

Previous settlements with defendants Watkins Omega, Inc. and Enterprise Waste Oil Company, Inc. have secured \$45,000 in reimbursement.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decrees. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Farmer Oil, et al.*, DOJ Ref. #90-11-2-1145A.

The proposed consent decrees may be examined at the Office of the United States Attorney, Richard Russell Federal Building, Suite 1800, 75 Spring Street, S.W., Atlanta, Georgia 30335; the Region 4 Office of the Environmental Protection Agency, 100 Alabama Street, S.W., Atlanta, Georgia 30303; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decrees may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$3.50 for the Consent Decree between the U.S. and Houghton International; \$3.75 for the Consent Decree between the U.S. and American Environmental Contractors, Inc.; and \$4.00 for the Consent Decree between the U.S. and Farmer Oil, Inc. (25 cents per page reproduction costs) payable to the Consent Decree Library. Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 97-5593 Filed 3-6-97; 8:45 am]

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Notice of Lodging of Two Consent Decrees Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as Amended

In accordance with Department of Justice policy and 42 U.S.C. 9622(i), notice is hereby given that a proposed partial consent decree in *United States v. International Paper Company, et al.*, Civil No. 94-4681 (BDP); *Warwick Administrative Group, et al. v. Avon Products, Inc., et al.*, Civil No. 92-9469 (BDP) (Consolidated Cases), was lodged on February 14, 1997, with the United States District Court for the Southern District of New York. The decree resolves claims of the United States against Revere Smelting and Refining Corporation and Lightron Corporation

in the above-referenced action under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") for contamination at the Warwick Superfund Site in the Town of Warwick, Orange County, New York (the "Site"). In the proposed partial consent decree, Revere Smelting and Refining Corporation agrees to pay the United States \$1,070, and Lightron Corporation agrees to pay the United States \$5,704 in settlement of the United States' claims for response costs incurred and to be incurred by the Environmental Protection Agency at the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. International Paper Company, et al.*, DOJ Ref. Number 90-11-3-812.

The proposed consent decree may be examined at the Office of the United States Attorney, 100 Church Street, New York, NY 10007; the Region II Office of the Environmental Protection Agency, 290 Broadway, New York, NY 10278; and the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$6.00 for the partial consent decree (25 cents per page reproduction costs) payable to the Consent Decree Library.

Joel M. Gross,
Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.

[FR Doc. 97-5594 Filed 3-6-97; 8:45 am]

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[AAG/A Order No. 128-97]

Privacy Act System of Records

This notice is provided as required by the Privacy Act (5 U.S.C. 552a). The Department of Justice, Immigration and Naturalization Service (INS), is republishing Subsection M. of "The Immigration and Naturalization Service Index System, Justice/INS-001,"—last published October 5, 1993 (58 FR 51847)—as a separate system of records to be entitled "Office of Internal Audit Investigations Index and Records,

JUSTICE/INS-002." Subsection M. is being redescribed as a separate system of records to improve the clarity and accuracy of the system description, e.g., to remove inapplicable routine use disclosure provisions and exemptions, re-evaluate and promulgate the appropriate exemptions, and add two new routine use disclosure provisions identified as C. and H.

5 U.S.C. 552a(e) (4) and (11) provide that the public be given a 30-day period in which to comment on new routine use disclosures. The Office of Management and Budget (OMB), which has oversight responsibilities under the Act, requires a 40-day period in which to conclude its review of the proposal.

Therefore, please submit any comments by April 7, 1997. The public, OMB, and the Congress are invited to send written comments to Patricia E. Neely, Program Analyst, Information Management and Security Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (Room 850, WCTR Building).

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and the Congress.

Dated: February 11, 1997.
Stephen R. Colgate,
Assistant Attorney General for
Administration.

JUSTICE/INS-002

SYSTEM NAME:

Office of Internal Audit Investigations
Index and Records

SYSTEM LOCATION:

Headquarters office, Immigration Naturalization Service (INS), 425 I Street, NW, Washington, DC In addition, field offices of the INS have access only to hardcopy files during an investigation. A complete address list is detailed in JUSTICE/INS-999.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

In connection with its investigative duties, the Office of Internal Audit (OIA) will maintain records on the following categories of individuals:

(a) Individuals or entities who are or have been the subject of inquiries or investigations conducted by the INS including current or former employees; current and former consultants, contractors, and subcontractors with whom the agency has contracted and their employees; and such other individuals or entities whose association with the INS relates to alleged violation(s) of the INS' rules of conduct, the Civil Service merit system, and/or criminal or civil law, which may affect the integrity of the INS.

