

domestic interested party response to its notice of institution (63 FR 46477, September 1, 1998) of the subject five-year review was adequate. The Commission also determined that, because there was no respondent interested party response, such response was inadequate. The Commission did not find any other circumstances that would warrant conducting a full review. Accordingly, the Commission determined that it would conduct an expedited review pursuant to section 751(c)(3) of the Act. A record of the Commissioners' votes and statements by Commissioners, if any, are available from the Office of the Secretary and at the Commission's web site.

Staff Report

A staff report containing information concerning the subject matter of the review will be placed in the nonpublic record on December 31, 1998, and made available to persons on the Administrative Protective Order service list for this review. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

Written Submissions

As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the review and that have provided adequate responses to the notice of institution,¹ and any party other than an interested party to the review may file written comments with the Secretary on what determination the Commission should reach in the review. Comments are due on or before January 6, 1999, and may not contain new factual information. Any person that is neither a party to the five-year review nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the review by January 6, 1999. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI

service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

Issued: December 15, 1998.

By order of the Commission.

Donna R. Koehnke,

Secretary.

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DEPARTMENT OF JUSTICE

[AAG/A Order No. 158-98]

Privacy Act; Notice of Modified System of Records

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), notice is given that the Department of Justice proposes to modify a system of records. Specifically:

The "Bond Accounting and Control System (BACS), Justice/INS-008"—last published October 5, 1993 (58 FR 51854)—has been retitled:

"Bond Management Information System (BMIS), Justice/INS-008."

In addition, the system description has been revised to reflect a change in equipment configuration. An outdated and failing system had provided limited direct access to personnel at the Immigration and Naturalization (INS) offices located in Burlington, Vermont and Twin Cities, Minnesota. The revised and updated system will no longer provide direct access to Twin Cities; but will permit direct access to authorized personnel at INS Headquarters and at other INS offices—when such personnel have been identified as those who need direct access in order to perform INS operations more effectively. Also, two routine uses (routine uses A. and B.) have been added; one has been removed; and a change has been made in the System Manager. Finally, as also indicated in the system description, a new retention and disposal schedule for these records is pending approval of the National Archives and Records Administration.

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 the new routine uses of a system of records. The Office of Management and Budget (OMB), which has oversight responsibilities under the Privacy Act, requires a 40-day period in which to conclude its review of the proposed modifications.

Therefore, please submit any comments by January 19, 1999. 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 on the proposed modification.

Dated: December 2, 1998.

Stephen R. Colgate,

Assistant Attorney General for Administration.

JUSTICE/INS-008

SYSTEM NAME:

Bond Management Information System (BMIS).

SYSTEM LOCATION:

Immigration and Naturalization Service (INS), Headquarters and certain other regional, district, and/or other field offices as needed. (Currently, the only field office maintaining this system is Burlington, Vermont.) Addresses of offices are listed in JUSTICE/INS-999 as published in the **Federal Register**, or in the telephone directories of the respective cities listed above under the heading "United States Government, Immigration and Naturalization Service."

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have posted a bond with INS and the beneficiaries of posted bonds.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information which allows identification of active bonds posted with INS such as: Bond number, obligor's name and address, alien beneficiary's name and alien file number, type of bond, location and date bond was posted, and other data related to the bond.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 103, 213, 236, 240B, and 293 of the Immigration and Nationality Act, as amended (8 U.S.C. 1103, 1183, 1226, 1229c, and 1363, respectively).

PURPOSE(S):

Information in this system of records will be used by employees of INS to control and account for collateral received to support an immigration bond, and may be used to prepare timely responses to inquiries about these records.

¹ The Commission has found responses submitted by American Spring Wire, Florida Wire and Cable, Insteel Wire Products, and Sumiden Wire Products, to be adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).

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. Where the record, either on its face or in conjunction with other information, indicates a violation or potential violation of law (whether civil, criminal, or regulatory in nature) to the appropriate agency (whether Federal, State, local, or foreign) charged with the responsibility of investigating or prosecuting such violations or charged with enforcing or implementing the related statute, rule, regulation, or order pursuant thereto.

