

of California v. Shell Oil Company, Inc., et al., D.J. Ref. 90-11-2-3A.

The proposed First Amended Consent Decree may be examined at the Office of the United States Attorney, Central District of California, Room 7516, Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012 and at Region IX, Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105, 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 Decree and exhibits thereto 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 enclose a check in the amount of \$9.50 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel Gross,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 96-26608 Filed 10-16-96; 8:45 am]
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[AAG/A Order No. 122-96]

Privacy Act of 1974; Modified System of Records

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), the Department of Justice (DOJ), Drug Enforcement Administration (DEA), proposes to modify the following system of records previously published on June 9, 1994 (59 FR 29822): Investigative Reporting and Filing System, Justice/DEA-008.

Specifically, routine use (1) is being modified to permit State and local law enforcement agencies direct, "read only" electronic access to index date which was formerly accessed electronically by Federal law enforcement agencies only. Subpart B of the "Categories of Records in the System" has been modified to show that the index will permit law enforcement agencies to identify not only the existence of DEA case files as described in Subpart A, but also those of other law enforcement agencies, in order to request access to those files from the respective agency(s). Routine use (1) and the "Retrievability" section, respectively, show that other Federal, State, and local law enforcement agencies, together with DOJ law enforcement components, may have write access, but only to the index data generated by such agency or DOJ component to enable them to modify or delete their own date. Changes have been italicized.

Title 5 U.S.C. 552a(e)(4)(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 any proposal to add new routine use disclosures or make other major modifications. Access to these records (both Subpart A, the case files, and Subpart B, the automated index) by State and local law enforcement agencies is not new; however, direct, electronic access to the automated index is new.

You may submit any comments (by 30 days from the publication date of this notice). The public, OMB, and the Congress are invited to send written comments to Patricia E. Neely, Program Analyst, Information Management and Security Staff, Information Resources Management, 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: September 4, 1996.

Stephen R. Colgate,
Assistant Attorney General for Administration.

JUSTICE/DEA-008

SYSTEM NAME:

Investigative Reporting and Filing System, Justice/DEA-008.

SYSTEM LOCATION:

Drug Enforcement Administration: 700 Army Navy Drive, Arlington, VA 22202; and field offices. For field office addresses, see appendix identified as "DEA Appendix—List of Record Location Addresses, Justice/DEA-999."

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

- A. Drug offenders
- B. Alleged drug offenders; and
- C. Persons suspected of drug offenses.
- D. Defendants.

Such individuals may include individuals registered with DEA and responsible for the handling, dispensing, or manufacturing of controlled substances under the Comprehensive Drug Abuse Prevention and Control Act of 1970.

CATEGORIES OF RECORDS IN THE SYSTEM:

Subpart A:

Subpart A is (1) a manual index (which serves as a backup to the automated index described in subpart B)

and (2) paper case file records consisting of: Criminal Investigative Files; Regulatory Audit and Investigatory Files; and General Investigative Files. These files may include investigative and confidential informant reports and all documented findings and investigative "lead" information relative to preregistrant inspections, investigations, targeted conspiracies, and trafficking situations, etc. The reports pertain to the full range of DEA criminal drug enforcement and regulatory investigative functions that emanate from the Comprehensive Drug Prevention and Control Act of 1970.

For example, records in the Criminal Investigative Case Files may include a systematic gathering of information targeted on an individual or group of individuals operating in illegal drugs either in the United States or internationally; reports on individuals suspected or convicted of narcotics violations; reports of arrests; information on drug possession, sales, and purchases by such individuals; and information on the transport of such drugs, either inside the United States or internationally, by such individuals. Records in the Regulatory Audit and Investigatory Files may include similar investigative reports regarding those individuals specifically identified under item C. of the "Categories of Individuals Covered by the System." Records in the General Investigative Files may generally include fragmentary or low priority information on an individual which is not significant enough to open a case file.

Subpart B:

Subpart B is an automated index containing limited, summary-type data which are extracted from and which point to the case files *maintained by DEA as described in subpart A above, or to files maintained by other Federal, State, or local law enforcement agencies*. Examples of such data include: Record number; subject name (person, business, vessel), aliases and soundex; personal data; (occupation(s), race, sex, date and place of birth, height, weight, hair color, eye color, citizenship, nationality/ethnicity, alien status); special considerations (fugitive armed/dangerous); resident and criminal address (business and personal); miscellaneous numbers (telephone, passport, drivers license, vehicles registration, social security number, etc.); relevant case file numbers, with indicators for active investigations; date/stamp (event) data. (Subpart B will contain no classified information.)

