

Proposed Rules

Federal Register

Vol. 66, No. 107

Monday, June 4, 2001

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

Animal and Plant Health Inspection Service

9 CFR Part 93

[Docket 99-071-2]

Cattle from Australia and New Zealand; Testing Exemption; Notice of Public Hearing

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule; notice of public hearing.

SUMMARY: We are advising the public that we are hosting a public hearing on our proposal to exempt cattle imported from Australia from testing for brucellosis and tuberculosis and to exempt cattle imported from New Zealand from testing for brucellosis. The purpose of the public hearing is to give persons an opportunity for the oral presentation of data, views, and arguments regarding the proposed rule.

DATES: We invite you to comment on Docket No. 99-071-1. We will consider all comments that we receive by June 19, 2001. We will also consider comments made at the public hearing that will be held in Riverdale, MD, on June 19, 2001. The hearing will be held from 8:30 a.m. to noon.

ADDRESSES: Please send four copies of your comment (an original and three copies) to: Docket No. 99-071-1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

Please state that your comment refers to Docket No. 99-071-1.

You may read any comments that we receive on Docket No. 99-071-1 in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be

sure someone is there to help you, please call (202) 690-2817 before coming.

The public hearing will be held on Tuesday, June 19, 2001, in Conference Rooms C and D, USDA Center, 4700 River Road, Riverdale, MD.

FOR FURTHER INFORMATION CONTACT: Dr. Andrea Morgan, Associate Director, Animal Health Programs, VS, APHIS, 4700 River Road Unit 33, Riverdale, MD 20737-1231; (301) 734-8093.

SUPPLEMENTARY INFORMATION:

On April 20, 2001, we published in the *Federal Register* (66 FR 20211-20213, Docket No. 99-071-1) a proposed rule to amend the animal importation regulations to exempt cattle from Australia from testing for brucellosis and tuberculosis prior to their export to the United States and to exempt cattle from New Zealand from testing for brucellosis prior to their export to the United States. The comment period for the proposed rule ends June 19, 2001.

In response to a request that we provide interested persons with an opportunity for the oral presentation of data, views, and arguments, we have scheduled a public hearing. The hearing will be held on Tuesday, June 19, 2001, in Conference Rooms C and D, USDA Center, 4700 River Road, Riverdale, MD.

A representative of the Animal and Plant Health Inspection Service (APHIS) will preside at the public hearing. Any interested person may appear and be heard in person, by attorney, or by other representative. If you wish to speak at the meeting, please register at the meeting room between 8:00 a.m. and 8:30 a.m., before the meeting officially begins. The presiding officer will call speakers in the order in which they registered.

The public hearing will begin at 8:30 a.m. and is scheduled to end at noon. However, the hearing may be terminated at any time after it begins if all persons desiring to speak have been heard. We ask that anyone who reads a statement provide two copies to the presiding officer at the hearing.

If the number of speakers at the hearing warrants it, the presiding officer may limit the time for each presentation so that everyone wishing to speak has the opportunity.

The purpose of the hearing is to give interested persons an opportunity for the oral presentation of data, views, and

arguments. Questions about the content of the proposed rule may be part of the commenters' oral presentations.

However, neither the presiding officer nor any other representative of APHIS will respond to comments at the hearing, except to clarify or explain provisions of the proposed rule.

If you require special accommodations, such as a sign language interpreter, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Parking and Security Procedures

Please note that a fee of \$2 is required to enter the parking lot at the USDA Center. The machine accepts \$1 bills or quarters.

Upon entering the building, visitors should inform security personnel that they are attending the public hearing regarding testing requirements for cattle imported from Australia and New Zealand. Identification is required. Security personnel will direct visitors to the registration tables located outside of Conference Rooms C and D. Registration upon arrival is necessary for all participants. Visitor badges must be worn throughout the day.

Done in Washington, DC, this 29th day of May 2001.

Craig A. Reed,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 01-13912 Filed 6-1-01; 8:45 am]

BILLING CODE 3410-34-U

DEPARTMENT OF JUSTICE

28 CFR Part 16

[AAG/A Order No. 232-2001]

Privacy Act of 1974; Implementation

AGENCY: Department of Justice.

ACTION: Proposed rule.

SUMMARY: The Department of Justice proposes to exempt two Privacy Act systems of records from the following subsections of the Privacy Act: These systems of records are the "Correspondence Management Systems (CMS) for the Department of Justice (DOJ), DOJ/003"; and "Freedom of Information Act, Privacy Act, and Mandatory Declassification Review Requests and Administrative Appeals for the Department of Justice (DOJ),

DOJ/004," as described in today's notice section of the **Federal Register**. The exemptions are necessary to protect law enforcement and investigatory information and functions as described in the proposed rule, and will be applied only to the extent that information in a record is subject to exemption pursuant to 5 U.S.C. 552a(j) and (k).

