

information on the GSEs' business activities is needed to measure and monitor their compliance with statutorily mandated housing goals; to ensure the GSEs' compliance with counting rules, including the exclusion of high cost, predatory loans, from eligibility for goals credit; to foster a continuing dialogue between HUD, the GSEs, Congress, and the public on the activities of the GSEs with respect to affordable housing and underserved mortgage market issues; and to improve the operating of the housing finance market.

In accordance with HUD's regulation issued in 1995, the GSEs submit Quarterly Mortgage Reports, Annual Housing Activities Reports, Periodic Reports, and Other Information Analyses. This reporting remains unchanged in HUD's recently published regulation.

The mid-year second quarter Mortgage Report and the year-end Annual Mortgage Activities Report also must include year-to-date computerized loan level data. In order to accommodate the counting rule changes in HUD's new regulation, HUD proposes to increase its mid-year and year-end computerized loan level data collection requirement by about 36 percent over requirements imposed during the reporting period 1996–1999. The 36 percent increase includes data fields that are counted twice because the same data is collected from both single family and multifamily data sources. This action represents the first increase in HUD's data collection requirements since publication of the 1995 final rule. These new data collection requirements will enable HUD to monitor GSEs' compliance with new goals and counting conventions and will also permit HUD to make determinations relative to the effectiveness of certain incentives in promoting conventional mortgage lending activity to traditionally underserved borrowers and communities.

*Agency Form Numbers, if applicable:* None.

*Estimation of the total number of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of responses:* The estimated number of respondents is 2, the total annual responses are approximately 87 reports, and the total annual hours of all responses, including reports and data collection, are estimated at 5,697 hours.

*Status of the proposed information collection:* Revision of a currently approved collection.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C., Chapter 35, as amended.

Dated: October 31, 2000.

**William C. Appgar,**

*Assistant Secretary for Housing-Federal Housing Commissioner.*

[FR Doc. 00–28590 Filed 11–7–00; 8:45 am]

**BILLING CODE 4210–27–M**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Indian Gaming

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Approved Tribal-State Compact.

**SUMMARY:** Pursuant to Section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA), Pub. L. 100–497, 25 U.S.C. § 2710, the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved Tribal-State Compacts for the purpose of engaging in Class III gaming activities on Indian lands. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved the Amended Gaming Compact between the Sisseton-Wahpeton Sioux Tribe and the State of South Dakota, which was executed on August 24, 2000.

**DATES:** This action is effective November 8, 2000.

**FOR FURTHER INFORMATION CONTACT:**

George T. Skibine, Director, Office of Indian Gaming Management, Bureau of Indian Affairs, Washington, DC 20240, (202) 219–4066.

Dated: October 25, 2000.

**Kevin Gover,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 00–28587 Filed 11–7–00; 8:45 am]

**BILLING CODE 4310–02–P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Availability of Revised Outer Continental Shelf (OCS) Official Protraction Diagram.

**SUMMARY:** Notice is hereby given that effective with this publication, the following NAD 27-based OCS Official Protraction Diagram last revised on the date indicated, is on file and available for information only, in the Gulf of Mexico OCS Regional Office, New Orleans, Louisiana. In accordance with Title 43, Code of Federal Regulations, this diagram is the basic record for the description of minerals and oil and gas

lease sales in the geographic area it represents.

Description	Date
NG15–09, Amery Terrace	Oct. 25, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Copies of Leasing Maps and Official Protraction Diagrams are \$2.00 each. These may be purchased from the Public Information Unit, Information Services Section, Gulf of Mexico OCS Region, Minerals Management Service, 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123–2394, Telephone (504) 736–2519.

Dated: November 2, 2000.

**Thomas A. Readinger,**

*Acting Associate Director for Offshore Minerals Management.*

[FR Doc. 00–28600 Filed 11–7–00; 8:45 am]

**BILLING CODE 4310–MR–M**

## JUDICIAL CONFERENCE OF THE UNITED STATES

### Committee on Court Administration and Case Management, Subcommittee on Privacy and Electronic Access to Court Files; Notice of Request for Public Comment

**AGENCY:** Judicial Conference of the United States, Committee on Court Administration and Case Management, Subcommittee on Privacy and Electronic Access to Court Files.

