

United States Tax Court

Trial Clerk to the Judge. Effective July 30, 1999.

Trial Clerk to the Judge. Effective July 30, 1999.

Trial Clerk to the Judge. Effective July 30, 1999.

Trial Clerk to the Judge. Effective August 12, 1999.

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Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954-1958 Comp., P.218.

Office of Personnel Management.

Janice R. Lachance,

Director.

[FR Doc. 99-27235 Filed 10-20-99; 8:45 am]

BILLING CODE 6325-01-P

POSTAL RATE COMMISSION

[Docket No. MC2000-1]

Technical and Settlement Conference; Meeting

AGENCY: Postal Rate Commission.

ACTION: Notice of technical and settlement conference.

SUMMARY: An initial technical and settlement conference has been scheduled in docket no. MC2000-1. The conference will discuss potential settlement. It also will address diversion of mail, the accuracy of estimated net revenue effects, and the possibility, frequency, and level of detail of data collection during the experiment.

DATES: The technical and settlement conference has been scheduled for October 27, 1999. For time and other dates, see the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: The conference will be held in the Commission's hearing room at 1333 H Street, NW., Suite 300, Washington, DC 20268-0001.

FOR FURTHER INFORMATION CONTACT: Ted P. Gerarden, director of the Commission's Office of the Consumer Advocate (OCA), at 202-789-6838.

SUPPLEMENTARY INFORMATION: The OCA hereby gives notice of a technical and settlement conference to discuss the request [for an experimental mail classification] filed on September 27, 1999, by the United States Postal Service (Postal Service). On September 30, 1999, the Commission issued a notice of the request and provided until October 25, 1999, for parties to file notices of intervention. The Commission also encouraged participants to explore settlement "at the earliest opportunity following the deadline for intervention and,

preferably, prior to the prehearing conference," which is scheduled for October 28 at 11 a.m.¹ Accordingly, OCA is scheduling a technical and settlement conference for October 27, 1999, at 2 p.m.

The Postal Service has expressed a desire for expedition.² In that spirit, OCA has held informal discussions with the Postal Service better to understand the Service's proposal and to indicate questions of interest to OCA. It is desirable that other parties also utilize informal inquiry methods to define the issues, further the exchange of information and explanations between the Postal Service and the participants, and facilitate settlement.³ The Postal Service and other interested parties are requested to have individuals present at the conference who are familiar with the following issues:⁴

1. The extent of potential diversion of mail volume from Standard Mail (A) to the proposed "ride-along" classification.

2. The accuracy of estimated net revenue effects of the proposed "Ride-Along" classification.

3. The possibility, frequency, and level of detail of reporting data during the course of the experiment.

The informal technical and settlement conference will be held October 27, 1999, beginning at 2 p.m. in the Commission's hearing room at 1333 H St., NW., Washington, DC. All interested persons are welcome to attend the conference, but all such persons are placed on notice that attendance at the conference will not confer party status. Any interested person must file pursuant to Rule 20 or 20a of the Commission's rules in order to intervene or to obtain limited participation status in the proceeding.

The Secretary of the Commission is requested to arrange for publication of this notice in the **Federal Register**.

Authority: 39 U.S.C. 3623.

¹ Order No. 1264, Notice and Order on Filing of Request for Establishment of Experimental "Ride-Along" Classification (and Flat Rate) for Periodicals. Ordering paragraphs 6 and 9 designated OCA to represent the interests of the general public and to act as settlement coordinator in this proceeding. 64 FR 54693-54695.

² Motion of the United States Postal Service for Expedition and for Waiver of Certain Provisions of Rule 64(h), September 27, 1999, at 2-4.

³ In addition to informal methods, the Commission has authorized parties to conduct formal discovery upon intervention in the proceedings. Order No. 1264 at 11.

⁴ Pending the outcome of settlement negotiations, OCA requests that the Commission treat this list of issues as fulfilling the requirements of paragraph 4 of Order No. 1264.

Dated: October 15, 1999.

Margaret P. Crenshaw,

Secretary.

[FR Doc. 99-27433 Filed 10-20-99; 8:45 am]

BILLING CODE 7710-FW-P

POSTAL RATE COMMISSION**Notice of Visit**

AGENCY: Postal Rate Commission.

ACTION: Notice of visit.

SUMMARY: Pitney Bowes employees will visit the Commission to present a briefing at 10:00 a.m. on Pitney Bowes' "fast forward" system and joint Pitney Bowes/Postal Service activities. This visit has been scheduled as a follow-up to address questions raised by an earlier Commission visit to Pitney Bowes facilities.

DATES: The visit is scheduled for Monday, October 25, 1999.

ADDRESSES: Postal Rate Commission (Conference Room), 1333 H Street, NW., Suite 300, Washington, DC 20268-0001.

