

issued for the incidental take of the listed species. The final permit decision will be made no sooner than 30 days from the date of this notice.

Dated: November 3, 1998.

**Michael J. Spear,**

*Manager, California/Nevada Operations Office, Fish and Wildlife Service, Region 1, Sacramento, California.*

[FR Doc. 98-29902 Filed 11-6-98; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Geological Survey

#### Privacy Act of 1974; as Amended; Revisions to the Existing System of Records

**AGENCY:** Geological Survey, Department of the Interior.

**ACTION:** Proposed revisions to an existing system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a), the U.S. Geological Survey (USGS) is issuing public notice of its intent to modify an existing Privacy Act system of records notice, USGS-4, "Employee Assistance Program Records." The revisions will update the address of the System Manager(s).

**EFFECTIVE DATE:** 5 U.S.C. 552a(e)(11) requires that the public be provided a 30-day period in which to comment on the intended use of the information in the system of records. The Office of Management and Budget, in its Circular A-130, requires an additional 10-day period (for a total of 40 days) in which to make these comments. Any persons interested in commenting on this revised system of records may do so by submitting comments in writing to the U.S. Department of the Interior, U.S. Geological Survey, USGS Privacy Act Officer, National Center, MS-807, 12201 Sunrise Valley Drive, Reston, Va 20192. Comments received within 40 days of publication in the **Federal Register** (December 21, 1998), will be considered. The system will be effective as proposed at the end of the comment period, unless comments are received which would require a contrary determination.

**ADDRESSES:** Send written comments to U.S. Department of the Interior, U.S. Geological Survey, USGS Privacy Act Officer, National Center, MS-807, Reston, Virginia, 20192. Hand deliver comments to the same address.

**FOR FURTHER INFORMATION CONTACT:** Chief, Branch of Employee/Labor Management Relations, Office of Personnel, U.S. Geological Survey,

National Center, MS-601, Reston, Virginia, 20192.

**SUPPLEMENTARY INFORMATION:** The USGS is proposing to amend the system notice for USGS-4, "Employee Assistance Program Records," to more accurately and clearly describe the address of the System Manager(s). The revision reflects a change of address in the Reston, Virginia, and the Atlanta, Georgia, System Managers locations.

Dated: October 28, 1998.

**Paul R. Celluzzi,**

*Chief, Corporate Information Technology Branch, Office of Information Services.*

Accordingly, the USGS proposes to amend the "Employee Assistance Program Records," USGS-4 in its entirety to read as follows:

#### INTERIOR/USGS-4

##### SYSTEM NAME:

Employee Assistance Program—Records, USGS-4.

##### SYSTEM LOCATION:

This system of records is located with the contractor providing counseling services.

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

U.S. Geological Survey employees and their families who seek, are referred, and/or receive assistance through the Employee Assistance Program (EAP).

##### CATEGORIES OF RECORDS IN THE SYSTEM:

Records in this system include documentation of visits to employee counselors (Federal, State, local government, or private), the problem assessment, the recommended plan of action to correct the major issue, referral to community or private resource for assistance with personal problems, referral to community or private resource for rehabilitation or treatment, results of referral, and other notes or records of discussions held with the employee made by the EAP counselor. Additionally, records in this system may include documentation of treatment by a therapist or at a Federal, State, local government, or private institution.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

42 U.S.C. 290dd-1; 42 U.S.C. 290ee-1.

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

These records are used by the Employee Assistance Program Counselor to document the nature of an individual's problem and progress made

to correct the problem. The primary uses of these records are: (1) For the EAP counselor to document the nature of individual's problem and progress made to correct the problem, and, (2) record an individual's participation in and the results of community or private referrals for solution of problems, rehabilitation, or treatment programs. These records and information may be used to disclose information to qualified personnel for the purpose of conducting scientific research, management audits, financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient in any report or otherwise disclose patient identities in any manner (when such records are provided to qualified researchers employed by the Department of the Interior all patient identifying information will be removed).

**Note:** Disclosure of information pertaining to an individual with a history of alcohol or drug abuse must be limited in compliance with the restrictions of the confidentiality of Alcohol and Drug Abuse Patient Records Regulations, 42 CFR part 2. Disclosure of records pertaining to the physical and mental fitness of employees are, as a matter of Department policy, afforded the same degree of confidentiality.

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

##### STORAGE:

These records are maintained in file folders.

##### RETRIEVABILITY:

These records are retrieved by the name of the individual on whom they are maintained.

##### SAFEGUARDS:

These records are maintained in locked file cabinets with access strictly limited to those persons employed by the contractor(s) who are directly involved in the alcohol and drug abuse prevention function of the U.S. Geological Survey's Employee Assistance Program as that term is defined in 42 CFR, part 2.

##### RETENTION AND DISPOSAL:

Retained and disposed of according to Bureau Records Disposition Schedule, RCS/Item 405-04 a and b.