**ACTION:** Notice of request for public comment.

**SUMMARY:** The Court Administration and Case Management Committee of the Judicial Conference of the United States, through its Subcommittee on Privacy and Electronic Access to Case Files, is seeking comment on the attached document outlining policies under consideration to address issues of privacy and security concerns related to the electronic availability of court case files.

**DATES:** Comments will be accepted from November 13, 2000 through January 26, 2001.

**ADDRESSES:** All comments should be received by 5 p.m., January 26, 2001. The electronic submission of comments is highly encouraged. Electronic comments may be submitted at [www.privacy.uscourts.gov](http://www.privacy.uscourts.gov) or via e-mail at [Privacy\\_Policy\\_Comments@ao.uscourts.gov](mailto:Privacy_Policy_Comments@ao.uscourts.gov). Comments may be submitted by regular mail to The Administrative Office of the United States Courts, Court Administration Policy Staff, Attn: Privacy Comments,

Suite 4-560, One Columbus Circle, NE., Washington, DC 20544.

**FOR FURTHER INFORMATION CONTACT:** Abel J. Mattos, Chief, Court Administration Policy Staff, Administrative Office of the United States Courts, One Columbus Circle, NE., Washington, DC 20544, telephone (202) 502-1560, fax (202) 502-1022.

Dated: November 1, 2000.

**Abel J. Mattos,**

*Chief, Court Administration Policy Staff.*

### **Request for Comment on Privacy and Public Access to Electronic Case Files**

The federal judiciary is seeking comment on the privacy and security implications of providing electronic public access to court case files. The Judicial Conference of the United States is studying these issues in order to provide policy guidance to the federal courts. This request for public comment addresses several related issues:

- The judiciary's plans to provide electronic access to case files through the Internet;
- The privacy and security implications of public access to electronic case files;
- Potential policy alternatives and the appropriate scope of judicial branch action in this area.

The judiciary is interested in comments that address any of the issues raised in this document, including whether it is appropriate for the judiciary to establish policy in this area.

All comments should be received by 5 p.m. January 26, 2001 and must include the name, mailing address and phone number of the commentator. All comments should also include an e-mail address and a fax number, where available, as well as an indication of whether the commentator is interested in participating in a public hearing, if one is held. The public should be advised that it may not be possible to honor all requests to speak at any such hearing.

The electronic submission of comments is highly encouraged. Electronic comments may be submitted at [www.privacy.uscourts.gov](http://www.privacy.uscourts.gov) or via e-mail to [Privacy\\_Policy\\_Comments@ao.uscourts.gov](mailto:Privacy_Policy_Comments@ao.uscourts.gov). Comments may be submitted by regular mail to The Administrative Office of the United States Courts, Court Administration Policy Staff, Attn: Privacy Comments, Suite 4-560, One Columbus Circle, NE., Washington, DC 20544.

### **Electronic Public Access to Federal Court Case Files**

The federal courts are moving swiftly to create electronic case files and to

provide public access to those files through the Internet. This transition from paper files to electronic files is quickly transforming the way case file documents may be used by attorneys, litigants, courts, and the public. The creation of electronic case files means that the ability to obtain documents from a court case file will no longer depend on physical presence in the courthouse where a file is maintained. Increasingly, case files may be viewed, printed, or downloaded by anyone, at any time, through the Internet.

Electronic files are being created in two ways. Many courts are creating electronic images of all paper documents that are filed, in effect converting paper files to electronic files. Other courts are receiving court filings over the Internet directly from attorneys, so that the "original" file is no longer a paper file but rather a collection of the electronic documents filed by the attorneys and the court. Over the next few years electronic filing, as opposed to making images of paper documents, will become more common as most federal courts begin to implement a new case management system, called Case Management/Electronic Case Files (or "CM/ECF"). That system gives each court the option to create electronic case files by allowing lawyers and parties to file their documents over the Internet.

The courts plan to provide public access to electronic files, both at the courthouse and beyond the courthouse, through the Internet. The primary method to obtain access will be through Public Access to Court Electronic Records (or "PACER"), which is a web-based system that will contain both the dockets (a list of the documents filed in the case) and the actual case file documents. Individuals who seek a particular document or case file will need to open a PACER account and obtain a login and password. After obtaining these, an individual may access case files—whether those files were created by imaging paper files or through CM/ECF—over the Internet. Public access through PACER will involve a fee of \$.07 per page of a case file document or docket viewed, downloaded or printed. This compares favorably to the current \$.50 per page photocopy charge. Electronic case files also will be available at public computer terminals at courthouses free of charge.