FOR FURTHER INFORMATION CONTACT: Margaret P. Crenshaw, Secretary, Postal Rate Commission, Suite 300, 1333 H Street, NW., Washington, DC 20268-0001 (202) 789-6840.

Dated: October 15, 1999.

Margaret P. Crenshaw,

Secretary.

[FR Doc. 99-27434 Filed 10-20-99; 8:45 am]

BILLING CODE 7710-FW-M

POSTAL RATE COMMISSION

[Docket No. RM99-4; Order No. 1268]

Privacy Act of 1974; System of Records

AGENCY: Postal Rate Commission.

ACTION: Notice of alterations to Privacy Act system of records.

SUMMARY: The Commission is amending its system of records. The amendments update the longstanding system and establish a second system. These changes will ensure consistency with the Privacy Act of 1974, as amended.

DATES: The amendments take effect November 22, 1999.

ADDRESSES: Send communications regarding this notice to the attention of Margaret P. Crenshaw, Secretary, Postal Rate Commission, 1333 H Street NW., Washington, DC 20268-0001.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, Postal Rate Commission, at 202-789-6820.

SUPPLEMENTARY INFORMATION: On October 8, 1999, the Postal Rate Commission issued an order adopting, in accordance with the Privacy Act of 1974, 5 U.S.C. 552a(e)(4), two notices regarding its systems of records and their routine uses. The notices were initially proposed in Order No. 1256. They were published at 64 FR 48875. The Commission invited comments, but no comments were received.

Introduction

In a notice published at 64 FR 48875, the Commission set out revisions to its current notice regarding its system of records and their routine uses. The notice was issued in accordance with the Privacy Act of 1974, 5 USC 552a(e)(4). The Commission adopts the referenced notice as final. Part I describes the changes. Part II presents the complete text. As notices of this type generally are not published in the Code of Federal Regulations, there are no corresponding amendments to 39 CFR.

Part I—Background

PRC-1. To date, the Commission's sole system of records for Privacy Act purposes has been PRC-1, named *Official Personnel Files*. This system consists of information pertaining to Commission personnel generally. However, it does not explicitly include all related records maintained by the Commission, such as information regarding travel by Commission personnel on official business. In order to indicate clearly that all such information is included in the system, the Commission is replacing the previously-described PRC-1 with a more comprehensive system extending to all personnel, pay, leave and travel records. This new system, named *Personnel, Pay, Leave, and Travel*, will continue to be designated PRC-1.

The statement of the routine uses of records contained in PRC-1 is also revised, relative to the existing statement. Two previously-published routine uses are abolished because they have not occurred in actual practice, and thus are apparently unnecessary. Other routine uses are reworded, either to accommodate expansions in the use of records made by the Commission or the Postal Service, or to conform with language recommended by the Office of Management and Budget (OMB). The two pre-existing routine uses that encompass litigation-related disclosures have been combined into a single category.

The system notice also contains new routine uses either required by law or which the Commission anticipates may

be necessary in the performance of agency business. These include disclosure of information to the National Archives and Records Administration, to agency contractors, and to the OMB for potential private relief legislation. One of these new routine uses reflects the requirement that federal agencies report wage information quarterly to the Parent Locator Service, as prescribed by Pub. L. 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act.

The system notice does not contain a routine use for any computer matching activities that might be performed on records contained in PRC-1, as the Commission has not performed such matching activities in the past, and does not intend to do so in the future. However, the Commission provides payroll records to the Postal Service for routine processing, and it is possible that the Postal Service might use information about Commission personnel in a computer matching activity.

To fulfill its statutory obligations regarding potential matching activities, particularly under the Computer Matching and Privacy Protection Amendments of 1998 (Pub. L. 100-508), the Commission has notified the Postal Service of its policy that use of employee records for computer matching may be conducted only with express Commission approval, and has requested that the Postal Service exclude Commission employees from any matching activities it otherwise conducts.

PRC-2. As noted above, revised PRC-1 incorporates all Commission records pertaining to its employees. Virtually all other information in the Commission's possession concerning individuals occurs in the pleadings and other filings submitted by participants in the Commission's postal rate, mail classification, and other official public proceedings.¹

To provide public notice of the existence of information about individuals in this principal substantive record-keeping system, the Commission has established another system of

¹ The Commission maintains a short press list containing the names, affiliations, addresses, and telephone numbers of reporters in their professional capacity. In the Commission's view, this list does not qualify as a system of records for Privacy Act purposes. Various Commission offices also maintain correspondence files that may contain some information about individuals in some instances. However, correspondence in these files is not routinely filed or retrieved by personal identifier, and consequently none of them constitutes a system of records in the Commission's view.

records, and designated it as PRC-2. This system contains names, addresses, and contact information for anyone who intervenes in a Commission proceeding, together with all filings, answers, exhibits and other submissions provided to the Commission. Because all these materials are public records under the terms of 39 CFR 3001.42(b), the system notice states under the "Routine Uses" heading that all records in this system are public and will be disclosed to any person upon request.

