111 Constitution Avenue, N.W., Washington, D.C. 20224. The district court will determine the matter *de novo*.

(e) *Records transferred to Federal Records Centers.* Records transferred to the Administrator of General Services for storage in a Federal Records Center are not used by the Internal Revenue Service in making any determination about any individual while stored at such location and therefore are not subject to the provisions of 5 U.S.C. 552a(e)(5) during such time.

### Appendix C—United States Customs Service

1. *In general.* This appendix applies to the United States Customs Service. It sets forth specific notification and access procedures with respect to particular systems of records and identifies the officers designated to make the initial determinations with respect to notification and access to records and accountings of disclosures of records, sets forth the specific procedures for requesting amendment of records and identifies the officers designated to make the initial and appellate determinations with respect to requests for amendment of records, identifies the officers designated to grant extensions of time on appeal, the officers with whom "Statements of Disagreement" may be filed and the officer designated to receive service of process, and sets forth the addresses for delivery of requests, appeals and service of process. In addition, it references the official annual notice of systems of records and notices of the intended uses of the information in the system required by 5 U.S.C. 552a(e)(4) and (11) and published by the General Services Administration as "Notices of Records Systems."

2. *Requests for notification and access to records and accountings of disclosures.* (a) For records which are not maintained at Customs Service Headquarters, initial requests for notification and access to records and accountings of disclosures under 31 CFR 1.26 should be mailed or personally delivered in writing to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, United States Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229, or to the Regional Commissioner of Customs in whose region the records are located, and such officials shall have the authority to grant the request, and, in the case of a Regional Commissioner, to deny the request; any denial of a request directed to Customs Service Headquarters will be made by the Assistant Commissioner, Office of Regulations and Rulings. A request directed to a Regional Commissioner should be mailed to or personally delivered at the appropriate location specified in Customs Appendix A to the "Notices of Records Systems" published by the General Services Administration. It is suggested that requests pertaining to records not maintained at Customs Service Headquarters be directed to the appropriate Regional Commissioner in order to ensure expeditious handling of the request.

(b) For records which are maintained at Customs Service Headquarters, initial requests for notification and access to records and accountings of disclosures under 31 CFR 1.26 should be mailed or personally delivered in writing to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, United States Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229, and such official shall have the authority to grant the request. Any denial of a request will be made by the Assistant Commissioner, Office of Regulations and Rulings.

(c) Each request shall comply with the identification and other requirements set forth in 31 CFR 1.26 and in the appropriate system notice in the "Notices of Records Systems" published by the General Services Administration, and each request should be conspicuously labeled on the face of the envelope "Privacy Act Request."

3. *Requests for amendment of records.* (a) For records which are not maintained at Customs Service Headquarters, initial requests for amendment of records under 31 CFR 1.27 (a) through (d) should be mailed or personally delivered in writing to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, United States Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229, or to the Regional Commissioner of Customs in whose region the records are located, and such officials shall have the authority to grant the request, and, in the case of a Regional Commissioner, to deny the request; any denial of a request directed to Customs Service Headquarters will be made by the Assistant Commissioner, Office of Regulations and Rulings. A request directed to a Regional Commissioner should be mailed to or personally delivered at the appropriate location specified in Customs Appendix A to the "Notices of Records Systems" published by the General Services Administration. It is suggested that requests pertaining to records not maintained at Customs Service Headquarters be directed to the appropriate Regional Commissioner in order to ensure expeditious handling of the request.

(b) For records which are maintained at Customs Service Headquarters, initial requests for amendment of records under 31 CFR 1.27 (a) through (d) should be mailed or personally delivered in writing to the Director, Entry Procedures and Penalties Division, Office of Regulations and Rulings, United States Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229, and such official shall have the authority to grant the request. Any denial of a request will be made by the Assistant Commissioner, Office of Regulations and Rulings. (c) Each request shall comply with the identification and other requirements set forth in 31 CFR 1.27 and in the appropriate system notice in the "Notices of Records Systems" published by the General Services Administration, and each request should be conspicuously labeled on the face of the envelope "Privacy Act Amendment Request."

4. *Administrative appeal of initial determination refusing to amend record.* Appellate determinations (including extensions of time on appeal) under 31 CFR 1.27(e) with respect to all Customs Service records will be made by the Commissioner of Customs, and all such appeals should be mailed or personally delivered to the United States Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. Each appeal should be conspicuously labeled on the face of the envelope "Privacy Act Amendment Appeal."

5. *Statements of Disagreement.* "Statements of Disagreement" pursuant to 31 CFR 1.27(e)(4)(i) shall be filed with the official signing the notification of refusal to amend at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

6. *Service of process.* Service of process will be received by the Chief Counsel, United States Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229.

7. *Annual notice of systems of records.* The annual notice of systems of records required by 5 U.S.C. 552a(e)(4) with respect to records maintained by the United States Customs Service is set forth in the General Services Administration publication entitled "Notices of Records Systems."