### **Potential Privacy and Security Implications of Electronic Case Files**

Electronic case files promise significant benefits for the courts, litigants, attorneys, and the public. There is increasing awareness, however, of the personal privacy implications of

unlimited Internet access to court case files. In the court community, some have begun to suggest that case files—long presumed to be open for public inspection and copying unless sealed by court order—contain private or sensitive information that should be protected from unlimited public disclosure and dissemination in the new electronic environment. Others maintain that electronic case files should be treated the same as paper files in terms of public access and that existing court practices are adequate to protect privacy interests.

Federal court case files contain personal and sensitive information that litigants and third parties often are compelled by law to disclose for adjudicatory purposes. Bankruptcy debtors, for example, must divulge intimate details of their financial affairs for review by the case trustee, creditors, and the judge. Civil case files may contain medical records, personnel files, proprietary information, tax returns, and other sensitive information. Criminal files may contain arrest warrants, plea agreements, and other information that raise law enforcement and security concerns.

Recognizing the need to review judiciary public access policies in the context of new technology, the Judicial Conference is considering privacy and access issues in order to provide guidance to the courts. The Judicial Conference has not reached any conclusions on these issues, and this request for public comment is intended as part of the Conference's ongoing study.

The judiciary has a long tradition—rooted in both constitutional and common law principles—of open access to public court records. Accordingly, all case file documents, unless sealed or otherwise subject to restricted access by statute or federal rule, have traditionally been available for public inspection and copying. The Supreme Court has recognized, however, that access rights are not absolute, and that technology may affect the balance between access rights and privacy and security interests. See *Nixon v. Warner Communications, Inc.*, 435 U.S. 589 (1978), and *United States Department of Justice v. Reporters Committee for Freedom of the Press*, 489 U.S. 749 (1989). These issues are discussed in more detail in an Administrative Office staff paper, "Privacy and Access to Electronic Case Files in the Federal Courts," available on the Internet at [www.uscourts.gov/privacyn.pdf](http://www.uscourts.gov/privacyn.pdf).

### The Role of the Federal Judiciary

The judiciary recognizes that concern about privacy and access to public records is not limited to the judicial branch. There is a broader public debate about the privacy and security implications of information technology. Congress has already responded to some of these concerns by passing laws that are designed to shield sensitive personal information from unwarranted disclosure. These laws, and numerous pending legislative proposals, address information such as banking records and other personal financial information, medical records, tax returns, and Social Security numbers. The executive branch is also concerned about implications of electronic public access to private information. Most recently, the President directed the Office of Management and Budget, the Department of Justice, and the Department of Treasury to conduct a study on privacy and security issues associated with consumer bankruptcy filings.

Accordingly, the judiciary is interested in receiving comment on the appropriate scope of judicial branch action, if any, on the broad issue of access to public court records, and the corresponding need to balance access issues against competing concerns such as personal privacy and security.

### Policy Alternatives on Electronic Public Access to Federal Court Case Files

Regardless of what entity addresses the issues of privacy and electronic access to case files, the effort must be made to balance access and privacy interests in making decisions about the public disclosure and dissemination of case files. The policy options outlined below are intended to promote consistent policies and practices in the federal courts and to ensure that similar protections and electronic access presumptions apply, regardless of which federal court is the custodian of a particular case file. One or more of the policy options for each type of case file may be recommended to the Judicial Conference for its consideration. Some, but not all of the options are mutually exclusive.

#### Civil Case Files

1. Maintain the presumption that all filed documents that are not sealed are available both at the courthouse and electronically.

This approach would rely upon counsel and pro se litigants to protect their interests on a case-by-case basis through motions to seal specific documents or motions to exclude

specific documents from electronic availability. It would also rely on judges' discretion to protect privacy and security interests on a case-by-case basis through orders to seal or to exclude certain information from remote electronic public access.

2. Define what documents should be included in the "public file" and, thereby, available to the public either at the courthouse or electronically.