(b) Individuals who are witnesses; complainants; confidential or nonconfidential informants; and parties who have been identified by the INS or by other Federal Government agencies, or parties to an investigation under the jurisdiction of the INS.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information relating to investigations, including:

a. Letters, memoranda, and other documents citing complaints of alleged criminal, civil or administrative misconduct.

b. Investigative files which include: Reports of investigations to resolve allegations of misconduct or violations of law with related exhibits, statements, affidavits or records obtained during investigations; prior criminal or noncriminal records of individuals as they relate to the investigations; reports from or to other law enforcement bodies; information obtained from informants and identifying data with respect to such informants; nature of allegations made against suspects and identifying data concerning such subjects; and public source materials.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

(1) Sections 103, 265 and 290 and Title III of the Immigrations and Nationality Act (66 Stat. 163), as amended (8 U.S.C. 1103; 8 U.S.C. 135; 8 U.S.C. 1360), and the regulations pursuant thereto; and (2) Inspector General Act of 1978, 5 U.S.C. App., as amended by the Inspector General Act Amendments of 1988.

PURPOSE(S):

The INS OIA will maintain this system of records in order to meet its responsibilities as assigned pursuant to the Inspector General Act of 1978, 5 U.S.C. App., as amended by the Inspector General Act Amendments of 1988. Records in this system are used in the course of investigating individuals and entities suspected of having committed illegal or unethical acts and in the course of conducting related criminal prosecutions, civil proceedings, or administrative actions. Further, this system of records is used to monitor case assignment, disposition, status, and results.

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

Relevant information contained in this system of records may be disclosed as follows:

A. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the

request of the individual who is the subject of the record.

B. To General Services Administration and National Archives and Records Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

C. To complainants and/or victims to the extent necessary to provide such persons with information and explanations concerning the progress and/or results of the investigation or case arising from the matters of which they complained and/or of which they were a victim.

D. In the event that records indicate a violation or potential violation of law, whether arising by general statute or particular program statute, or by rule, regulation, or order pursuant thereto, or if records indicate a violation or potential violation of the terms of a contract or grant, the relevant records may be disclosed to the appropriate agency, whether Federal, State, local, foreign, or international, charged with the responsibility of investigating or prosecuting such contract or grant.

E. To a Federal, State, local, foreign or international agency, or to an individual or organization when necessary to elicit information which may assist an INS investigation, inspection or audit.

F. To a Federal, State, local, foreign, or international agency maintaining civil, criminal or other relevant information if necessary to obtain information relevant to an INS decision concerning the reassignment, promotion or retention of an individual, the issuance or revocation of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance or revocation of a license or other benefit.

G. To a Federal, State, local, foreign or international agency in response to its request in connection with the assignment, hiring or retention of an individual, the issuance or revocation of a security clearance, the reporting of an investigation of an individual, letting of a contract, or the issuance or revocation of a license, grant or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

H. To an administrative forum, including forums which may or may not include an Administrative Law Judge, and which may or may not convene public hearings/proceedings, or to other established adjudicatory or regulatory agencies, e.g., the Merit System Protection Board, the National Labor Relations Board, or other agencies with similar or related statutory

responsibilities, where necessary to adjudicate decisions affecting individuals who are the subject of OIA investigations and/or who are covered by this system, including (but not limited to) decisions to effect any necessary remedial actions; e.g., the initiation of debt collection activity, disciplinary and/or other appropriate personnel actions, and/or other law enforcement related actions, where appropriate.

I. A record, or any facts derived therefrom, may be disseminated in a proceeding before a court or adjudicative body before which INS is authorized to appear when any of the following is a party to litigation or has an interest in litigation and such records are determined by INS to be arguably relevant to the litigation: (i.) INS, or any subdivision thereof, or (ii.) any employee of INS in his or her official capacity, or (iii.) any employee of INS in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (iv.) the United States, where INS determines that the litigation is likely to afford it or any of its subdivisions.

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

STORAGE:

Records are stored in locked file cabinets and in a computerized environment.

RETRIEVABILITY:

Generally, records are indexed and retrieved by OIA Case Number, Office of the Inspector General (OIG) Case Number, and surnames of the individuals covered by the system. These items are cross referenced within the data base and can be used alone or in conjunction with each other to retrieve a file.

SAFEGUARDS:

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

RETENTION AND DISPOSAL:

Records in this system are retained and disposed of in accordance with General Records Schedule 22.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Internal Audit,
Immigration and Naturalization Service,
425 I Street, NW Washington, DC 20536.

NOTIFICATION PROCEDURE:

Inquiries should be addressed to the system manager noted above or to the FOIA/PA Officer at the INS office where the record is maintained or the FOIA/PA Officer at 425 I Street NW, Washington, DC, 20536.

