

the violation rate is less than 1.0 percent but equal to or greater than 0.5 percent.

When the minimum annual percentage rate for random alcohol testing is 10 percent, and the data received under the MIS reporting requirements for that calendar year indicate that the violation rate is equal to or greater than 0.5 percent but less than 1.0 percent, the FAA Administrator must increase the minimum annual percentage rate for random alcohol testing to 25 percent.

When the minimum annual percentage rate for random alcohol testing is 25 percent or less, and the data received under the MIS reporting requirements for that calendar year indicate that the violation rate is equal to or greater than 1.0 percent, the FAA Administrator must increase the minimum annual percentage rate for random alcohol testing to 50 percent.

When the minimum annual percentage rate for random drug testing is 50 percent, the FAA Administrator may lower the rate to 25 percent if data received under the MIS reporting requirements for two consecutive calendar years indicate that the positive rate is less than 1.0 percent.

When the minimum annual percentage rate for random drug testing is 25 percent, and the data received under the MIS reporting requirements for any calendar year indicate that the reported positive rate is equal to or greater than 1.0 percent, the Administrator will increase the minimum annual percentage rate for random drug testing to 50 percent.

There is a one year lag in the adjustment in the minimum annual percentage rates for random drug and alcohol testing because MIS data for a given calendar year is not reported to the FAA until the following calendar year. For example, MIS data for 1997 is not reported to the FAA until March 15, 1998, and any rate adjustments resulting from the 1997 data are not effective until January 1, 1999, following publication by the FAA of a notice in the **Federal Register**.

The minimum annual percentage rate for random alcohol testing was 10 percent for calendar year 1999. In this notice, the FAA announces that it has determined that the violation rate for calendar year 1998 is less than one percent positive, at approximately 0.14 percent. Since the data received for that calendar year do not indicate that the violation rate is equal to or greater than 0.5 percent but less than 1.0 percent, the minimum annual percentage rate for random alcohol testing for aviation industry employers for calendar year 2000 will remain at 10 percent.

The minimum annual percentage rate for random drug testing was 25 percent in calendar year 1999. Therefore, the FAA is also announcing that it has determined that the positive rate for calendar year 1998 is less than 1 percent, at approximately 0.68 percent, and that the minimum annual percentage rate for random drug testing for aviation industry employers for calendar year 2000 will remain at 25 percent.

Dated: November 29, 1999.

**Robert Poole,**

*Acting Federal Air Surgeon.*

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**BILLING CODE 4910-13-M**

## DEPARTMENT OF THE TREASURY

### Departmental Offices

#### Privacy Act of 1974, as Amended; System of Records

**AGENCY:** Departmental Offices, Treasury.

**ACTION:** Notice of alteration to Privacy Act System of Records.

**SUMMARY:** The Department is consolidating systems of records pertaining to the implementation of the Freedom of Information Act and Privacy Act programs into one Treasury-wide system of records. The system of records Treasury/DO .150—Disclosure Records will be renamed “Freedom of Information Act/Privacy Act Request Records.”

**DATES:** Comments must be received no later than January 3, 2000. The proposed alterations to the system of records will be effective January 12, 2000, unless the Department receives comments that would result in a contrary determination.

**ADDRESSES:** Comments should be sent to Departmental Disclosure Office, Room 1054 MT, Department of the Treasury, Washington, DC 20220.

**FOR FURTHER INFORMATION CONTACT:** Dale Underwood, Program Analyst, Departmental Disclosure Office, (202) 622-0930. Fax: 202-622-3895.

**SUPPLEMENTARY INFORMATION:** The Department is consolidating systems of records pertaining to the implementation of the Freedom of Information and Privacy Act programs into one Treasury-wide system of records. The notices for the systems of records were last published in their entirety beginning at 63 FR 69716 on December 17, 1998. Each Treasury bureau (except the Internal Revenue Service) is listed under “System Location” and the disclosure official for

each bureau is identified as a “System Manager.” The Internal Revenue Service will retain its own system of records Treasury/IRS 48.001—Disclosure Records since it pertains not only to requests for disclosure pursuant to the Freedom of Information Act and the Privacy Act, but also to the disclosure of returns and return information as provided by the Internal Revenue Code (26 U.S.C. 6103, 7801 and 7802).

The notice also revises existing routine uses, adds five new routine uses, and revises the policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system.

The following systems of records notices will be deleted on January 12, 2000:

ATF .005—Freedom of Information Requests  
CC .012—Freedom of Information Index and Log  
CS .078—Disclosure of Information File  
BEP .040—Freedom of Information and Privacy Act Requests  
USSS .005—Freedom of Information Request System  
OTS .010—Inquiry/Request Control

The altered system of records report, as required by 5 U.S.C. 552a(r) of the Privacy Act, has been submitted to the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Office of Management and Budget, pursuant to Appendix I to OMB Circular A-130, Federal Agency Responsibilities for Maintaining Records About Individuals, dated February 8, 1996. This system of records, Treasury/DO .150—“Freedom of Information Act/Privacy Act Request Files” is published in its entirety below.