DATES: Submit any comments by July 5, 2001.

ADDRESSES: Address all comments to Mary Cahill, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (1400 National Place Building).

FOR FURTHER INFORMATION CONTACT: Mary Cahill, (202) 307-1823.

This order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, this order will not have a significant economic impact on a substantial number of small entities.

List of Subjects in Part 16

Administrative Practices and Procedures, Courts, Freedom of Information Act, Privacy Act, and Government in Sunshine Act.

Dated: May 15, 2001.

Janis A. Sposato,

Acting Assistant Attorney General for Administration.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order No. 793-78, it is proposed to amend 28 CFR part 16 as follows:

1. The authority for part 16 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a, 552b(g), 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717, 9701.

2. Add to Subpart E § 16.130 to read as follows:

§ 16.130 Exemption of Department of Justice Systems: Correspondence Management Systems for the Department of Justice (DOJ-003); Freedom of Information Act, Privacy Act and Mandatory Declassification Review Requests and Administrative Appeals for the Department of Justice (DOJ-004).

(a) The following Department of Justice systems of records are exempted from subsections (c)(3) and (4); (d)(1), (2), (3) and (4); (e)(1), (2), (3), (5) and (8); and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j) and (k). These exemptions apply only to the extent that information in a record is subject to exemption pursuant to 5 U.S.C. 552a(j) and (k).

(1) Correspondence Management Systems (CMS) for the Department of Justice (DOJ), DOJ/003.

(2) Freedom of Information Act, Privacy Act, and Mandatory Declassification Review Requests and Administrative Appeals for the Department of Justice (DOJ), DOJ/004.

(b) These systems are exempted for the reasons set forth from the following subsections:

(1) *Subsection (c)(3)*. To provide the subject of a criminal, civil, or counterintelligence matter or case under investigation with an accounting of disclosures of records concerning him or her could inform that individual of the existence, nature, or scope of that investigation, and thereby seriously impede law enforcement or counterintelligence efforts by permitting the record subject and other persons to whom he might disclose the records to avoid criminal penalties, civil remedies, or counterintelligence measures.

(2) *Subsection (c)(4)*. This subsection is inapplicable to the extent that an exemption is being claimed for subsection (d).

(3) *Subsection (d)(1)*. Disclosure of investigatory information could interfere with the investigation, reveal the identity of confidential sources, and result in an unwarranted invasion of the privacy of others. Disclosure of classified national security information would cause damage to the national security of the United States.

(4) *Subsection (d)(2)*. Amendment of the records would interfere with ongoing criminal or civil law enforcement proceedings and impose an impossible administrative burden by requiring investigations to be continuously reinvestigated.

(5) *Subsections (d)(3) and (4)*. These subsections are inapplicable to the extent exemption is claimed from (d)(1) and (2).

(6) *Subsection (e)(1)*. It is often impossible to determine in advance if investigatory records contained in this system are accurate, relevant, timely and complete, but, in the interests of effective law enforcement and counterintelligence, it is necessary to retain this information to aid in establishing patterns of activity and provide investigative leads.

(7) *Subsection (e)(2)*. To collect information from the subject individual could serve notice that he or she is the subject of a criminal investigation and thereby present a serious impediment to such investigations.

(8) *Subsection (e)(3)*. To inform individuals as required by this subsection could reveal the existence of

a criminal investigation and compromise investigative efforts.

(9) *Subsection (e)(5)*. It is often impossible to determine in advance if investigatory records contained in this system are accurate, relevant, timely and complete, but, in the interests of effective law enforcement, it is necessary to retain this information to aid in establishing patterns of activity and provide investigative leads.

(10) *Subsection (e)(8)*. To serve notice could give persons sufficient warning to evade investigative efforts.

(11) *Subsection (g)*. This subsection is inapplicable to the extent that the system is exempt from other specific subsections of the Privacy Act.

[FR Doc. 01-13862 Filed 6-1-01; 8:45 am]

BILLING CODE 4410-FB-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 052301A]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits (EFPs)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

SUMMARY: The Administrator, Northeast Region, NMFS (Regional Administrator) has made a preliminary determination that the subject exempted fishing permit (EFP) application contains all the required information and warrants further consideration. The Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Multispecies Fishery Management Plan (Multispecies FMP). However, further review and consultation may be necessary before a final determination is made to issue EFPs. Therefore, NMFS announces that the Regional Administrator proposes to issue EFPs that would allow up to seven vessels to conduct fishing operations otherwise restricted by the regulations governing the fisheries of the Northeastern United States. EFPs would allow for exemptions to gear restrictions and to the Day-at-Sea (DAS)