### Appendix D—United States Secret Service

1. *In general.* This appendix applies to the United States Secret Service and its sub-components, the Executive Protective Service and the Treasury Security Force. It sets forth specific notification, access, and amendment procedures with respect to systems of records including identification requirements, and times and places where records may be reviewed, identifies the officers designated

to make initial determinations with respect to notifications of and access to records; the officers designated to make the initial and appellate determinations with respect to requests for amendment of records; the officer designated to grant extensions of time on appeal; the officers with which "Statements of Disagreement" may be filed, the officer designated to receive service of process and the addresses for delivery of requests, appeals and service of process. In addition, it references the official annual notice of systems of records and notice of the intended use of the information contained in such systems required by 5 U.S.C. 552a(e) (4) and (11) and published by the General Services Administration as "Notices of Records Systems".

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR 1.26, as to whether to grant requests for notification and access to records and accountings of disclosures for the United States Secret Service will be made by the Staff Assistant, Freedom of Information and Privacy Acts, Office of Administration, United States Secret Service. Requests for notification made by mail should be addressed to:

Staff Assistant, Freedom of Information and Privacy Acts, Office of Administration, United States Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

Requests may be delivered personally to the Staff Assistant, Freedom of Information and Privacy Acts, United States Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. between the hours of 9:00 a.m. and 5:30 p.m. of any day excluding Saturdays, Sundays and legal holidays.

Requests for access to records made by mail should be addressed to:

Staff Assistant, Freedom of Information and Privacy Acts, Office of Administration, United States Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. 20223.

Requests may be delivered personally to the Staff Assistant, Freedom of Information and Privacy Acts, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. between the hours of 9:00 a.m. and 5:30 p.m. of any day excluding Saturdays, Sundays and legal holidays.

a. *Identification Requirements.* In addition to the requirements specified in 31 CFR, 1.26 each request for notification, access or amendment of records made by mail shall contain the requesting individual's date and place of birth and a duly notarized statement signed by the requester asserting his or her identity and stipulating that the requesting individual understands that knowingly or willfully seeking or obtaining access to records about another person under false pretences is punishable by a fine of up to $5,000.

b. *Individuals making requests in person.* Individuals making requests in person will be required to exhibit acceptable identifying documents such as employee identification numbers, drivers licenses, medical cards or other documents sufficient to verify the identity of the requester.

c. *Physical Inspection of records.* Upon determining that a request for the physical inspection of records is to be granted, the requester shall be notified in writing of the determination, and when and where the requested records may be inspected. The inspection of records will be conducted at the Secret Service field office or other facility located nearest to the residence of the individual making the request. Such inspection shall be conducted during the regular business hours of the Secret Service Field Office or other facility where the disclosure is made. A person of his or her own choosing may accompany the individual making the request provided the individual furnishes a written statement authorizing the disclosure of that individual's record in the accompanying person's presence. Any disclosure of a record will be made in the presence of a representative of the U.S. Secret Service.

3. *Requests for amendment of records.* Initial determination under 31 CFR, 1 as to whether to grant requests to amend records will be made by the Staff Assistant, Freedom of Information and Privacy Acts, Office of Administration, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C. Requests for amendments of records should be addressed to:

Staff Assistant, Freedom of Information and Privacy Acts, Office of Administration, U.S. Secret Service, 1800 G. Street, N.W., Room 908, Washington, D.C. 20223.

Requests may be delivered personally to the Staff Assistant, Freedom of Information and Privacy Acts, U.S. Secret Service, 1800 G Street, N.W., Room 908, Washington, D.C., between the hours of 9:00 a.m. and 5:30 p.m. of any day excluding Saturdays, Sundays and legal holidays.

4. *Administrative appeal of initial determinations refusing amendment of records.* Appellate determinations refusing amendment of records under 31 CFR 1.27 including extensions of time on appeal, with respect to records of the U.S. Secret Service will be made by the Assistant Secretary (Enforcement, Operations, and Tariff Affairs). Appeals made by mail should be addressed to:

Assistant Secretary (Enforcement, Operations and Tariff Affairs), Department of the Treasury, 1500 Pennsylvania Avenue, N.W., Room 3448, Washington, D.C. 20220.

Appeals may be delivered personally to the Assistant Secretary (Enforcement, Operations, and Tariff Affairs) in Room 3448, Main Treasury Building located at 1500 Pennsylvania Avenue, N.W., Washington, D.C.

5. *Statements of Disagreement.* "Statements of Disagreements" pursuant to 31 CFR, 1.27(e)(4)(i) shall be filed with the official signing the notification of refusal to amend at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

6. *Service of Process.* Service of process will be received by the U.S. Secret Service Legal Counsel and shall be delivered to such officer at the following location:

Legal Counsel, U.S. Secret Service, 1800 G Street, N.W., Room 842, Washington, D.C. 20223.

7. *Annual notice of systems of records.* The annual notice of systems or records required by 5 U.S.C. 552a(e)(4) with respect to records maintained by the Secret Service is set forth in the General Services Administration publication entitled "Notices of Records Systems".

### Appendix E—Bureau of Alcohol, Tobacco and Firearms

1. *In general.* This appendix applies to the Bureau of Alcohol, Tobacco and Firearms. It sets forth specific notification, access, and amendment procedures with respect to ATF's systems of records (published by the General Services Administration as "Notice of Records Systems") including identification requirements, and times and places where records may be reviewed; identifies the officers designated to make the initial determinations with respect to notifications of and access to records; the officers designated to make the initial and appellate determinations with respect to requests for amendment of records, the officer designated to grant extensions of time on appeal; the officer designated to receive service of process and addresses for delivery of requests, appeals, and service of process. In addition, it references the official annual notice of systems of records and notices of the intended uses of the information in the system required by 5 U.S.C. 552a(e) (4) and (11) and published by the General Services Administration as "Notices of Records Systems."