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

This system is established and maintained to enable DEA to carry out its assigned law enforcement and criminal regulatory functions under the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Pub. L. 91-513), Reorganization Plan No. 2 of 1973, and Title 21 United States Code; and to fulfill United States obligations under the Single Convention on Narcotic Drugs.

PURPOSE:

The records in this system have been compiled for the purpose of identifying, apprehending, and prosecuting individuals connected in any way with the illegal manufacture, distribution, or use of drugs.

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

Relevant records or any relevant facts derived therefrom may be disclosed to:

(1) Other Federal, State, local, and foreign law enforcement and regulatory agencies, and components thereof, to support their role in the detection and monitoring of the distribution of illegal drugs in the United States or such other roles in support of counterdrug law enforcement as may be permitted by law. *Direct, electronic, "read only" access by Federal, State, or local law enforcement agencies only to Subpart B of this system of records may be permitted to enable these agencies (i) to identify law enforcement information or activities which may be relevant to their law enforcement responsibilities and (ii) where such information or activities is identified, either request access from DEA to the underlying case file records described in Subpart A or, where the case file is maintained by another agency, request access from such other agency, and (iii) to ensure appropriate coordination of such activities with DEA or other appropriate law enforcement agency. In addition, direct, electronic, read and write access may be permitted, but only to the index data generated by the accessing agency to enable such agency to modify or delete its own data.*

(2) Other Federal, State, local, and foreign law enforcement and regulatory agencies, and components thereof, to the extent necessary to elicit information pertinent to counter-drug law enforcement; (3) Foreign law enforcement agencies through the Department of State (with whom DEA maintains liaison), and agencies of the U.S. foreign intelligence community to further the efforts of those agencies with respect to the national security and

foreign affairs aspects of international drug trafficking; (4) individuals and organizations in the course of investigations to the extent necessary to elicit information about suspected or known illegal drug violators; (5) Federal and state regulatory agencies responsible for the licensing or certification of individuals in the fields of pharmacy and medicine to assist them in carrying out such licensing or certification functions; (6) any person or entity to the extent necessary to prevent an imminent or potential crime which directly threatens loss of life or serious bodily injury; (7) news media and the public pursuant to 28 CFR 50.2 unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy; (8) 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; (9) National Archives and Records Administration and the General Services Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906; and (10) to a court or adjudicative body before which DEA 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 DEA to be arguably relevant to the litigation; (i) DEA, or any subdivision thereof, or (ii) any employee of DEA in his or her official capacity, or (iii) any employee of DEA in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (iv) the United States, where DEA determines that the litigation is likely to affect it or any of its subdivisions.

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

Records described in subpart A of the "Categories of Records in the System" are maintained on standard index cards and in standard file folders at DEA Headquarters and field offices. Records described in subpart B are stored on a computer database at the DEA and on a mainframe at the Department of Justice Computer Center.

RETRIEVABILITY:

Information will be retrieved by accessing either the manual or automated index by name and by cross-referencing the name with a number assigned to the case file. The law

enforcement components of the Department of Justice may have direct, electronic, "read only" access (under subsection (b)(1) of the Privacy Act) to subpart B of the "Categories of Records in the System". These data will assist DOJ law enforcement components in identifying whether there may be detailed records which reside in subpart A of this system of records that may be relevant to their law enforcement responsibilities. Where such records are identified, DOJ law enforcement components may request access. *In addition, DOJ law enforcement components may have direct, electronic "read and write" access to the index data generated by such component to modify or delete its own data.*

SAFEGUARDS:

Access is limited to designated employees with a need-to-know. All records are stored in a secure area of a secure building. In addition to controlled access to the building, the areas where records are kept are either attended by responsible DEA employees, guarded by security guard, and/or protected by electronic surveillance and/or alarm systems, as appropriated. In addition, paper records, including the manual index, are in locked files during off-duty hours and unauthorized access to the automated index is also prevented through state-of-the-art technology such as encryption and multiple user ID's and passwords.

RETENTION AND DISPOSAL:

Paper records will be transferred to the Washington National Records Center 10 years after date of last entry; and destroyed 25 years after date of last entry. The related index will be deleted 25 years after date of last entry. Approval pending DEA records management and the NARA.

SYSTEM MANAGER(S) AND ADDRESS:

Assistant Administrator, Operations Division, Drug Enforcement Administration, Freedom of Information Section, Washington, D.C. 20537.

