

For the Nuclear Regulatory Commission.
Samuel J. Collins,
*Director, Office of Nuclear Reactor
Regulation.*
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NUCLEAR REGULATORY COMMISSION

Privacy Act of 1974, As Amended; Revisions to Existing System of Records

AGENCY: Nuclear Regulatory
Commission.

ACTION: Proposed revisions to an
existing system of records.

SUMMARY: In accordance with the Privacy Act of 1974, as amended (Privacy Act), the Nuclear Regulatory Commission (NRC) is issuing public notice of its intent to modify an existing system of records (system), NRC-21, "Payroll Accounting Records—NRC," to add four new routine uses and update other sections of the system notice.

EFFECTIVE DATE: The revised system of records will become effective without further notice on October 9, 1997, unless comments received on or before that date cause a contrary decision. If changes are made based on NRC's review of comments received, NRC will publish a new final notice.

ADDRESSES: Send comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Service Section. Hand deliver comments to 11555 Rockville Pike, Rockville, Maryland, between 7:30 am and 4:15 pm Federal workdays. Copies of comments may be examined, or copied for a fee, at the NRC Public Document Room at 2120 L Street, NW., Lower Level, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Jona L. Souder, Freedom of Information/Local Public Document Room Branch, Office of Information Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-7170.

SUPPLEMENTARY INFORMATION: The NRC is proposing to amend the system notice for NRC-21, "Payroll Accounting Records—NRC," to add three new routine use disclosures pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Act). NRC will disclose data from NRC-21 to the Office of Child Support Enforcement (OCSE), Administration for Children and Families, Department of Health and Human Services (DHHS) for use in its Federal Parent Locator System

(FPLS) and Federal Tax Offset System, DHHS/OCSE No. 09-90-0074, last published in the **Federal Register** on July 25, 1996 (61 FR 38754).

FPLS is a computerized network through which States may request location information from Federal and State agencies to find non-custodial parents and/or their employers for purposes of establishing paternity and securing support. Effective October 1, 1997, the FPLS will be enlarged to include the National Directory of New Hires, a database containing information on employees commencing employment, quarterly wage data on private and public sector employees, and information on unemployment compensation benefits.

Effective October 1, 1998, the FPLS will be expanded to include a Federal Case Registry. The Federal Case Registry will contain abstracts on all participants involved in child support enforcement cases. When the Federal Case Registry is instituted, its files will be matched on an ongoing basis against the files in the National Directory of New Hires to determine if an employee is a participant in a child support case anywhere in the country. If the FPLS identifies a person as being a participant in a State child support case, that State will be notified of the participant's current employer. State requests to the FPLS for location information will also continue to be processed after October 1, 1998.

The data to be disclosed by NRC to the FPLS includes employees names, social security numbers, home addresses, wage amounts, reporting periods, and employers names and addresses. Names and social security numbers submitted by NRC to the FPLS will be disclosed by the Office of Child Support Enforcement to the Social Security Administration for verification to ensure that the social security number provided is correct.

The data disclosed by NRC to the FPLS will also be disclosed by the Office of Child Support Enforcement to the Secretary of the Treasury for use in verifying claims for the advance payment of the earned income tax credit or to verify a claim of employment on a tax return.

A new routine use permitting disclosures to the National Archives and Records Administration and the General Services Administration for records management inspections conducted under 44 U.S.C. 2904 and 2906 is also being added to the system notice at this time.

In addition, NRC is updating the following sections of the system notice: System Location; Authority for

Maintenance of the System; Policies and Practices for Storing, Retrieving, Accessing, Retaining, and Disposing of Records in the System; System Manager(s) and Address; Notification Procedure; Record Access Procedure; Contesting Record Procedure; and Record Source Categories.

A report on the proposed revisions to this system of records, required by 5 U.S.C. 552a(r) and the Office of Management and Budget (OMB) Circular No. A-130, Appendix I, "Federal Agency Responsibilities for Maintaining Records About Individuals," is being sent to the Committee on Governmental Affairs of the U.S. Senate, the Committee on Government Reform and Oversight of the U.S. House of Representatives, and OMB.

Accordingly, the NRC proposes to amend NRC-21 in its entirety to read as follows:

NRC-21

SYSTEM NAME:

Payroll Accounting Records—NRC.

SYSTEM LOCATION:

Primary system—Division of Accounting and Finance, Office of the Controller, NRC, 11545 Rockville Pike, Rockville, Maryland.

Duplicate systems—Duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former NRC employees, special Government Employees, and consultants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Pay, leave, and allowance histories, which includes, but is not limited to, individuals' names and social security numbers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 104-193, Personal Responsibility and Work Opportunity Reconciliation Act of 1996; 5 U.S.C. 6334 (1994); 31 U.S.C. 716, 1104, 1108, 1114, 3325, 3511, 3512, 3701, 3711, 3717, 3718 (1994); Executive Order 9397, November 22, 1943.