Dated: November 23, 1999.

**Shelia Y. McCann,**

*Deputy Assistant Secretary (Administration).*

#### Treasury/DO .150

##### SYSTEM NAME:

Freedom of Information Act/ Privacy Act Request Records—Treasury/DO

##### SYSTEM LOCATION:

Department of the Treasury, 1500 Pennsylvania Avenue, NW., Washington, DC 20220. The locations at which the system is maintained by Treasury components and their associated field offices are:

(a) Departmental Offices (DO), which includes the Financial Crimes Enforcement Network (FinCEN), and the Office of Inspector General (OIG);

(b) Bureau of Alcohol, Tobacco and Firearms (ATF);

(c) Office of the Comptroller of the Currency (OCC);  
 (d) United States Customs Service (CS);  
 (e) Bureau of Engraving and Printing (BEP);  
 (f) Federal Law Enforcement Training Center (FLETC);  
 (g) Financial Management Service (FMS);  
 (h) United States Mint (MINT);  
 (i) Bureau of the Public Debt (BPD);  
 (j) United States Secret Service (USSS);  
 (k) Office of Thrift Supervision (OTS).  
 (l) Treasury Inspector General for Tax Administration (TIGTA)

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who have: (1) Requested access to records pursuant to the Freedom of Information Act of 1974, as amended, 5 U.S.C. 552, (FOIA) or who have appealed initial denials of their requests; and/or (2) made a request for access, amendment or other action pursuant to the Privacy Act of 1974, 5 U.S.C. 552a (PA).

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Requests for records or information pursuant to the FOIA and/or PA which includes the names of individuals making written requests for records under the FOIA or the PA, the mailing addresses of such individuals, and the dates of such requests and their receipt. Supporting records include the written correspondence received from requesters and responses made to such requests; internal processing documents and memoranda, referrals and copies of records provided or withheld, and may include legal memoranda and opinions. Comparable records are maintained in this system with respect to any appeals made from initial denials of access, refusal to amend records and lawsuits under the FOIA/PA.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Freedom of Information Act, 5 U.S.C. 552; Privacy Act of 1974, 5 U.S.C. 552a; and 5 U.S.C. 301.

**PURPOSE(S):**

The system is used by officials to administratively control and/or process requests for records to ensure compliance with the FOIA/PA and to collect data for the annual and biennial reporting requirements of the FOIA/PA and other Department management report requirements.

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

These records and information in these records may be used to:

(1) Disclose pertinent information to appropriate Federal, foreign, State, local, tribal or other public authorities or self-regulatory organizations responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation;

(2) Disclose information to a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations, in response to a subpoena, or in connection with criminal law proceedings;

(3) Provide information to a congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(4) Disclose information to another Federal agency to (a) permit a decision as to access, amendment or correction of records to be made in consultation with or by that agency, or (b) verify the identity of an individual or the accuracy of information submitted by an individual who has requested access to or amendment or correction of records.

(5) The Department of Justice when seeking legal advice, or when (a) the agency or (b) any component thereof, or (c) any employee of the agency in his or her official capacity, or (d) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (e) the United States, where the agency determines that litigation is likely to affect the agency 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 is deemed by the agency to be relevant and necessary to the litigation.

(6) Disclose information to the appropriate foreign, State, local, tribal, or other public authority or self-regulatory organization for the purpose of (a) consulting as to the propriety of access to or amendment or correction of information obtained from that authority or organization, or (b) verifying the identity of an individual who has requested access to or amendment or correction of records.

(7) Disclose information to contractors and other agents who have been engaged by the Department or one of its bureaus to provide products or services associated with the Department's or

bureau's responsibility arising under the FOIA/PA.

(8) Disclose information to the National Archives and Records Administration for use in records management inspections.

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

**STORAGE:**

Electronic media, computer paper printout, index file cards, and paper records in file folders.

**RETRIEVABILITY:**

Retrieved by name, subject, request file number or other data element as may be permitted by an automated system.

**SAFEGUARDS:**

Protection and control of any sensitive but unclassified (SBU) records are in accordance with TD P 71-10, Department of the Treasury Security Manual, and any supplemental guidance issued by individual bureaus. Access to the records is available only to employees responsible for the management of the system and/or employees of program offices who have a need for such information.

**RETENTION AND DISPOSAL:**

The records pertaining to Freedom of Information Act and Privacy Act requests are retained and disposed of in accordance with the National Archives and Records Administration's General Record Schedule 14—Information Services Records.