2. *Requests for notification of existence of records.* Initial determination as to whether to grant requests made by individuals to ascertain if a system of records contains a record pertaining to him will be made by the Assistant to the Director (Disclosure), Bureau of Alcohol, Tobacco and Firearms. Requests for such notification made by mail should be addressed to:

Privacy Act Request, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

Requests may be delivered personally to Room 4402, 1200 Pennsylvania Avenue, N.W., Bureau of Alcohol, Tobacco and Firearms, Washington, D.C.

3. *Requests for access to records and accounting of disclosures.* Initial determinations under 31 CFR Section 1.26 as to whether to grant requests for access to records or access to accounting of disclosures for the Bureau of Alcohol, Tobacco and Firearms will be made by the Assistant to the Director (Disclosure), Bureau of Alcohol, Tobacco and Firearms. Requests for access to records or accountings made by mail should be addressed to:

Privacy Act Request, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

Requests may be delivered personally to Room 4402, Bureau of Alcohol, Tobacco

and Firearms, 1200 Pennsylvania Avenue, NW., Washington, D.C.

4 *Requests for amendment of records.* Initial determinations under 31 CFR 1.27 (a) through (d) as to whether to grant requests to amend records for the Bureau of Alcohol, Tobacco and Firearms will be made by the Assistant to the Director (Disclosure), Bureau of Alcohol, Tobacco and Firearms. Requests for amendment of records should be addressed to:

Privacy Act Request, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

Requests may be delivered personally to Room 4402, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C.

5 *Identification requirements.* (a) In addition to the requirements specified in 31 CFR Section 1.26(d), and section 7 of this appendix, each request for notification, access or amendment of records made by mail shall contain the requesting individual's date and place of birth and a statement signed by the requester asserting his or her identity and stipulating that the requester understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is a misdemeanor and punishable by a fine of up to $5,000.00: *Provided*, That the Bureau of Alcohol, Tobacco and Firearms may require a signed notarized statement verifying the identity of the requester.

(b) Individuals making requests in person will be required to exhibit at least two acceptable identifying documents such as employee identification cards, driver's license, medical cards, or other documents sufficient to verify the identity of the requester.

(c) The parent or guardian of a minor or a person judically determined to be incompetent, shall in addition to establishing the identity of the minor or other person he represents as required in (a) and (b), establish his own parentage or guardianship by furnishing a copy of a birth certificate showing parentage (or other satisfactory documentation) or a court order establishing the guardianship.

6. *Request for physical inspection of records.* Upon determining that a request for the physical inspection of records is to be granted, the requester shall be notified in writing of the determination, and when and where the records may be inspected. The inspection of records will be made at the Bureau of Alcohol, Tobacco and Firearms field office or other facility located nearest to the residence of the individual making the request. Such inspection shall be conducted during the regular business hours of the field office or other facility where the disclosure is made. A person of the requester's own choosing may accompany the requester provided the requester furnishes a written statement authorizing the disclosure of the requester's record in the accompanying person's presence. The record inspection will be made in the presence of a representative of the Bureau. Following the inspection of the record, the individual will acknowledge in writing the fact that he or she had an opportunity to inspect the requested record.

7. *Requests for copies of records without prior physical inspection.* Upon determining that an individual's request for copies of his records without prior physical inspection is to be granted, the requester shall be notified in writing of the determination, and the location and time for his receipt of the requested copies. The copies will be made available at the Bureau of Alcohol, Tobacco and Firearms field office or other facility located nearest to the residence of the individual making the request. Copies shall be received by the requester during the regular business hours of the field office or other facility where the disclosure is made. Transfer of the copies to the individual shall be conditioned upon payment of copying costs and his presentation of at least two acceptable identifying documents such as employee identification cards, driver's license, medical cards, or other documents sufficient to verify the identity of requester. Following the receipt of the copies, the individual will acknowledge receipt in writing.

8. *Administrative appeal of initial determination refusing amendment of record.* Appellate determinations upon the initial denial, in whole or in part, of requests for amendment of records under 31 CFR Section 1.27(e), including extensions of time on appeal, with respect to records of the Bureau will be made by the Director or his delegate. Appeals made by mail should be addressed to:

Privacy Act Appeal, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20226.

Appeals may be delivered personally to Room 4402, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW., Washington, D.C.

9. *Statements of disagreement.* "Statements of Disagreement" pursuant to 31 CFR Section 1.27(e)(4)(i) shall be filed with the official signing the notification within 35 days of the date of such notification and should be limited to one page.

10. *Service of process.* Service of process will be received in accordance with Rule 4, Federal Rules of Civil Procedure, by delivering a copy of the summons and of the complaint to the United States Attorney for the district in which the action is brought as well as delivering a copy of the summons and complaint to the Chief Counsel, Bureau of Alcohol, Tobacco and Firearms or his delegate at the following location:

Chief Counsel, Bureau of Alcohol, Tobacco and Firearms, Room 5226, 1200 Pennsylvania Avenue, NW., Washington, D.C. 20226.