The Commission adopts the notices regarding its systems of records and their routine uses set out in the attachment to this order, effective 30 days following publication in the **Federal Register**. In accordance with the Commission's order, the secretary shall cause this order to be published in the **Federal Register** in accordance with applicable regulations.

Dated: October 15, 1999.

Margaret P. Crenshaw,
Secretary.

PRC-1

SYSTEM NAME:

Personnel, Pay, Leave, and Travel (PRC-1).

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

1333 H Street NW., Suite 300,
Washington, DC 20268-0001.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains records relating to personnel, pay, leave, and travel. This includes: Name; date of birth; social security number; home address; grade; salary; time and attendance; alternate work schedules; biographical information; leave accrual rate, usage, and balances; training; Civil Service Retirement and Federal Employees' Retirement System contributions; FICA withholdings; Federal, State, and local tax withholdings; Federal Employees' Group Life Insurance withholdings; Federal Employees' Health Benefits withholdings; charitable deductions; allotments to financial organizations; garnishment documents; savings bonds allotments; travel expenses; parking permits; carpools; building security records; employee locator; and information on the fare subsidy program.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Includes 39 U.S.C. 3603, 44 U.S.C. 3101, 5 U.S.C. ch. 57 (relating to travel, transportation, and subsistence), together with any amendments.

PURPOSE(S):

These records are used to administer pay, leave, travel, parking, fare subsidies, and other administrative functions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:**A. Disclosure to the U.S. Postal Service**

The U.S. Postal Service handles payroll and other disbursements on behalf of the Postal Rate Commission. As a result, records related to payroll functions, travel, and other disbursements are disclosed as a routine use to the U.S. Postal Service. The records from the Commission are incorporated into Privacy Act systems of records maintained by the U.S. Postal Service and are routinely disclosed for purposes defined in those systems of records. The main systems of records at the U.S. Postal Service are Finance Records—Payroll System. (USPS 050.020), and Finance Records—Employee Travel Records (USPS 050.010).

B. Disclosure for Law Enforcement Purposes

Information may be disclosed to the appropriate Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, if the information indicates a violation or potential violation of civil or criminal law or regulation within the jurisdiction of the receiving entity.

C. Disclosure Incident to Requesting Information

Information may be disclosed to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested), when necessary to obtain information relevant to a decision concerning retention of an employee or other personnel action (other than hiring), retention of a security clearance, the letting of a contract, or the issuance or retention of a grant, or other benefit.

D. Disclosure to Requesting Agency

Disclosure may be made to a Federal, State, local, foreign, or tribal or other public authority of the fact that this system of records contains information

relevant to the retention of an employee, the retention of a security clearance, the letting of a contract, or the issuance or retention of a license, grant, or other benefit. The other authority may then make a request supported by the written consent of the individual for the record if it chooses. No disclosure will be made unless the information has been determined to be sufficiently reliable to support a referral to the authority or to another Federal agency for criminal, civil, administrative, personnel, or regulatory action.

E. Disclosure to Office of Management and Budget

Information may be disclosed to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

F. Disclosure to Congressional Offices

Information may be disclosed to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

G. Disclosure During Litigation

Information may be disclosed to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which the Postal Rate Commission is authorized to appear, when:

1. The Commission, or any component thereof; or
2. Any employee of the Commission in his or her official capacity; or
3. Any employee of the Commission in his or her individual capacity where the Department of Justice or the Commission has agreed to represent the employee; or
4. The United States, when the Commission determines that litigation is likely to affect the Commission or any of its components is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the Commission is deemed by the Commission to be relevant and necessary to the litigation provided, however, that in each case it has been determined that the disclosure is compatible with the purpose for which the records were collected.

H. Disclosure to the National Archives

Information may be disclosed to the National Archives and Records Administration in records management inspections.

I. Disclosure to Contractors, Grantees, and Others

Information may be disclosed to contractors, grantees, consultants, or volunteers performing or working on a contract, service, grant, cooperative agreement, job, or other activity for the Postal Rate Commission and who need the information in the performance of their duties or activities for the Commission. If appropriate, recipients will be required to comply with the requirements of the Privacy Act of 1974 as provided in 5 U.S.C. 552a(m).

J. Disclosures for Administrative Claims, Complaints, and Appeals

Information from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other person properly engaged in investigation or settlement of an administrative grievance, complaint, claim, or appeal filed by an employee, but only to the extent that the information is relevant and necessary to the proceeding. Agencies that may obtain information under this routine use include, but are not limited to, the Office of Personnel Management, Office of Special Counsel, Merit Systems Protection Board, Federal Labor Relations Authority, Equal Employment Opportunity Commission, and Office of Government Ethics.