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

In addition to the disclosures permitted under subsection (b) of the Privacy Act, the NRC may disclose information contained in this system of records without the consent of the subject individual if the disclosure is compatible with the purpose for which

the record was collected under the following routine uses:

a. For transmittal of data to U.S. Treasury to effect issuance of paychecks to employees and consultants and distribution of pay according to employee directions for savings bonds, allotments, financial institutions, and other authorized purposes including the withholding and reporting of Thrift Savings Plan deductions to the Department of Agriculture's National Finance Center;

b. For reporting tax withholding to the Internal Revenue Service and appropriate State and local taxing authorities;

c. For FICA deductions to the Social Security Administration;

d. For dues deductions to labor unions;

e. For withholding for health insurance to the insurance carriers and the Office of Personnel Management;

f. For charity contribution deductions to agents of charitable institutions;

g. For annual W-2 statements to taxing authorities and the individual;

h. For transmittal to the Office of Management and Budget for review of budget requests;

i. For withholding and reporting of retirement, reemployed annuitants, and life insurance information to the Office of Personnel Management;

j. For transmittal of information to State agencies for unemployment purposes;

k. For transmittal to the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services Federal Parent Locator System and Federal Tax Offset System for use in locating individuals and identifying their income sources to establish paternity, establish and modify orders of support, and for enforcement action.

l. For transmittal to the Office of Child Support Enforcement for release to the Social Security Administration for verifying social security numbers in connection with the operation of the Federal Parent Locator System by the Office of Child Support Enforcement;

m. For transmittal to the Office of Child Support Enforcement for release to the Department of Treasury for purposes of administering the Earned Income Tax Credit Program (Section 32, Internal Revenue Code of 1986) and verifying a claim with respect to employment in a tax return;

n. To the National Archives and Records Administration or to the General Services Administration for records management inspections

conducted under 44 U.S.C. 2904 and 2906;

o. For any of the routine uses specified in the Prefatory Statement of General Routine uses.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosure pursuant to 5 U.S.C. 552A(B)(12): Disclosures of information to a consumer reporting agency are not considered a routine use of records. Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3701(a)(3)).

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

STORAGE:

Information is maintained in computerized form, on microfiche, and in paper copy. Computerized form includes information stored in memory, on disk and magnetic tape, and on computer printouts.

RETRIEVABILITY:

Information is accessed by name and social security number.

SAFEGUARDS:

Records in the primary system of records are maintained in buildings where access is controlled by a security guard force. File folders, microfiche, tapes, and disks, including backup data, are maintained in secured locked rooms after working hours. All records are in areas where access is controlled by keycard and is limited to NRC and contractor personnel and to others who need the information to perform their official duties. Access to computerized records requires use of proper passwords and user identification codes.

RETENTION AND DISPOSAL:

a. Individual employee pay record for each employee and consultant maintained in the electronic PAY/PERS system is updated as required in accordance with General Records Schedule (GRS) 2-1.a.

b. Individual employee pay records containing pay data on each employee and consultant maintained in the Annual and Quarterly Employee History Records on microfiche are transferred to the National Personnel Records Center and destroyed when 56 years old.

c. Copies of non-current payroll data maintained on microfiche are destroyed 15 years after close of pay year in which generated in accordance with GRS 2-2.

d. Employee and consultant payroll records:

1. U.S. savings bond authorizations are destroyed when superseded or after separation of employee in accordance with GRS 2-14.a.

2. Combined Federal Campaign allotment authorizations are destroyed after Government Accounting Office (GAO) audit or when 3 years old, whichever is sooner, in accordance with GRS 2-15.a.

3. Union dues and savings allotment authorizations are destroyed after GAO audit or when 3 years old, whichever is sooner, in accordance with GRS 2.15.b.

4. Payroll Change Files consisting of records used to change or correct an individual's pay transaction are destroyed after GAO audit or when 3 years old, whichever is sooner, in accordance with GRS 2-23.a.

5. Tax Files consisting of State and Federal withholding tax exemption certificates, such as Internal Revenue Service (IRS) Form W-4 and the equivalent State form are destroyed 4 years after form is superseded or obsolete or upon separation of employee in accordance with GRS 2-13.a.

6. Agency copy of employee wages and tax statements, such as IRS Form W-2 and State equivalents, are destroyed when 4 years old in accordance with GRS 2-13.b.