11. *Annual notice of systems of records and notice of the intended uses of the information in the systems.* The annual notice of systems of records and the notice of the intended uses of the information in the systems required by 5 U.S.C. 552a(e) (4) and (11) is set forth in the General Services Administration publication entitled "Notices of Records Systems." The intended uses of the information in each system are set forth in each system notice under the category of "Routine Uses."

APPENDIX F—BUREAU OF ENGRAVING AND PRINTING

1. *In general.* This appendix applies to the Bureau of Engraving and Printing as defined in 31 CFR Part 1, Subpart C § 1.20. It sets forth specific notification and access procedures with respect to particular systems of records, identifies the officer designated to make the initial determinations with respect to notification and access to records, the officers designated to make the initial and appellate determinations with respect to requests for amendment, the officer designated to grant extension of time on appeal, the officer with which "Statements of Disagreement" may be filed, the officer designated to receive service of process, and the address for delivery of requests, appeals, and service of process. In addition, it references the official annual notice of systems of records and notices of intended uses of the information in the system required by 5 U.S.C. 552 a(e) (4) and (11) and published by the General Services Administration as "Notices of Records Systems."

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR § 1.26, as to whether to grant requests for notification and access to records and accountings of disclosures for the Bureau of Engraving and Printing will be made by the head of the organizational unit having immediate custody of the records requested, or his delegate, as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send requests for records should be addressed to: Privacy Act Officer, Management Services Division, Bureau of Engraving and Printing, Washington, D.C. 20228. Requests may be delivered personally to the Management Services Division, Room 602-17A, Bureau of Engraving and Printing, 14th and C Streets, SW., Washington, D.C. 20228.

3. *Requests for amendment of records.* Initial determinations under 31 CFR § 1.27 (a) through (d) as to whether to grant requests to amend records for the Bureau of Engraving and Printing will be made by the head of the organizational unit having immediate custody of the records, or his delegate. Requests for amendment of records should be addressed as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send such requests should be addressed to: Privacy Act Officer, Management Services Division, Bureau of Engraving and Printing, Washington, D.C. 20228.

4. *Administrative appeal of initial determination refusing to amend record.* Appellate determinations under 31 CFR § 1.27(e) with respect to records of the Bureau of Engraving and Printing (in-

cluding extensions of time on appeal) will be made by the Director of the Bureau or his delegate, as limited by 5 USC 552a (d) (2) and (3). Appeals from the initial determinations refusing to amend records made by mail should be addressed as indicated in the letter of initial decision or to: Privacy Act Officer, Management Services Division, Bureau of Engraving and Printing, 14th and C Streets, SW., Washington, D.C. 20228. Appeals may be delivered personally to Room 602-17A of the same address.

5. *Statements of Disagreement.* "Statements of Disagreement" pursuant to 31 CFR § 1.27(e)(4)(i) shall be filed with the official signing the notification of refusal to amend at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

6. *Service of Process.* Service of process will be received by the General Counsel of the Department of the Treasury or his delegate, and shall be delivered to such officer at the following location: General Counsel, Department of the Treasury, Room 3000, Main Treasury Building, 1500 Pennsylvania Avenue, NW., Washington, D.C. 20220.

7. *Annual notice of systems of records.* The annual notice of systems of records required by 5 USC 552a(e)(4) with respect to records maintained by the Bureau of Engraving and Printing is set forth in the General Services Administration publication entitled "Notices of Records Systems." Any specific requirements for access, including identification requirements, in addition to the requirements set forth in § 1.26 and § 1.27 and locations for access are indicated in the notice for the pertinent system.

APPENDIX G—BUREAU OF GOVERNMENT FINANCIAL OPERATIONS

1. *In general.* This appendix applies to the Bureau of Government Financial Operations as mentioned in 31 CFR Part 1, Subpart C, Section 1.20(g). It sets forth specific notification and access procedures with respect to particular systems of records, identifies the officers designated to make the initial determinations with respect to notification and access to records, the officers designated to make the initial and appellate determinations with respect to requests for amendment of records, the officers designated to grant extensions of time on appeal, the officers with which "Statements of Disagreement" may be filed, the officer designated to receive service of process and the addresses for delivery of requests, appeals and service of process. In addition, it references the official annual notice of systems of records and notices of the intended uses of the information in the system required by 5 U.S.C. 552a(e) (4) and (11) and published by the General Services Administration as "Notices of Records Systems".

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR Section 1.26, as to whether to grant requests for notification and access to records and accountings of disclosures for the Bureau of Government Financial Operations, will be made by the Special Assistant (Information and Privacy Officer), or his delegate as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send requests for records should be addressed to:

Special Assistant (Information and Privacy Officer), Bureau of Government Financial Operations, Department of the Treasury, Room 600, Treasury Annex No. 1, Washington, D.C. 20226.

Requests may be delivered personally to the Office of the Special Assistant (Information and Privacy Officer), Bureau of Government Financial Operations, Room 600, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, NW., Washington, D.C.

3. *Requests for amendment of records.* Initial determinations under 31 CFR Section 1.27(a) through (d) as to whether to grant requests to amend records for the Bureau of Government Financial Operations will be made by the Special Assistant (Information and Privacy Officer) or his delegate. Requests for amendment of records should be addressed as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send such requests should be addressed to:

Special Assistant (Information and Privacy Officer), Bureau of Government Financial Operations, Department of the Treasury, Treasury Annex No. 1, Washington, D.C. 20226.