K. Disclosure to the Office of Personnel Management

Information from this system of records may be disclosed to the Office of Personnel Management pursuant to that agency's responsibility for evaluation and oversight of Federal personnel management.

L. Disclosure in Connection with Litigation

Information from this system of records may be disclosed in connection with litigation or settlement discussions regarding claims by or against the Postal Rate Commission, including public filing with a court, to the extent that disclosure of the information is relevant and necessary to the litigation or discussions and except where court orders are otherwise required under section (b)(11) of the Privacy Act of 1974, 5 U.S.C. 552a(b)(11).

M. Disclosure for Child Support Enforcement

The name, social security number, home address, date of birth, date of hire, quarterly earnings, employer identifying information, and State of hire for each employee may be disclosed to the Office

of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services for the purpose of locating individuals to establish paternity, establishing and modifying orders of child support, identifying sources of income, and for other child support enforcement actions as required by the Personal Responsibility and Work Opportunity Reconciliation Act (Welfare Reform Law, Pub. L. 104-193).

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Information from this system of records may be disclosed to a consumer reporting agency as provided in 31 U.S.C. 3711.

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

STORAGE:

Records are stored in paper, in folders, in file cabinets, and on the Postal Rate Commission's computer network.

RETRIEVABILITY:

Records may be retrieved by name, Social Security Number, or other identification number.

SAFEGUARDS:

Records are maintained in locked file cabinets or combination safes and on computers and computer networks that use password protections and other system controls to prevent unauthorized access by Postal Rate Commission staff. Firewalls prevent access to internal Commission documents by outsiders. All records and computer facilities are maintained in Commission offices, and public access to Commission offices is controlled.

RETENTION AND DISPOSAL:

Records are maintained for varying periods of time, in accordance with NARA General Records Schedules 2 (pay and leave) and 9 (travel).

SYSTEM MANAGER(S) AND ADDRESS:

Chief Administrative Officer, Postal Rate Commission, 1333 H Street NW., Suite 300, Washington, DC 20268-0001.

NOTIFICATION PROCEDURE:

RECORD ACCESS PROCEDURES:

All requests should be directed to the System Manager. Requesters will be required to provide adequate identification, such as a driver's license, employee identification card, or other identifying document, and dates of employment.

CONTESTING RECORD PROCEDURES:

All requests should be directed to the System Manager. Requesters will be required to provide adequate identification, such as a driver's license, employee identification card, or other identifying document, and dates of employment.

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained from: the subject of the record; employment applications, references, and other employment-related sources; the official personnel file from the Office of Personnel Management; and internal Postal Rate Commission documents, including time and attendance records, leave slips, travel requests, performance evaluations, training records, and similar internal documents.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PRC-2

SYSTEM NAME:

Docket Room Records (PRC-2).

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

1333 H Street NW., Suite 300, Washington, DC 20268-0001.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who intervene in Postal Rate Commission proceedings and individuals whose name and other identifying information appears in records filed in connection with Postal Rate Commission proceedings.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains names, addresses, and contact information for anyone who intervenes in a proceeding before the Postal Rate Commission; submissions, filings, answers, exhibits, and any other record provided to the Commission and made public under Commission rule 3001.42(b).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 3603.

PURPOSES:

These records are used under the Postal Rate Commission's rules and procedures in Commission proceedings, decisions, opinions, and other activities authorized by law.

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

All records in this system are public and will be disclosed to any person upon request.

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

STORAGE:

Records are stored in paper, in folders, in file cabinets, and on the Postal Rate Commission's computer network.

RETRIEVABILITY:

Records may be retrieved by name or docket number.

SAFEGUARDS:

Records are maintained in the Postal Rate Commission's docket room, on computer networks, and on the Commission website. All records and computer facilities are maintained in Commission offices, and public access to Commission offices is controlled.

RETENTION AND DISPOSAL:

Records are disposed of in accordance with approved record schedules. Most records pertaining to Commission decisions are retained permanently.

SYSTEM MANAGER(S) AND ADDRESS:

Chief Administrative Officer, Postal Rate Commission, 1333 H Street NW., Suite 300, Washington, DC 20268-0001.

NOTIFICATION PROCEDURE:

RECORD ACCESS PROCEDURES:

All requests should be directed to the System Manager. Requesters will be required to provide adequate identification, such as a driver's license, employee identification card, or other identifying document, and dates of employment.

CONTESTING RECORD PROCEDURE:

All requests should be directed to the System Manager. Requesters will be required to provide adequate identification, such as a driver's license, employee identification card, or other identifying document, and dates of employment.

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained from intervenors in Postal Rate Commission proceedings and from Commission staff.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 99-27432 Filed 10-20-99; 8:45 am]

BILLING CODE FW-7710-P