

("Sparton") manufacturing facility on Coors Road in Albuquerque, NM ("the Facility"). In this action, the United States alleged claims pursuant to Resource Conservation and Recovery Act ("RCRA") Sections 3008 and 7003, 42 U.S.C. §§ 6928 and 6973, and Safe Drinking Water Act ("SDWA") Section 1431, 42 U.S.C. § 300i. Under the proposed Consent Decree, Sparton will perform comprehensive corrective action to address groundwater and soil affected by contamination emanating from the Facility. Sparton will also pay a total of \$1.675 million consisting of a civil penalty of \$475,000 to be shared by the United States and the New Mexico Environment Department, a payment of natural resources damages of \$1 million to the State of New Mexico, and \$200,000 to the City of Albuquerque, the New Mexico Environment Department, and the New Mexico Attorney General's Office for litigation costs. The proposed Consent Decree also dismisses with prejudice *Sparton Technology, Inc. v. Environmental Protection Agency*, No. CV 97 0981 (D.N.M.)—one of the consolidated actions—and provides the United States a full release with respect to the agency actions challenged by Sparton in that case.

The Department of Justice will receive comments relating to the proposed Consent Decree for 30 days following publication of this Notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611, and should refer to *Albuquerque v. Sparton Technology, Inc.*, No. CV 97 0206 (D.N.M.), DOJ No. 90-7-1-875. The proposed Consent Decree may be examined at the Office of the United States Attorney for the District of New Mexico, 200 3rd Street, NW., Ste 900, Albuquerque, New Mexico 87102 and the Region VI Office of the United States Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202. A copy of the proposed Consent Decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. When requesting a copy, please enclose a check for reproduction costs for the Consent Decree (at 25 cents per page) in the amount of \$153.75, payable to the "Consent Decree Library."

**Joel M. Gross,**

*Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
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## DEPARTMENT OF OF JUSTICE

[AAG/A Order No. 190-2000]

### Privacy Act of 1974 as Amended by The Computer Matching and Privacy Protection Act of 1988; Computer Matching Programs

This notice is published in the **Federal Register** in accordance with the requirements of the Privacy Act (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988 (CMPPA) (Public Law 100-503) (5 U.S.C. 552a(e)(12)). The Immigration and Naturalization Service (INS), Department of Justice (the source agency), is participating in computer matching programs with the District of Columbia and seven State agencies (all designated as recipient agencies). These matching activities will permit the recipient agencies to confirm the immigration status of alien applicants for, or recipients of, Federal benefits assistance under the "Systematic Alien Verification for Entitlements (SAVE)" program as required by the Immigration Reform and Control Act (IRCA) of 1986 (Pub. L. 99-603).<sup>1</sup>

Specifically, the matching activities will permit the following eligibility determinations:

(1) The District of Columbia Department of Employment Services, the New York State Department of Labor, the New Jersey Department of Labor, the Texas Workforce Commission and the Massachusetts Department of Employment and Training will be able to determine eligibility for unemployment compensation;

(2) The California Department of Social Services will be able to determine eligibility status for the TANF program and the Food Stamps program;

(3) The California Department of Health Services will be able to determine eligibility status for the Medicaid program;

The Colorado Department of Human Services<sup>2</sup> will be able to determine the

<sup>1</sup> Effective July 1, 1997, IRCA was amended by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), Pub. L. 104-193, 110 Stat. 2168 (1996). The PRWORA amend IRCA by replacing the reference to "Aid to Families with Dependent Children" (AFDC), with a reference to its successor program, "Temporary Assistance for Needy Families" (TANF). As was the case with AFDC, states and the District of Columbia are required to verify through SAVE that an applicant or recipient is in an eligible alien status for TANF benefits. In addition, Section 840 of the PRWORA makes verification for eligibility under the Food Stamps Program voluntary on the part of the State/District of Columbia agency rather than mandatory.

<sup>2</sup> Identified in previous computer matching notices as the Colorado Department of Social Services.

eligibility status for the Medicaid, TANF, and Food Stamps programs.

Section 121(c) of the Immigration Reform and Control Act (IRCA) of 1986 amends Section 1137 of the Social Security and other statutes to require agencies which administer the Federal entitlement benefits programs designated within IRCA as amended, to use the INS verifications system to determine eligibility. Accordingly, through the use of user identification codes and passwords, authorized persons from these agencies may electronically access the database of an INS system of records entitled "Alien Status Verification Index, Justice/INS-009". From its automated records system, any agency (named above) participating in these matching programs may enter electronically into the INS database the alien registration number of the applicant or recipient. This action will initiate a search of the INS database for a corresponding alien registration number. Where such number is located, the agency will receive electronically from the INS database the following data upon which to determine eligibility; alien registration number, last name, first name, date of birth, country of birth (not nationality), social security number (if available), date of entry, immigration status data, and employment eligibility data. In accordance with 5 U.S.C. 552(p), such agencies will provide the alien applicant with 30 days notice and an opportunity to contest any adverse finding before final action is taken against that alien because of ineligible immigration status as established through the computer match.

The original effective date of the matching programs (with the exception of the matching agreement with Massachusetts Department of Employment and Training) was January 29, 1990, for which notice was published in the **Federal Register** on December 28, 1989 (54 FR 53382). The original effective date of the Massachusetts matching program was February 28, 1990, for which notice was published in the **Federal Register** on January 29, 1990 (55 FR 2890). The programs have continued to date under the authority of a series of new approvals as required by the CMPPA. The CMPPA provides that based upon approval by agency Data Integrity Boards of a new computer matching agreement, computer matching activities may be conducted for 18 months and, contingent upon specific conditions, may be similarly extended by the Board for an additional year without the necessity of a new agreement. The most recent one-year extension for those

programs listed in items (1) through (4) above will expire on March 1, 2000, except that the agreement with the Massachusetts Department of Employment and Training will expire on March 12, 2000. The Department's Data Integrity Board has approved new agreements to permit the above-named computer matching programs to continue for another 18 month period from the expiration date or after the notification period (described below) is satisfied, whichever is later.

Matching activities under the new agreements will be effective 30 days after publication of this computer matching notice in the **Federal Register**, or 40 days after a report concerning the computer matching program has been transmitted to the Office of Management and Budget (OMB), and transmitted to Congress along with a copy of the agreements, whichever is later.

The agreements (and matching activities) will continue for a period of 18 months from the effective date, unless, within 3 month prior to the expiration of the agreement, the Data Integrity Board approves a one-year extension pursuant to 5 U.S.C. 552a(o) (2) (D).

In accordance with 5 U.S.C. 552a(o)(2)(A) and (r), the required report is being provided to the OMB, and to the Congress together with a copy of the agreements.

Inquiries may be addressed to Kay Brinkmeyer, Program Analyst, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530.

Dated: January 21, 2000.

**Janis A. Sposato,**

*Deputy Assistant Attorney General, Law and Policy.*

[FR Doc. 00-1987; 1-26-00; 8:45 am]

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## DEPARTMENT OF LABOR

### Pension and Welfare Benefits Administration

#### Proposed Extension of Information Collection; Comment Request; Prohibited Transaction Class Exemption 91-38

**ACTION:** Notice.

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

collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)). This helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently, the Pension and Welfare Benefits Administration is soliciting comments concerning the proposed extension of the information collection provisions of the Prohibited Transaction Class Exemption 91-38. A copy of the Information Collection Request (ICR) may be obtained by contacting the office listed in the addresses section of this notice.

**DATES:** Written comments must be submitted to the office shown in the addresses section below on or before March 27, 2000.

**ADDRESSES:** Gerald B. Lindrew, Office of Policy and Research, U.S. Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Room N-5647, Washington, D.C. 20210. Telephone: (202) 219-4782; Fax: (202) 219-4745. These are not toll-free numbers.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Prohibited Transaction Class Exemption 91-38 provides an exemption from the prohibited transaction provisions of ERISA for certain transactions between a bank collective investment fund and persons who are parties in interest with respect to a plan as long as the plan's participation in the collective investment fund does not exceed a specified percentage of the total assets in the collective investment fund. In order to ensure that the exemption is not abused, that the rights of participants and beneficiaries are protected, and that compliance with the exemption's conditions are taking place, the Department has required that records regarding the exempted transaction be maintained six years.

##### II. Desired Focus of Comments

The Department is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information,

including the validity of the methodology and assumptions used;

- Enhance the quality, utility, and clarity of the information to be collected; and

- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

##### III. Current Action

This existing collection of information should be continued because without the exemption, individuals or entities which are parties in interest of a plan that invests in a bank collective investment fund would not be able to engage in transactions with the collective investment fund, thus creating potential financial hardships for those affected. For the Department to grant an exemption, however, it must ensure that the beneficiaries are protected. It, therefore, included certain conditions in the exemption, and required that records be kept for six years from the date of the transaction so that it can be determined whether these conditions have been met. Without such records, the Department and other interested parties, such as participants, would be unable to effectively enforce the terms of the exemption and ensure user compliance.

*Type of Review:* Extension of a currently approved collections of information.

*Agency:* Pension and Welfare Benefits Administration, Department of Labor.

*Titles:* Prohibited Transaction Class Exemption 91-38.

*OMB Number:* 1210-0082.

*Affected Public:* Individuals or households; Business or other for-profit; Not-for-profit institutions.

*Estimated total burden hours:* 90.

*Respondents:* 1,074.

*Frequency of Response:* On occasion.

*Responses:* 1,074.

*Estimated Total Burden Hours:* 5 minutes.

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

Dated: January 21, 2000.

**Gerald B. Lindrew,**

*Deputy Director, Office of Policy and Research, Pension and Welfare Benefits Administration.*

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