RECORD ACCESS PROCEDURE:

The major part of this system is exempted from this requirement pursuant to 5 U.S.C. 552a(j)(2) and (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access. A determination as to the granting or denial of access shall be made at the time a request is received. Requests for access to records in this system shall be in writing, and should be addressed to the System Manager or the appropriate FOIA/PA Officer. Such request may be submitted either by mail or in person. If a request for access is made in writing, the envelope and letter shall be clearly marked "Privacy Access Request." The requester shall include a description of the general subject matter and, if known, the related file number. To identify a record relating to an individual, the requester should provide his or her full name, date and place of birth, verification of identity (in accordance with 8 CFR 103.21(b)), and any other identifying information which may be of assistance in locating the record. The requester shall also provide a return address for transmitting the records to be released.

CONTESTING RECORD PROCEDURES:

The major part of this system is exempted from this requirement pursuant to 5 U.S.C. 552a(j)(2) and (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to the granting or denial of a request shall be made at the time a request is received. An individual desiring to request amendment of records maintained in the system should direct his or her request to the System Manager or the appropriate FOIA/PA officer at the INS office where the record is maintained or (if unknown) to the INS FOIA/PA Officer at 425 I Street, NW, Washington, DC 20536. The request should state clearly what information is being contested, the reasons for contesting it, and the proposed amendment to the information.

RECORD SOURCE CATEGORIES:

The subjects of investigations; individuals with whom the subjects of investigations are associated; current and former INS officers and employees; officials of Federal, State, local and foreign law enforcement and non-law enforcement agencies; private citizens, witnesses; confidential and nonconfidential informants; and public source materials.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has exempted this system from subsections (c) (3) and (4); (d); (e) (1), (2), (3), (5) and (8); and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2). In addition, the system has been exempted from subsections (c)(3); (d) and (e)(1) pursuant to 5 U.S.C. 552a(k)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c), and (e) and have been published in the Federal Register as additions to Title 28, Code of Federal Regulations (28 CFR 16.99).

[FR Doc. 97-5664 Filed 3-6-97; 8:45 am]

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[AAG/A Order No. 129-97]**Privacy Act of 1974; Modified System of Records**

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), the Immigration and Naturalization Service (INS), Department of Justice, proposes to modify the following system of records which was previously published on April 8, 1996, (61 FR 15518): The Immigration and Naturalization Service (INS) Alien File (A-File) and Central Index System (CIS), Justice/INS-001A.

Specifically, INS is adding a new routine use disclosure identified as routine use Q.

Title 5 U.S.C. 552a(e) (4) and (11) provide that the public be given a 30-day period in which to comment on proposed new routine use disclosures. The Office of Management and Budget (OMB), which has oversight responsibilities under the Act, requires a 40-day period in which to conclude its review of the proposal.

Therefore, please submit any comments April 7, 1997. The public, OMB, and the Congress are invited to send written comments to Patricia E. Neely, Program Analyst, Information Management and Security Staff, Justice Management Division, Department of Justice, Washington, D.C. 20530 (Room 850, WCTR Building).

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to

OMB and the Congress on the proposed modification.

Dated: February 13, 1997.
Stephen R. Colgate,
Assistant Attorney General for Administration.

JUSTICE/INS-001A**SYSTEM NAME:**

The Immigration and Naturalization Service (INS) Alien File (A-File) and Central Index System (CIS).

SYSTEM LOCATION:

Headquarters, Regional, District, and other INS file control offices in the United States and foreign countries as detailed in JUSTICE/INS-999. Remote access terminals will also be located in other components of the Department of Justice and in the Department of State on a limited basis.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

A. Individuals covered by provisions of the Immigration and Nationality Act of the United States.

B. Individuals who are under investigation, were investigated in the past, or who are suspected of violating the criminal or civil provisions of treaties, statutes, Executive Orders, and Presidential proclamations administered by INS, and witnesses and informants having knowledge of such violations.

CATEGORIES OF RECORDS IN THE SYSTEM;

A. The computerized indexing system contains personal identification data such as A-File number, name, date, and place of birth, date and port of entry, as well as the location of each official hardcopy paper file known as the "A-file." Microfilm records contain naturalization certificates and any supporting documentation prior to April 1, 1956; however, after that date, this type of information is maintained in the "A-File" which is described in B below.

B. The hard copy A-file (prior to 1940 were called Citizenship File (C-File)) contains all the individual's official record material such as naturalization certificates; various forms, applications and petitions for benefits under the immigration and nationality laws; reports of investigations; statements; reports; correspondence; and memorandums on each individual for whom INS has created a record under the Immigration and Nationality Act.

AUTHORITY FOR MAINTENANCE OF RECORDS:

Sections 103 and 290 of the Immigration and Nationality Act, as amended (18 U.S.C. 1103 and 8 U.S.C. 1360), and the regulations pursuant thereto.