B. In a proceeding before a court or adjudicative body before which INS or the Department of Justice (DOJ) 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 or DOJ to be arguably relevant to the litigation: The DOJ, or any DOJ component or subdivision thereof; any DOJ employee in his/her official capacity; any DOJ employee in his/her individual capacity where the DOJ has agreed to represent the employee; or the United States where INS or the DOJ determines that the litigation is likely to affect it or any of its subdivisions.

C. 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.

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

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

STORAGE:

Information is stored on magnetic disks.

RETRIEVABILITY:

Records may be retrieved by any of the following: Alien's name, alien's file number, obligor's name, bond-receipt control number, breach control number, or location and date bond was posted.

SAFEGUARDS:

Access can be obtained only through remote terminals which are located in secured areas of secured buildings and through the use of restricted passwords assigned to authorized personnel.

RETENTION AND DISPOSAL:

The following INS proposal for retention and disposal is pending approval by NARA. Six years after the bond is disbursed, breached, or closed, all records will be archived and stored at the DOJ Archives Center for seven years and then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

The Assistant Commissioner, Office of Financial Management, 425 I Street, NW, Washington, DC 20536.

NOTIFICATION PROCEDURES:

Inquiries should be addressed to the system manager.

RECORD ACCESS PROCEDURES:

In all cases, requests for access to a record shall be in writing. Written requests may be submitted by mail or in person at any INS system location where bond activity records are located. (See "System Location.") If a request for access is made by mail, the envelope and letter should be clearly marked "Privacy Access Request." To enable INS to identify an individual's record, he or she must provide his or her full name, alien file number, location and date bond was posted, and a return address for transmitting the information.

CONTESTING RECORD PROCEDURES:

Any individual desiring to contest or amend information must direct his or her request to Headquarters or other appropriate system location (see "System Locations") and state clearly what information is being contested; the reason for contesting it; and the proposed amendment to the information.

RECORD SOURCE CATEGORIES:

Individuals covered by the system.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

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DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

Implementation of Section 104 of the Communications Assistance for Law Enforcement Act: Telecommunications Services Other Than Local Exchange Services, Cellular, and Broadband PCS

AGENCY: Federal Bureau of Investigation, DOJ.

ACTION: Notice of inquiry.

SUMMARY: The purpose of this Notice of Inquiry (NOI) is to present certain

telecommunications carries and all other interested parties with an opportunity to provide input to the Federal Bureau of Investigation (FBI) as it develops law enforcement's capacity requirements for services other than local exchange, cellular, and broadband personal communications services (PCS). The Communications Assistance for Law Enforcement Act (CALEA) mandate that the Attorney General, on behalf of all law enforcement, provide capacity requirements for the actual and maximum number of interceptions (of call content and/or call-identifying information) that telecommunications carriers may be required to effect in support of law enforcement's electronic surveillance needs. This NOI is soliciting information on and suggestions for developing reasonable methodologies for characterizing capacity requirements for telecommunications services other than local exchange services, cellular, and broadband PCS. Such services include, but are not limited to: traditional paging, two-way paging, narrowband PCS, mobile satellite services (MSS), specialized mobile radio (SMR) and enhanced specialized mobile radio (ESMR), national and multi-rate services, asynchronous transfer mode (ATM), X.25, frame relay, airplane telephony, and railroad telephony.

DATES: Comments must be received on or before February 16, 1999.

ADDRESSES: Comments should be submitted to the Federal Bureau of Investigation, CALEA Implementation Section, Attention: Notice of Inquiry, 14800 Conference Center Drive, Suite 300, Chantilly, VA 20151. All comments will be available for review at the FBI's Freedom of Information and Privacy Act (FOIPA) Reading Room located at FBI Headquarters, 935 Pennsylvania Avenue, NW, Washington, DC 20535. To review the comments, interested parties should contact the FBI's FOIPA Reading Room staff, telephone number (202) 324-7510, to schedule an appointment (48 hours advance notice required). While printed comments are welcome, commenters are encouraged to submit their responses on electronic media. Electronic documents must be in WordPerfect 6.1 (or earlier) or Rich Text Format (RTF) format. Comments must be the only file on the 3.5 inch disk. In addition, all electronic submissions must be accompanied by a printed sheet listing the name, company or organization name address, and telephone number of an individual who can replace the disk should it be damaged in transit.