

DEPARTMENT OF JUSTICE**[AAG/A Order No. 291–2002]****Privacy Act of 1974; System of Records**

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Immigration and Naturalization Service (INS), Department of Justice, proposes to modify the system of records—INS Appendix: List of Principal Offices of the INS, JUSTICE/INS–999, last published, April 13, 1999 (64 FR 18052). This system notice is being modified because most of the INS offices are listed on the INS Web site. The Web site address is <http://www.INS.gov>. Those field office addresses not on the INS Web site appear in JUSTICE/INS–999. Requesters seeking records from the following systems of records may review this system notice and the Web site to obtain those addresses for each system location cited in the system notice.

1. INS Index System, JUSTICE/INS–001, 10/5/93 (58 FR 51847)
2. INS Alien File and Central Index System, JUSTICE/INS–001A, 9/7/01 (66 FR 46813)
3. INS Office of Internal Audit Investigations Index and Records, JUSTICE/INS–002, 1/3/02 (67 FR 347)
4. The Asset Management Information System (AMIS), JUSTICE/INS–004, 4/27/98 (63 FR 20651)
5. INS Image Storage and Retrieval System (ISRS), JUSTICE/INS–005, 01/22/01 (66 FR 6672)
6. INS Orphan Petitioner Index and Files, JUSTICE/INS–007, 07/27/01 (66 FR 39199)
7. INS Bond Management Information System, JUSTICE/INS–008, 12/18/98 (63 FR 70159)
8. INS Alien Status Verification Index, JUSTICE/INS–009, 9/7/01 (66 FR 46815)
9. INS Password Issuance and Control System, JUSTICE/INS–011, 3/2/89 (54 FR 8838)
10. INS Deportable Alien Control System, JUSTICE/INS–012, 01/22/01 (66 FR 6672)
11. INS Computer Linked Application Information Management System (CLAIMS), JUSTICE/INS–013, 11/4/97 (62 FR 59734)
12. Security Access Control System, JUSTICE/INS–014, 01/22/01 (66 FR 6670)
13. INS Port of Entry Office Management Support System, JUSTICE/INS–015, 6/14/90 (55 FR 24167)

14. Secondary Verification Automated Log, JUSTICE/INS–016, 10/10/95 (60 FR 52699)
15. INS Global Enrollment System (GES), JUSTICE/INS–017, 3/13/97 (62 FR 11919)
16. INS Employment Assistance Program (EAP) Treatment Referral Records, JUSTICE/INS–019, 1/22/98 (63 FR 3349)
17. Designated Entity Information Management System (DEIMS), JUSTICE/INS–021, 7/22/97 (62 FR 39256)
18. The Immigration and Naturalization Service Attorney/Representative Complaint/Petition Files, JUSTICE/INS–022, 12/16/99 (64 FR 70288)
19. INS Law Enforcement Support Center Database, JUSTICE/INS–023, 05/14/97 (62 FR 26556)
20. FD–258 Fingerprint Tracking System, JUSTICE/INS–024, 07/31/00 (65 FR 46741)
21. Worksite Enforcement Activity Record and Index (LYNX), JUSTICE/INS–025, 9/24/01 (66 FR 48890)
22. Hiring Tracking Systems (HITS), JUSTICE/INS–026, 12/16/99 (64 FR 70291)
23. JobSwap/Job Exchange System (JOBX), JUSTICE/INS–030, 03/8/01 (66 FR 13966)
24. Redesigned Naturalization Application Casework System (RNACS), JUSTICE/INS–031, 4/29/02, (67 FR 20996)
25. National Automated Immigration Lookout System (NAILS), JUSTICE/INS–032, 4/4/01 (66 FR 17928)
26. I–551 Renewal Program Temporary Sticker Issuance I–90 Manifest System (SIIMS), JUSTICE/INS–033, 01/22/01 (66 FR 6673)

Therefore, the INS Appendix, JUSTICE/INS–999 is modified accordingly.

Dated: October 4, 2002.

Robert F. Diegelman,
Acting Assistant Attorney General for Administration.

JUSTICE/INS–999**SYSTEM NAME:**

INS Appendix: List of principal offices of the Immigration and Naturalization Service.

HEADQUARTERS:

Immigration and Naturalization Service, 425 “I” Street NW., Washington, DC 20536.

REGIONAL OFFICES:

Eastern Regional Office, 70 Kimball Avenue, South Burlington, VT 05403–6813.

Central Regional Office, 7701 North Stemmons Freeway, Dallas, TX 75247–9998.

Western Regional Office, PO Box 30080, Laguna Niguel, CA 92607–0080.

ADMINISTRATIVE CENTERS:

Eastern Administrative Center, 70 Kimball Avenue, South Burlington, VT 05403–6813.

Southern Administrative Center, 1460 Prudential Drive, Dallas, TX 75235.

Northern Administrative Center, Bishop Henry Whipple Federal Building, Room 480, One Federal Drive, Fort Snelling, MN 55111–4007.

Western Administrative Center, 24000 Avila Road, Laguna Niguel, CA 92677–8080.

BORDER PATROL ACADEMY:

DOJ/INS (FLETC) Artesia, 1300 West Richey Avenue, Artesia, NM 88210.

Officer Development and Training Facility, Building 64 FLETC, Glynco, GA 31524.