4. *Administrative appeal of initial determination refusing to amend records.* Appellate determinations under 31 CFR Section 1.27(e) with respect to records of the Bureau of Government Financial Operations (including extensions of time on appeal) will be made by the Commissioner, Bureau of Government Financial Operations, or the delegate of such officer, as limited by 5 U.S.C. 552a(d) (2) and (3). Appeals made from initial determinations refusing to amend records made by mail should be addressed as indicated in the letter of initial decision or to:

Commissioner, Bureau of Government Financial Operations (Privacy), Department of the Treasury, Room 618, Treasury Annex No. 1, Washington, D.C. 20226.

Appeals may be delivered personally to the Commissioner, Bureau of Government Financial Operations, Department of the Treasury Room 618, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place NW., Washington, D.C.

5. *Statements of Disagreement.* "Statements of Disagreement" pursuant to 31 CFR 1.27(e)(4)(i) shall be filed with the official signing the notification of refusal to amend at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

6. *Service of process.* Service of process will be received by the Commissioner, Bureau of Government Financial Operations or his delegate and shall be delivered to such officer at the following location:

Commissioner, Bureau of Governmental Financial Operations (Privacy), Department of the Treasury, Room 618, Treasury Annex No. 1, Pennsylvania Avenue and Madison Place, Washington, D.C.

7. *Annual notice of systems of records.* The annual notice of systems of records required by 5 U.S.C. 552a(e)(4) with respect to records maintained by the Bureau of Government Financial Operations is set forth in the General Services Administration publication entitled "Notices of Records Systems".

Any specific requirements for access, including identification requirements, in addition to the requirements set forth in 31 CFR Section 1.26 and Section 1.27, and locations for access are indicated in the notice for the pertinent system.

APPENDIX H—BUREAU OF THE MINT

1. *In general.* This appendix sets for specific notification and access procedures with respect to particular systems of records maintained by the Bureau of the Mint, identifies the officers designated to make the initial determinations with respect to notification and access to records, the officers designated to make the initial and appellate determinations with respect to requests for amendment of records, the officers designated to grant extensions of time on appeal, the officer with whom "Statements of Disagreement" may be filed, the officer designated to receive service of process and the addresses for delivery of requests, appeals and service of process. In addition, it references the official annual notice of systems of records and notices of the intended uses of the information in the system required by 5 U.S.C. 552a (e)(4) and (11) and published by the General Services Administration as "Notices of Records Systems."

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR § 1.26, as to whether to grant requests for notification and access to records and accountings of disclosures for the Bureau of the Mint will be made by the head of the Mint installation having immediate custody of the records requested, or the delegated official as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send requests for records should be addressed to:

Privacy Act Request, Bureau of the Mint, Room 912, Warner Building, Washington, DC 20220.

Requests may be delivered personally to Room 912, Warner Building, 501—13th Street, NW, Washington, DC.

3. *Requests for amendment of records.* Initial determinations under 31 CFR § 1.27 (a) through (d) as to whether to grant requests to amend records for the Bureau of the Mint will be made by the head of the Mint installation having immediate custody of the records or the

delegated official. Requests for amendment of records should be addressed as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send such requests should be addressed to:

Privacy Act Amendment Request, Bureau of the Mint, Room 912, Warner Building, Washington, DC 20220

4. *Administration appeal of initial determination refusing to amend record.* Appellate determinations under 31 CFR 1.27(e) with respect to records of the Bureau of the Mint (including extensions of time on appeal) will be made by the Director of the Mint or the delegate of the Director. Appeals made from initial determinations refusing to amend records made by mail should be addressed to:

Privacy Act Amendment Appeal, Bureau of the Mint, Room 912, Warner Building, Washington, DC 20220.

Appeals may be delivered personally to Room 912, Warner Building, 501 13th Street, NW, Washington, DC.

5. *Statements of Disagreement.* "Statements of Disagreement" pursuant to 31 CFR 1.27(e)(4)(i) shall be filed with the official signing the notification of refusal to amend at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

6. *Service of process.* Service of process will be received by the Director of the Mint and shall be delivered to such officer at the following location:

Director of the Mint, Room 2064, Main Treasury Building, 1500 Pennsylvania Avenue NW, Washington, DC 20220.

7. *Annual notice of systems of records.* The annual notice of systems of records required by 5 U.S.C. 552a(e)(4) with respect to records maintained by the Bureau of the Mint is set forth in General Services Administration publication entitled "Notices of Records Systems." Any specific requirements for access, including identification requirements, in addition to the requirements set forth in 31 CFR § 1.26 and § 1.27, and locations for access are indicated in the notice for the pertinent system.

APPENDIX I—BUREAU OF THE PUBLIC DEBT

1. *In general.* This appendix applies to the Bureau of the Public Debt as defined in 31 CFR Part 1, Subpart C § 1.20. It sets forth specific notification and access procedures with respect to particular systems of records, identifies the officers designated to make the initial determinations with respect to notification and access to records, the officers designated to make the initial and appellate determinations with respect to requests for amendment of records, the officers designated to grant extensions of time on appeal, the officers with which "Statements of Disagreement" may be filed, the officer designated to receive service of process and the addresses for delivery of requests, appeals and service of process. In addition, it references the official annual notice of systems of records and notices of the intended uses of the information in the system required by 5 U.S.C. 552a(e)(4) and (11) and published by the General Services Administration as "Notices of Records Systems".

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR § 1.26, as to whether to grant requests for notification and access to records and accountings of disclosures for the Bureau of the Public Debt will be made by the head of the organizational unit having immediate custody of the records requested, or his delegate as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for access to records contained within a particular Bureau system of records should be submitted to the address indicated for that system in the descriptions thereof published by the General Services Administration. Requests may be delivered personally to the Bureau of the Public Debt, Room 300, Washington Building, 15th Street and New York Avenue, N.W., Washington, D.C.

3. *Requests for amendment of records.* Initial determinations under 31 CFR § 1.27(a) through (d) as to whether to grant requests to amend records for the Bureau of the Public Debt will be made by the head of the organizational unit having immediate custody of the records or his delegate. Requests for amendment of records should be addressed as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send such requests should be addressed to:

Privacy Act Amendment Request, Commissioner of the Public Debt, 15th Street and New York Avenue, N.W., Washington, D.C. 20226.

4. *Administrative appeal of initial determination refusing to amend record.* Appellate determinations under 31 CFR § 1.27(e) with respect to records of the Bureau of the Public Debt (including extensions of time on appeal) will be made to the Commissioner of the Public Debt or his delegate, as limited by 5 U.S.C. 552a(d)(2) and (3). Appeals made from initial determinations refusing to amend records made by mail should be addressed as indicated in the letter of initial decision or to:

Privacy Act Amendment Appeal, Commissioner of the Public Debt, 15th Street and New York Avenue, N.W., Washington, D.C. 20226.

Appeals may be delivered personally to the Bureau of the Public Debt, Room 300, Washington Building, 15th Street and New York Avenue, N.W., Washington, D.C.

5. *Statements of Disagreement.* "Statements of Disagreement" pursuant to 31 CFR § 1.27(e)(4)(i) shall be filed with the official signing the notification of refusal to amend at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

6. *Service of process.* Service of process will be received by the Chief Counsel of the Bureau of the Public Debt or his delegate and shall be delivered to such officer at the following location:

Chief Counsel, Bureau of the Public Debt, Room 200, Washington Building, 15th Street and New York Avenue, N.W., Washington, D.C. 20226.

7. *Annual notice of systems of records.* The annual notice of systems of records required by 5 U.S.C. 552a(e)(4) with respect to records maintained by the Bureau of the Public Debt is set forth in the General Services Administration publication entitled "Notices of Records Systems". Any specific requirements for access, including identification requirements, in addition to the requirements set forth in 31 CFR § 1.26 and § 1.27, and locations for access are indicated in the notice for the pertinent system.

APPENDIX J—OFFICE OF THE COMPTROLLER OF THE CURRENCY

1. *In General.* This appendix is applicable to the Office of the Comptroller of the Currency as defined at 31 CFR Part 1, Subpart A, § 1.20. This section promulgates a specific notification and access procedure with respect to particular systems of records. Further, it identifies the persons designated to make the initial determinations regarding notification and access to records, designates officers who will make the initial and appellate determinations in connection with requests for amendment of records, designates officers who will be empowered to grant extensions of time on appeal, lists officers with which "Statements of Disagreement" may be filed, designates an office to receive service of process and provides addresses for delivery of requests, appeals and service of process. In addition, it references the official annual notice of systems of records and notices of the proposed uses of the information in the system required by 5 U.S.C. 552(e)(4) and (11) published by the General Services Administration as "Notices of Records Systems".

2. *Request for notification and access to records and accounting of disclosures.* Initial determination under 31 CFR 1.26, as to whether to grant requests for notification and access to records and accountings of disclosure for the Office of the Comptroller of the Currency will be made to the Director, Public Affairs. Request for information and specific guidance on where to send such request should be addressed to:

Director, Public Affairs, Comptroller of the Currency, Sixth Floor, 490 E L'Enfant Plaza, S.W., Washington, D.C. 20219

Requests may be delivered in person at the above mentioned address.

3. *Requests for amendment of records.* Initial determination under 31 CFR 1.27 (a) through (d) as to whether to grant requests to amend records for the Office of the Comptroller of the Currency will be made by the Director, Public Affairs.

Requests for information or specific guidance on where to send such requests should be addressed to:

Director, Public Affairs, Comptroller of the Currency, Sixth Floor, 490 E. L'Enfant Plaza, S.W., Washington, D.C. 20219.

4. *Administrative appeal of initial determination refusing to amend record.* Appellate determinations subject to 31 CFR 1.27(e) with respect to records of the Comptroller of the Currency including extensions of time on appeal, will be made by the Comptroller of the Currency or Chief Counsel or delegate of such officer, as limited by 5 U.S.C. 552a (d) (2) and (3). Appeals made from the initial determinations refusing to amend records made by mail should be addressed to:

Director, Public Affairs, Comptroller of the Currency, Sixth Floor, 490 E. L'Enfant Plaza, S.W., Washington, D.C. 20219.

Appeals may be delivered personally to the above mentioned address.

5. *Statements of disagreement.* "Statements of Disagreement" pursuant to 31 CFR 1.27(e)(4)(i) shall be filed with Director, Public Affairs at the previously designated address within 35 days of the date of notification.

6. *Service of process.* Service of process will be received by the Office of Chief Counsel of the Comptroller of the Currency or his delegate and shall be delivered to such offices at the following location:

Office of Chief Counsel, Comptroller of the Currency, Sixth Floor, 490 E. L'Enfant Plaza, S.W., Washington, D.C. 20219.

7. *Annual Notice of systems of records.* The annual notice of systems of records required by 5 U.S.C. 552a(e)(4) with respect to records maintained by the Comptroller of the Currency is set forth in materials entitled system of records. As a general proposition the records contained in the Comptroller's systems of records may be obtained only upon proper identification. Further, a fine of $5,000 is imposed pursuant to 5 U.S.C. 552(i) for persons seeking to obtain records of the Comptroller of the Currency under false pretenses.

APPENDIX K—U.S. SAVINGS BONDS DIVISION

1. *In general.* This appendix applies to the Savings Bonds Division as defined in 31 CFR Part 1, Subpart C § 1.20. It sets forth specific notification and access procedures with respect to particular systems of records, identifies the officers designated to make the initial determinations with respect to notification and access to records, the officers designated to make the initial and appellate determinations with respect to requests for amendment of records, the officers designated to grant extensions of time on appeal, the officers with which "Statements of Disagreement" may be filed, the officer designated to receive service of process and the addresses for delivery of requests, appeals and service of process. In addition, it references the official annual notice of systems of records and notices of the intended uses of the information in the system required by 5 U.S.C. 552a(e)(4) and (11) and published by the General Services Administration as "Notices of Records Systems".

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR § 1.26, as to whether to grant requests for notification and access to records and accountings of disclosures for the Savings Bonds Division will be made by the head of the organizational unit having immediate custody of the records requested, or his delegate as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send requests for records should be addressed to:

Privacy Act Contact, U.S. Savings Bonds Division, Department of the Treasury, 1111 20th Street, NW., Washington, D.C. 20226.

Requests may be delivered personally to U.S. Savings Bonds Division, Room 225A, Vanguard Building, 1111 20th Street, N.W., Washington, D.C.

3. *Requests for amendment of records.* Initial determinations under 31 CFR § 1.27(a) through (d) as to whether to grant requests to amend records for the Savings Bonds Division will be made by the head of the organizational unit having immediate custody of the records or his delegate. Requests for amendment of records should be addressed as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send such requests should be addressed to:

Privacy Act Contact, U.S. Savings Bonds Division, Department of the Treasury, 1111 20th Street, NW., Washington, D.C. 20226.

4. *Administrative appeal of initial determination refusing to amend record.* Appellate determinations under 31 CFR § 1.27(e) with respect to records of the Savings Bonds Division (including extensions of time on appeal) will be made by the National Director, U.S. Savings Bonds Division or the delegate of such officer, as limited by 5 U.S.C. 552a(d)(2) and (3). Appeals made from initial determinations refusing to amend records made by mail should be addressed as indicated in the letter of initial decision or to:

National Director, U.S. Savings Bonds Division, Department of the Treasury, 1111 20th Street, NW., Washington, D.C. 20226.

Appeals may be delivered personally to the above address.

5. *Statements of Disagreement.* "Statements of Disagreement" pursuant to 31 CFR § 1.27(e)(4)(i) shall be filed with the official signing the notification of refusal to amend at the address indicated in the letter of notification within 35 days of the date of such notification and should be limited to one page.

6. *Service of process.* Service of process will be received by the General Counsel of the Department of the Treasury or his delegate and shall be delivered to such officer at the following location:

General Counsel, Department of the Treasury, Room 3000, Main Treasury Building, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220.

7. *Annual notice of systems of records.* The annual notice of systems of records required by 5 U.S.C. 552a(e)(4) with respect to records maintained by the Savings Bonds Division is set forth in the General Services Administration publication entitled "Notices of Records Systems." Any specific requirements for access, including identification requirements, in addition to the requirements set forth in 31 CFR § 1.26 and § 1.27, and locations for access are indicated in the notice for the pertinent system.

APPENDIX L—CONSOLIDATED FEDERAL LAW ENFORCEMENT TRAINING CENTER

1. *In general.* This appendix applies to the Consolidated Federal Law Enforcement Training Center. It sets forth specific notification and access procedures with respect to particular systems of records, identifies the officers designated to make the initial determinations with respect to notification and access to records, the officers designated to make the initial and appellate determinations with respect to requests for amendment of records, the officers designated to grant extensions of time on appeal, the officers with which "Statements of Disagreement" may be filed, the officer designated to receive service of process and the addresses for delivery of requests, appeals and service of process. In addition, it references the official annual notice of systems of records and notices of the intended uses of the information in the system required by 5 U.S.C. 552a(e)(4) and (11) and published by the General Services Administration as "Notices of Records Systems."

2. *Requests for notification and access to records and accountings of disclosures.* Initial determinations under 31 CFR § 1.26, as to whether to grant requests for notification and access to records and accountings of disclosures for the Consolidated Federal Law Enforcement Training Center will be made by the head of the organizational unit having immediate custody of the records requested, or his delegate as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send requests for records should be addressed to:

Privacy Act Request, Consolidated Federal Law Enforcement Training Center, Glynco, Georgia 31520.