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

Chief, Branch of Employee/Labor Management Relations, Office of Personnel, U.S. Geological Survey, 601 National Center, Reston, Virginia 20192; Atlanta Personnel Officer, U.S. Geological Survey, 3850 Holcomb Bridge Rd., Norcross, Georgia 30092;

Rolla Personnel Officer, U.S. Geological Survey, 1400 Independence Road, Rolla, Missouri 65401; Chief, Employee Relations Section, Central Region Personnel Branch, U.S. Geological Survey, Denver Federal Center, Denver, Colorado 80225; Western Region EAP Administrator, Employee Relations and Development Section, Western Region Personnel Branch, 345 Middlefield Road, Menlo Park, California 94025.

#### NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the appropriate System Manager. Individuals must furnish their name and date of birth for their records to be located and identified.

#### RECORD ACCESS PROCEDURES:

Same as notification above. Any individual must also follow the Department's Privacy Act Regulations regarding verification of identity and access to records (see 43 CFR 2.62).

#### CONTESTING RECORD PROCEDURES:

A petition for amendment shall be addressed to the appropriate System Manager. An individual must follow the Department's Privacy Act Regulations regarding identity and amendment of records (see 43 CFR 2.71).

#### RECORD SOURCE CATEGORIES:

Information in this system of records comes from the individual to whom it applies, the supervisor of the individual if the individual was referred by a supervisor, the Employer Assistance Program staff who records the counseling session, and the therapists or institutions used as referrals or providing treatment.

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## DEPARTMENT OF THE INTERIOR

### Geological Survey

#### Privacy Act of 1974; as Amended; Revisions to the Existing System of Records

**AGENCY:** Geological Survey, Department of the Interior.

**ACTION:** Proposed revisions to an existing system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a), the U.S. Geological Survey (USGS) is issuing public notice of its intent to modify an existing Privacy Act system of records notice, USGS-5, "Contract Files." The revisions will

update addresses of the System Location and the System Manager.

**EFFECTIVE DATE:** 5 U.S.C. 552a(e)(11) requires that the public be provided a 30-day period in which to comment on the intended use of the information in the system of records. The Office of Management and Budget, in its Circular A-130, requires an additional 10-day period (for a total of 40 days) in which to make these comments. Any persons interested in commenting on this revised system of records may do so by submitting comments in writing to the U.S. Department of the Interior, U.S. Geological Survey, USGS Privacy Act Officer, National Center, MS-807, 12201 Sunrise Valley Drive, Reston, VA 20192. Comments received within 10 days of publication in the **Federal Register** (December 21, 1998), will be considered. The system will be effective as proposed at the end of the comment period, unless comments are received which would require a contrary determination.

**ADDRESSES:** Send written comments to U.S. Department of the Interior, U.S. Geological Survey, USGS Privacy Act Officer, National Center, MS-807, Reston, Virginia, 20192. Hand deliver comments to the same address.

#### FOR FURTHER INFORMATION CONTACT:

Chief, Office of Acquisition & Federal Assistance, U.S. Geological Survey, National Center, MS-205, Reston, Virginia 20192.

**SUPPLEMENTARY INFORMATION:** The USGS is proposing to amend the system notice for USGS-5, "Contract Files," to more accurately and clearly describe the addresses of the System Location and the System Manager.

Dated: October 28, 1998.

**Paul R. Celluzzi,**

*Chief, Corporate Information Technology Branch, Office of Information Services.*

Accordingly, the USGS proposes to amend the "Contract Files," USGS-5 in its entirety to read as follows:

#### INTERIOR/USGS-5

##### SYSTEM NAME:

Contract Files—Interior, USGS-5.

##### SYSTEM LOCATION:

The primary location of this system of records is in the Office of Acquisition & Federal Assistance, U.S. Geological Survey, National Center, MS-205, Reston, VA 20192. These records are also maintained in several Survey administrative field offices. A listing of these locations may be obtained from the Systems Manager.

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

Individuals who have contracts or subcontracts with the Geological Survey and certain contractor employees. The system also contains records concerning individuals in their entrepreneurial capacity, corporations and other business entities. These records are not subject to the Privacy Act.

#### CATEGORIES OF RECORDS IN THE SYSTEM:

Records of contract information, from inception of requirement, through contract award, contract administration and completion of the contract. Copies of contractor technical and cost proposals, including individual employee resumés and salary data, documentation pertaining to the award, contract administration, miscellaneous correspondence, and information on debts owed by a contractor as a result of overpayment, default, disallowed costs or other contractual obligation.

#### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

40 U.S.C. 481.

#### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

The primary use of the records is in awarding and administering contracts through their completion. Disclosure outside the Department of the Interior may be made to: (1) The U.S. Department of Justice or in a proceeding before a court or adjudicative body when (a) the United States, the Department of the Interior, a component of the Department or, when represented by the Government, an employee of the Department is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Department of the Interior determines that the disclosure is relevant or necessary to the litigation and is compatible with the purpose for which the records were compiled; (2) disclose pertinent information to an appropriate Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, regulation, rule, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation; (3) a congressional office from the record of an individual in response to an inquiry the individual has made to the congressional office; (4) a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant or other benefit; (5) Federal, State or local agencies