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DEPARTMENT OF JUSTICE**[AAG/A Order No. 292–2002]****Privacy Act of 1974; System of Records**

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Immigration and Naturalization Service (INS), Department of Justice, proposes minor changes to the following systems of records:

1. The Asset Management Information System (AMIS), JUSTICE/INS–004, previously published April 27, 1998 (63 FR 20651)

2. Law Enforcement Support Center Database (LESC), JUSTICE/INS–023, previously published May 14, 1997 (62 FR 26555).

INS proposes to add another authority for the AMIS system of records and make an editorial change in the “Safeguards” section. Changes for the LESC system of records include an editorial change to correct the address in the “System Location” and “System Manager” sections and a change in the “Storage” section to reflect that the program no longer maintains records in hardcopy format.

Comments may be directed to Mary Cahill, Management Analyst, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (Room 1400, National Place Building).

Dated: October 4, 2002.

Robert F. Diegelman,

Acting Assistant Attorney General for Administration.

JUSTICE/INS-004

SYSTEM NAME:

The Asset Management Information System (AMIS).

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AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

(1) 40 U.S.C. 486; (2) 41 CFR part 101; (3) 41 CFR part 128; and (4) 41 CFR part 102.

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

STORAGE:

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RETRIEVABILITY:

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SAFEGUARDS:

INS offices are located in buildings under security guard, and access to the premises is by official identification. All records are stored in space which is locked outside of normal office hours. In addition, paper records with social security numbers are stored in locked cabinets or machines. Access to the automated system is controlled by restricted password for use at remote terminals in secured areas.

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JUSTICE/INS-023

SYSTEM NAME:

Law Enforcement Support Center Database.

SYSTEM LOCATION:

Immigration and Naturalization Service (INS), Law Enforcement Support Center (LESC), Eastern Regional Office Building, 188 Harvest Lane, Williston, Vermont 05495.

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

STORAGE:

These records are stored in electronic format. Electronic records are stored on magnetic or optical media (*i.e.*, computer hard drives, floppy disks, tapes and optical disks).

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SYSTEM MANAGER(S) AND ADDRESS:

Director, Law Enforcement Support Center, Eastern Regional Office,

Immigration and Naturalization Service, 188 Harvest Lane, Williston, VT 05495.

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DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Application Number D-10845]

Amendment to Prohibited Transaction Exemption 86-128 (PTE 86-128) For Securities Transactions Involving Employee Benefit Plans and Broker-Dealers

AGENCY: Pension and Welfare Benefits Administration, U.S. Department of Labor.

ACTION: Adoption of Amendment to PTE 86-128.

SUMMARY: This document amends PTE 86-128, a class exemption that permits certain persons who serve as fiduciaries for employee benefit plans to effect or execute securities transactions on behalf of those plans, provided that specified conditions are met. The exemption also allows sponsors of pooled separate accounts and other pooled investment funds to use their affiliates to effect or execute securities transactions for such accounts when certain conditions are met. The amendment affects participants and beneficiaries of employee benefit plans, fiduciaries with respect to such plans, and other persons engaging in the described transactions.

DATES: The amendment is effective October 17, 2002.

FOR FURTHER INFORMATION CONTACT: Christopher Motta, Office of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor, (202) 693-8544, (this is not a toll-free number); or Charles Jackson, Plan Benefits Security Division, Office of the Solicitor, U.S. Department of Labor, (202) 693-5600, (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: On May 10, 2002, notice was published in the *Federal Register* (67 FR 31838) of the pendency before the Department of a proposed amendment to PTE 86-128 (51 FR 41686, Nov. 18, 1986). PTE 86-128 provides an exemption from the restrictions of section 406(b)¹ of the Employee Retirement Income Security

Act of 1974 (ERISA or the Act) and from the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(E) or (F) of the Code.

The amendment to PTE 86-128 adopted by this notice was requested in an application, dated October 29, 1999, on behalf of the Securities Industry Association (the SIA), a trade association for securities broker-dealers. The Department proposed the amendment to PTE 86-128 pursuant to section 408(a) of ERISA and section 4975(c)(2) of the Code, and in accordance with the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990).²

The notice of pendency gave interested persons an opportunity to comment on the proposed amendment or request a hearing. The Department received one comment on the proposed amendment which subsequently was withdrawn. The amendment adopted in this document is identical to the proposed amendment.

Paperwork Reduction Act

In accordance with the provisions of the Paperwork Reduction Act of 1995, the Department submitted the proposed revision of the information collection provisions of Prohibited Transaction Exemption 86-128 to the Office of Management and Budget (OMB) at the time of publication of the proposed amendment. OMB approved the revised information collection request on June 20, 2002 under OMB control number 1210-0059. An application for continuing approval will be made before the currently scheduled expiration date of June 30, 2005.

Description of the Exemption

PTE 86-128 provides relief from the restrictions of section 406(b) for a plan fiduciary to use its authority to cause a plan to pay a fee to such fiduciary for effectuating or executing securities transactions as agent for the plan. Section I of PTE 86-128 contains definitions and special rules. Notably, for purposes of the class exemption, a "person" is defined to include "the person and affiliates of the person", and an "affiliate" of a "person" is defined, in part, to include: (1) Any person directly or indirectly controlling, controlled by, or under common control with, the person; (2) any officer, director, partner, employee, relative (as defined in section 3(15) of ERISA), brother, sister, or spouse of a brother or

¹ References to section 406 of ERISA as they appear throughout this amendment should be read to refer as well to the corresponding provisions of section 4975 of the Internal Revenue Code of 1986 (the Code).

² Section 102 of the Reorganization Plan No. 4 of 1978 (5 U.S.C. App. 1 [1996]) generally transferred the authority of the Secretary of the Treasury to issue administrative exemptions under section 4975 of the Code to the Secretary of Labor.