This option would treat paper and electronic access equally and assumes that specific sensitive information would be excluded from public review or presumptively sealed. It assumes that the entire public file would be available electronically without restriction and would promote uniformity among district courts as to case file content. The challenge of this alternative is to define what information should be included in the public file and what information does not need to be in the file because it is not necessary to an understanding of the determination of the case or because it implicates privacy and security interests.

3. Establish "levels of access" to certain electronic case file information.

This contemplates use of software with features to restrict electronic access to certain documents either by the identity of the individual seeking access or the nature of the document to which access is sought, or both. Judges, court staff, parties and counsel would have unlimited remote access to all electronic case files.

This approach assumes that the complete electronic case file would be available for public review at the courthouse, just as the entire paper file is available for inspection in person. It is important to recognize that this approach would not limit how case files may be copied or disseminated once obtained at the courthouse.

4. Seek an amendment to one or more of the Federal Rules of Civil Procedure to account for privacy and security interests.

#### Criminal Case Files

1. Do not provide electronic public access to criminal case files.

This approach advocates the position that the ECF component of the new CM/ECF system should not be expanded to include criminal case files. Due to the very different nature of criminal case files, there may be much less of a legitimate need to provide electronic access to these files. The files are usually not that extensive and do not present the type of storage problems presented by civil files. Prosecution and defense attorneys are usually located near the courthouse. Those with a true

need for the information can still access it at the courthouse. Further, any legitimate need for electronic access to criminal case information is outweighed by safety and security concerns. The electronic availability of criminal information would allow co-defendants to have easy access to information regarding cooperation and other activities of defendants. This information could then be used to intimidate and harass the defendant and the defendant's family. Additionally, the availability of certain preliminary criminal information, such as warrants and indictments, could severely hamper law enforcement and prosecution efforts.

2. Provide limited electronic public access to criminal case files.

This alternative would allow the general public access to some, but not all, documents routinely contained in criminal files. Access to documents such as plea agreements, unexecuted warrants, certain pre-indictment information and presentence reports would be restricted to parties, counsel, essential court employees, and the judge.

#### Bankruptcy Case Files

1. Seek an amendment to section 107 of the Bankruptcy Code.

Section 107 currently requires public access to all material filed with bankruptcy courts and gives judges limited sealing authority. Recognized issues in this area would be addressed by amending this provision as follows: (1) Specifying that only "parties in interest" may obtain access to certain types of information; and (2) enhancing the 107(b) sealing provisions to clarify that judges may provide protection from disclosures based upon privacy and security concerns.

2. Require less information on petitions or schedules and statements filed in bankruptcy cases.

3. Restrict use of Social Security, credit card, and other account numbers to only the last four digits to protect privacy and security interests.

4. Segregate certain sensitive information from the public file by collecting it on separate forms that will be protected from unlimited public access and made available only to the courts, the U.S. Trustee, and to parties in interest.

#### Appellate Cases

1. Apply the same access rules to appellate courts that apply at the trial court level.

2. Treat any document that is sealed or subject to public access restrictions at the trial court level with the same

protections at the appellate level unless and until a party challenges the restriction in the appellate court.

[FR Doc. 00-28671 Filed 11-7-00; 8:45 am]

BILLING CODE 2210-55-P

## DEPARTMENT OF LABOR

### Office of the Secretary

#### **Bureau of International Labor Affairs; U.S. National Administrative Office; North American Agreement on Labor Cooperation; Hearing on Submission #2000-1**

**AGENCY:** Office of the Secretary, Labor.

**ACTION:** Notice of Hearing.

**SUMMARY:** The purpose of this notice is to announce a hearing, open to the public, on Submission #2000-1.

Submission #2000-1, was filed with the U.S. National Administrative Office (NAO) on July 3, 2000, by the Coalition for Justice in the Maquiladoras (CJM), current and former workers at Auto Trim/Breed Mexicana, and twenty-two additional unions and non-governmental organizations, including the United Auto Workers (UAW), the United Electrical, Radio and Machine Workers of America (UE), and the AFL-CIO. The submission was accepted for review by the NAO on September 1, 2000, and a notice of acceptance for review was published in the **Federal Register** on September 7, 2000.