NOTIFICATION PROCEDURE:

Inquiries should be addressed to: Drug Enforcement Administration, Freedom of Information Section, Washington, D.C. 20537.

RECORD ACCESS PROCEDURE:

Same as above.

CONTESTING RECORDS PROCEDURE:

Same as above.

RECORD SOURCE CATEGORIES:

(a) DEA personnel, (b) Confidential informants, witnesses and other

cooperating individuals, (c) Suspects and defendants, (d) Federal, State and local law enforcement and regulatory agencies, (e) foreign law enforcement agencies, (f) business records by subpoena, and (g) drug and chemical companies.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e) (1), (2) and (3), (e)(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 subsection (k)(1). 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**.

[FR Doc. 96-26284 Filed 10-16-96; 8:45 am]

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Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—American Display Consortium

Notice is hereby given that, on January 1, 1996, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), American Display Consortium ("ADC") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are: Electro-Plasma Inc., Milbury, OH; OIS Optical Imaging Systems, Troy, MI; Photonics Imaging, Northwood, OH; Planar Systems, Inc., Beaverton, OR; Kent Display Systems, Kent, OH; Standish Industries, Inc., Lake Mills, WI; Three-Five Systems, Tempe, AZ, and FED Corp., Hopewell Junction, NY. The general area of planned activity is to engage in cooperative research to develop technology applicable to the design, production, testing and manufacture of advanced displays.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96-26606 Filed 10-16-96; 8:45 am]

BILLING CODE 4410-01-M

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Research Consortium on Non-Heat Treatable Auto Body Sheet

Notice is hereby given that, on April 26, 1996, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), The American Society of Mechanical Engineers, as Administrator for the Research Consortium on Non-Heat Treatable Auto Body Sheet ("the Consortium") has failed written notifications simultaneously with the Attorney General and the Federal Trade Commission on behalf of itself and the Consortium's members disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are: ARCO Aluminum, Inc., Louisville, KY; Commonwealth Aluminum, Lewisport, KY, and; Ravenswood Aluminum Co., Ravenswood, WV. The nature and objective of the Consortium is to provide a national focus for identifying and resolving technical issues concerned with the development of non-heat treatable auto body sheet. To accomplish that purpose the members of the Consortium may: (1) Collect and exchange technical information; (2) assess the current state of knowledge and identify information gaps; (3) evaluate the adequacy of research or technology development programs of government and industry, and recommend appropriate actions; (4) evaluate the adequacy of current available instrumentation equipment or applications software, and encourage improvements; (5) advance technical capabilities by planning, organizing, and raising funds for and managing commissioned studies and/or laboratory research; (6) interact with public and private organizations, and; (7) foster the development of appropriate standards.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96-26607 Filed 10-16-96; 8:45 am]

BILLING CODE 4410-01-M

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Seed Research Services, LLC

Notice is hereby given that, on September 19, 1996, pursuant to Section

6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. § 4301, *et seq.* ("the Act"), Seed Research Services, LLC, a California Limited Liability Company, has filed written notifications simultaneously with the Attorney General and with the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the current parties in the venture are: first, California Artichoke and Vegetable Growers Corp., dba Ocean Mist Farms, a California corporation, and member of Seed Research Services, LLC, whose shareholders consist of: Boutonnet Farms, Inc., a California Corporation; Sea Mist Farms, LLC, a California Limited Liability Company; Bengard Harvesting, a California General Partnership; Joy Al, Inc., a California Corporation; Donnar, Inc., a California Corporation; Tottino Living Trust, Hugo and Delores Tottino, Trustees, a California Trust; and the following U.S. citizens and California residents: Leslie Tottino; David Tottino; Karen Antle; Cathy Alameda; and Michelle Pecci; second, Associated Produce Distributors, a California Limited Partnership, and member of Seed Research Services, LLC, whose general partners consist of: Lael Lee Co., a California General Partnership; B.W. Brown Co., a California General Partnership; A.P. Generals, a California General Partnership; and a U.S. citizen and California resident, Reno Costella; and third, Adobe Ranch Company, a California General Partnership and member of Seed Research Services, LLC, whose general partners consist of the following U.S. citizens and California residents: Louis H. Delfino; David N. Delfino; and Louis J. Delfino.

The general area of planned activity for Seed Research Services, LLC is seed and plant research, development and licensing of proprietary varieties of artichokes to its Members and/or third parties, and may also include the production of proprietary seed and/or plants. The principal executive office of Seed Research Services, LLC is located at 450 Lincoln Avenue, Salinas, CA 93902.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 96-26613 Filed 10-16-96; 8:45 am]

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