**SYSTEM MANAGER(S) AND ADDRESS:**

Department of the Treasury: Official prescribing policies and practices—Departmental Disclosure Officer, Department of the Treasury, Room 1054 MT, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

The system managers for the Treasury components are:

DO: Assistant Director, Disclosure Services, Room 1054-MT, Department of the Treasury, Washington, DC 20220

ATF: Chief, Disclosure Division, 650 Massachusetts Avenue, NW, Washington, DC 20226

BEP: Disclosure Officer, FOIA Office, 14th & C Streets, SW, Washington, DC 20228

FLETC: FOIA/PA Officer, Department of the Treasury, Building 94, Glynco, GA 31524

FMS: Disclosure Officer, 401 14th Street, SW, Washington, DC 20227  
 Mint: FOIA/PA Officer, Judiciary Square Building, 633 3rd Street, NW, Washington, DC 20220

OCC: Disclosure Officer,  
Communications Division,  
Washington, DC 20219

USCS: Chief, Disclosure Law Branch,  
Office of Regulations and Rulings,  
1300 Pennsylvania Avenue, NW,  
Washington, DC 20229

BPD: Information Disclosure Officer,  
999 E Street, NW, Washington, DC  
20239

USSS: FOIA/PA Officer, FOIA/PA  
Branch, 950 H Street, NW, Suite  
3000, Washington, DC 20001

OTS: Manager, Dissemination Branch,  
1700 G Street, NW, Washington, DC  
20552.

TIGTA: Supervisory Analyst, 1111  
Constitution Ave., NW, IC:CC,  
Room 3039, Washington, DC 20224.

#### NOTIFICATION PROCEDURE:

Individuals seeking notification and access to any record contained in the system of records, or seeking to contest its content, may inquire in accordance with instructions pertaining to individual Treasury components appearing at 31 CFR part 1, subpart C, appendices A–M.

#### RECORD ACCESS PROCEDURES:

See “Notification procedure” above.

#### CONTESTING RECORD PROCEDURES:

See “Notification procedure” above.

#### RECORD SOURCE CATEGORIES:

The information contained in these files originates from individuals who make FOIA/PA requests and agency officials responding to those requests.

#### EXEMPTIONS CLAIMED FOR THE SYSTEM:

None. The Department has claimed one or more exemptions (see 31 CFR 1.36) for a number of its other systems of records under 5 U.S.C. 552a (j)(2) and (k) (1), (2), (3), (4), (5), and (6). During the course of a FOIA/PA action, exempt materials from those other systems may become a part of the case records in this system. To the extent that copies of exempt records from those other systems have been recompiled and/or entered into these FOIA/PA case records, the Department claims the same exemptions for the records as they have in the original primary systems of records of which they are a part.

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## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund; Proposed Collection; Comment Request

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). The Community Development Financial Institutions Fund (the Fund) within the Department of the Treasury is soliciting comments concerning its Native American Lending Study surveys of tribal leaders, economic development officials and other public and private sector persons familiar with barriers to lending on Indian reservations and other land held in trust by the United States.

**DATES:** Written comments should be received on or before February 1, 2000 to be assured of consideration.

**ADDRESSES:** Direct all comments, in writing, to the Native American Program Manager, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, Facsimile (202) 622–7754.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the form(s) and instructions should be directed, in writing, to the Community Development Financial Institutions Fund, US Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, by calling (202) 622–8662, or by sending an email to [cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Native American Lending Study Surveys.

*OMB Number:* 1559–\_\_\_\_\_.

*Abstract:* The CDFI Fund’s enabling legislation required the Fund to implement a Native American Study on lending and investment practices on Indian reservations and other land held in trust by the United States. The components of the study are identification of barriers to private financing, identification of the impact of such barriers on access to capital and credit for Native American populations, recommendations with respect to any necessary statutory and regulatory changes to existing Federal programs,

policy recommendations for community development financial institutions, insured depository institutions, secondary market institutions and private sector capital institutions and submission of a final report to the President and Congress.

*Current Actions:* The Fund has conducted 11 of 13 regional workshops to assist in collecting information on the barriers to private financing and the impact of such barriers on access to capital and credit. Workshop participants also assisted in the creation of strategies and actions to address these barriers. The Fund plans to survey tribal leaders, economic development officials and other public and private sector persons familiar with barriers to lending in Indian Country in order to gather systematic statistical information for the survey.

*Type of review:* New collection.

*Affected Public:* Tribal housing and economic development officials and other public and private sector persons familiar with lending in Indian Country.

*Estimated Number of Respondents:* 1600.

*Estimated Annual Time Per Respondent:* 30 minutes.

*Estimated Total Annual Burden Hours:* 800 hours.

**REQUESTS FOR COMMENTS:** Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) The accuracy of the agency’s estimate of the burden of the collection of information; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; (d) Ways to minimize the burden of the collection of information on respondents, including through the use of technology; and (e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

**Authority:** 12 U.S.C. 4703, 4718; chapter X, Pub.L. 104–19, 109 Stat. 237 (12 U.S.C. 4703 note).

Dated: November 29, 1999.

**Maurice A. Jones,**

*Deputy Director for Policy and Programs,  
Community Development Financial  
Institutions Fund.*

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