Article 16 (3) of the North American Agreement on Labor Cooperation (NAALC) provides for the review of labor law matters in Canada and Mexico by the NAO in accordance with U.S. domestic procedures. Revised procedural guidelines pertaining to the submission, review, and reporting process utilized by the office were published in the **Federal Register** on April 7, 1994 (59 FR 16660). The guidelines provide for a discretionary hearing as part of the review.

**DATES:** The hearing will be held on December 12, 2000, commencing at 9:00 a.m. Persons desiring to present oral testimony at the hearing must submit a request in writing, along with a written statement or brief describing the information to be presented or position to be taken.

**ADDRESSES:** The hearing will be held at the City Council Chambers, 103 Main Plaza, Municipal Plaza Building, San Antonio, Texas 78205. Written statements or briefs and requests to present oral testimony may be mailed or hand delivered to the U.S. National Administrative Office (NAO),

Department of Labor, 200 Constitution Avenue, NW., Room C-4327, Washington, DC 20210. Requests to present oral testimony and written statements or briefs must be received by the NAO no later than close of business November 28, 2000.

#### **FOR FURTHER INFORMATION CONTACT:**

Lewis Karesh, Secretary, U.S. National Administrative Office, Department of Labor, 200 Constitution Avenue, NW., Room C-4327, Washington, DC 20210. Telephone: (202) 501-6653 (this is not a toll free number).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Nature and Conduct of Hearing**

As set out in the notice published in the **Federal Register** on September 7, 2000, the objective of the review will be to gather information to assist the NAO to better understand and publicly report on occupational safety and health issues and compensation in cases of occupational injuries and illnesses raised in the submission, including the Government of Mexico's compliance with the obligations agreed to under Articles 3,4,5, and 7 of the NAALC.

The hearing will be conducted by the Secretary of the NAO or the Secretary's designee. It will be open to the public. All proceedings will be conducted in English, with simultaneous translation in English and Spanish provided. The public files for the submission, including written statements, briefs, and requests to present oral testimony, will be made a part of the appropriate hearing record. The public files will also be available for inspection at the NAO prior to the hearing.

The hearing will be transcribed. A transcript of the proceeding will be made available for inspection, as provided for in Section E of the procedural guidelines, or may be purchased from the reporting company.

Disabled persons should contact the Secretary of the NAO no later than November 28, 2000 if special accommodations are needed.

##### **II. Written Statements or Briefs and Requests To Present Oral Testimony**

Written statements or briefs shall provide a description of the information to be presented or position taken and shall be legibly typed or printed.

Requests to present oral testimony shall include the name, address, and telephone number of the witness, the organization represented, if any, and any other information pertinent to the request. Five copies of a statement or brief and a single copy of a request to present oral testimony shall be submitted to the NAO at the time of filing.

No request to present oral testimony will be considered unless accompanied by a written statement or brief. A request to present oral testimony may be denied if the written statement or brief suggests that the information sought to be provided is unrelated to the review of the submission or for other appropriate reasons. The NAO will notify each requester of the disposition of the request to present oral testimony.

In presenting testimony, the witness should summarize the written statement or brief, may supplement the written statement or brief with relevant information, and should be prepared to answer questions from the Secretary of the NAO or the Secretary's designee. Oral testimony will ordinarily be limited to a ten minute presentation, not including the time for questions. Persons desiring more than ten minutes for their presentation should so state in the request, setting out reasons why additional time is necessary.

The requirements relating to the submission of written statements or briefs and requests to present oral testimony may be waived by the Secretary of the NAO for reasons of equity and public interest.

Signed at Washington, D.C. on November 3, 2000.

**Lewis Karesh,**

*Acting Secretary, U.S. National  
Administrative Office.*

[FR Doc. 00-28656 Filed 11-7-00; 8:45 am]

BILLING CODE 4510-28-P

## **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

### **[Notice (00-133)]**

#### **NASA Advisory Council, Minority Business Resource Advisory Committee; Meeting**

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of Meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announce a forthcoming meeting of the NASA Advisory Council, Minority Business Resource Advisory Committee.

**DATES:** Tuesday, December 5, 2000, 9:00 a.m. to 4:00 p.m., and Wednesday, December 6, 2000, 9:00 a.m. to 12:00 noon.

**ADDRESSES:** NASA Headquarters, 300 E Street, SW, Washington, DC 20546-0001. Room MIC-7.