Requests may be delivered personally to the Library, Building 12, Consolidated Federal Law Enforcement Training Center, Glynco, Georgia.

3. *Requests for amendment of records.* Initial determinations under 31 CFR § 1.27 (a) through (d) as to whether to grant requests to amend records for the Consolidated Federal Law Enforcement Training Center will be made by the

of the organizational unit having immediate custody of the records or his delegate. Requests for amendment of records should be addressed as indicated in the appropriate system notice in "Notices of Records Systems" published by the General Services Administration. Requests for information and specific guidance on where to send such requests should be addressed to:

Privacy Act Amendment Request, Consolidated Federal Law Enforcement Training Center, Glynco, Georgia 31520.

4. *Administrative appeal of initial determination refusing to amend record.* Appellate determinations under 31 CFR § 1.27(e) with respect to records of the Consolidated Federal Law Enforcement Training Center will be made by the Assistant Secretary (Enforcement, Operations, and Tariff Affairs), Department of the Treasury, (including extensions of time on appeal) or the delegate of such officer, as limited by 5 U.S.C. 552a(d) (2) and (3). Appeals made from initial determinations refusing to amend records made by mail should be addressed as indicated in the letter of initial decision or to:

Privacy Act Amendment Appeal, CFLETC, Assistant Secretary (Enforcement, Operations, and Tariff Affairs), Department of the Treasury, 1500 Pennsylvania Avenue, NW., Room 3448, Washington, D.C. 20220.

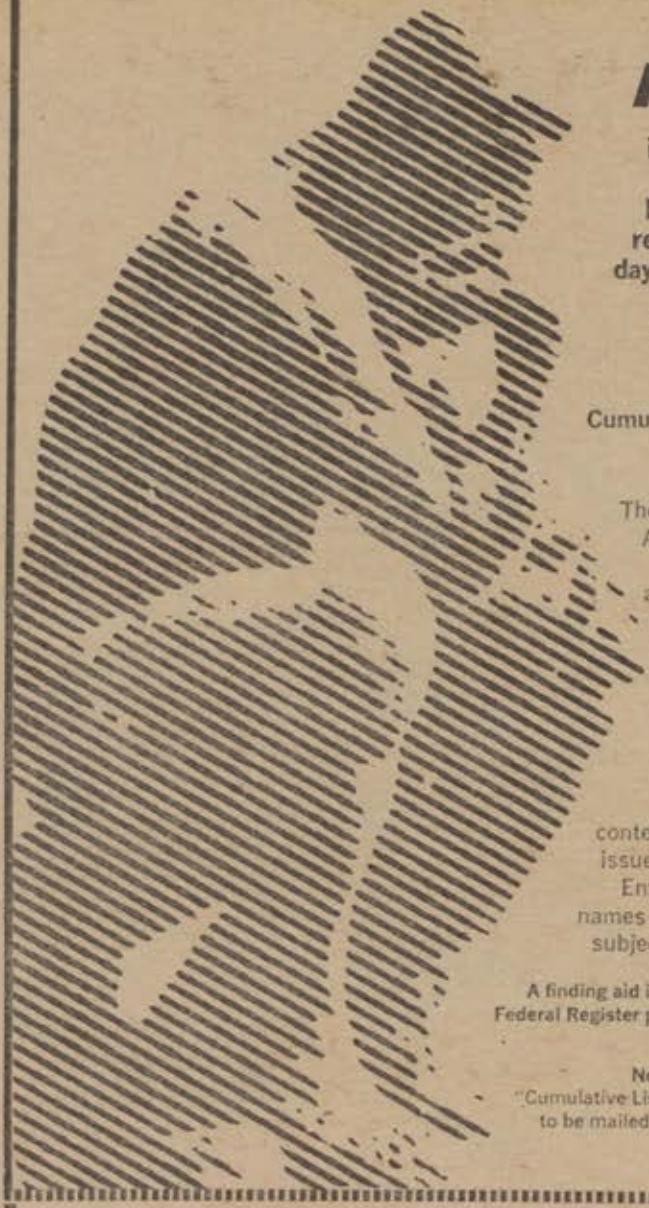
Appeals may be delivered personally to the Assistant Secretary (Enforcement, Operations, and Tariff Affairs), Room 3448, Main Treasury Building, 1500 Pennsylvania Avenue, NW., Washington, D.C.

5. *Statements of disagreement.* "Statements of Disagreement" pursuant to 31 CFR § 1.27(e)(4)(i) shall be filed with the official signing the notification within 35 days of the date of such notification and should be limited to one page.

6. *Service of process.* Service of process will be received by the General Counsel of the Department of the Treasury or his delegate and shall be delivered to such officer at the following location:

General Counsel, Department of the Treasury, Room 3000, Main Treasury Building, 1500 Pennsylvania Avenue, NW., Washington, D.C. 20220.

7. *Annual notice of systems of records.* The annual notice of systems of records required by 5 U.S.C. 552a(e)(4) with respect to records maintained by the Consolidated Federal Law Enforcement Training Center is set forth in the General Services Administration publication entitled "Notices of Records Systems". Any specific requirements for access, including identification requirements, in addition to the requirements set forth in 31 CFR § 1.26 and § 1.27, and locations for access are indicated in the notice for the pertinent system.



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