7. Leave record prepared upon transfer or separation of employee maintained in the Payroll office is destroyed when 3 years old in accordance with GRS 2-9.b.

e. Time and attendance source records maintained by Time and Attendance clerks and certifying officials are destroyed after GAO audit or when 6 years old, whichever is sooner, in accordance with GRS 2.7.

f. Electronic time and attendance input records maintained in the PAY/PERS system are destroyed after GAO audit or when 6 years old, whichever is sooner, in accordance with GRS 2-8.

g. Payroll system reports providing fiscal information on agency payroll consisting of hardcopy and microfiche reports generated by the PAY/PERS system are destroyed when 3 years old, excluding the long-term Employee History Reports, in accordance with GRS 2-22.c.

h. Payroll system reports serving as error reports, ticklers, system operation reports are destroyed when related actions are completed or when no longer needed, not to exceed 2 years, in accordance with GRS 2-22.a.

i. Official notice of levy or garnishment (IRS Form 668A or equivalent), change slip, work papers, correspondence, release and other

forms, and other records relating to charge against retirement funds or attachment of salary for payment of back income taxes or other debts of Federal employees are destroyed 3 years after garnishment is terminated in accordance with GRS 2-18.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Financial Operations Branch, Division of Accounting and Finance, Office of the Controller, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether this system of records contains information pertaining to themselves should write to the Chief, Freedom of Information/Local Public Document Room Branch, Office of Information Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 and comply with NRC's Privacy Act regulations regarding verification of identity contained in 10 CFR part 9.

RECORD ACCESS PROCEDURE:

Same as "Notification Procedure" and comply with NRC's Privacy Act regulations regarding verification of identity and record access procedures contained in 10 CFR part 9.

CONTESTING RECORD PROCEDURE:

Same as "Notification Procedure" and comply with NRC's Privacy Act regulations regarding verification of identity and contesting record procedures contained in 10 CFR part 9.

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained from sources, including but not limited to the individual to whom it pertains, the Office of Human Resources and other NRC officials, and other agencies and entities.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

Dated at Rockville, MD, this 3rd day of September, 1997.

For the Nuclear Regulatory Commission.

A.J. Galante,

Chief Information Officer.

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OFFICE OF PERSONNEL MANAGEMENT

Submission for OMB Review; Comment and Request Form OPM-1386B

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3506-3507), the Office of Personnel Management is submitting to the Office of Management and Budget an emergency request to extend its approval of form OPM-1386B, Applicant Race and National Origin Questionnaire. The form gathers information concerning the race and national origin of applicants for employment under the Outstanding Scholar provision of the Luevano Consent Decree, 93 F.R.D. 68 (1981).

OPM originally published in the **Federal Register** Notices of Intent to continue form OPM-1386B on October 27, 1995, and February 21, 1996. The process for continuation was not completed in time, thus the request for an emergency continuation.

Under the terms of 44 U.S.C. 3507, the public is invited to comment on the need for this information, its practical utility, the accuracy of OPM's burden estimate, and on ways to minimize the reporting burden.

DATES: Comments will be considered if received on or before September 16, 1997.

ADDRESSES: Send or deliver written comments to Mary Lou Lindholm, Associate Director for Employment, U.S. Office of Personnel Management, 1900 E Street, NW., Room 6F08, Washington, DC 20415, and Joseph Lackey, OPM Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, NW., Room 10235, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: For copies of the form, and further information, contact Christina Gonzales Vay on 202-606-0830, FAX 202-606-2329, or e-mail address CMVAY@OPM.GOV.

SUPPLEMENTARY INFORMATION:

Purpose of Form OPM-1386B

A Federal court decree, issued in 1981 and still binding, requires recordkeeping on Federal employment selection procedures, including race and national origin (RNO) data, to determine the "relative impact of the procedure upon Blacks and upon Hispanics as

compared with non-Hispanic whites." OPM and other agencies use form OPM-1386B to collect the RNO data from applicants being considered for selection under the Outstanding Scholar provision of the decree. Using the standardized form makes it easier to collect and consolidate the required data for use by the Federal Government and by the plaintiffs. OPM and agencies do not need to use form OPM-1386B to collect data on applicants being considered through traditional examining processes; court-required data on those applicants are collected as part of an application process not required for Outstanding Scholars.

The form OPM-1386B is not considered in the selection process, but is used only to collect statistical data.

Annual Reporting Burden

Approximately 100,000 forms will be processed annually. The average estimated response time is 5 minutes for a total public burden of 8,333 hours.

Office of Personnel Management.

Janice R. Lachance,

Deputy Director.

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SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of September 8, 1997.

A closed meeting will be held on Tuesday, September 9, 1997, at 10:00 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c) (4), (8), (9)(A) and (10) and 17 CFR 200.402(a) (4), (8), (9)(i) and (10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Hunt, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the closed meeting scheduled for Tuesday, September 9, 1997, at 10:00 a.m., will be: