

are available from the Superintendent, Padre Island National Seashore, P.O. Box 181300 Corpus Christi, Texas 78480-1300, Telephone (361) 949-8173, extension 224.

Jock Whitworth,
Superintendent.

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BILLING CODE 4310-70-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Privacy Act of 1974, as Amended; System of Records

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of minor changes to two systems of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, as amended (5 U.S.C. 552a), notice is hereby given that the Department of the Interior proposes minor changes to two systems of records managed by the Bureau of Reclamation (Reclamation). These changes are to the systems of records:

“Claims, WBR-5”

“Acreage Limitation, WBR-31”

The above notices are published in their entirety below.

DATES: These actions are effective March 17, 1999.

FOR FURTHER INFORMATION CONTACT: For information regarding “Claims, BOR-5” contact Ms. Debra Lange, Property and Office Services, Policy and Systems Team at (303) 445-2030, or for information regarding “Acreage Limitation, BOR-31” contact Mr. Richard Rizzi, Reclamation Law, Contracts, and Repayment Office at (303) 445-2900. For general information regarding Reclamation’s Privacy Act program, call Mr. Casey Snyder at (303) 445-2048.

SUPPLEMENTARY INFORMATION: Recent Privacy Act Compilations list the following systems of records with a prefix of “Reclamation” (e.g., Reclamation-5). When originally published in the **Federal Register** these systems of records were identified with an organization prefix of “WBR” (e.g., WBR-5). The content of the systems of records is the same; the prefixes on these systems were changed to reflect organizational changes.

The system of records notices being revised and the reason for revision are listed below:

- Claims, WBR-5, previously published in the **Federal Register** on September 27, 1984 (49 FR 38195). This

publication revises the system location and the system manager’s title and address. Federal Government organization titles have been updated and other minor editorial changes made.

- Acreage Limitation, WBR-31, previously published in the **Federal Register** on March 9, 1994 (59 FR 11085). This publication revises the retention and disposal statement to reflect the revisions to the Acreage Limitation Rules and Regulations, 43 CFR part 426, which became effective January 1, 1998. Specifically, the retention period of the certification and reporting forms (including verification forms) is changed from 3 to 6 years and the Code of Federal Regulations cited is changed from 43 CFR 426.10(h) to 43 CFR 426.19(e). The term “Federal Employer’s Identification Numbers” is changed to “Taxpayer’s Identification Numbers” in the categories of records in the system and the retrievability statements. In addition, the term “Individual Taxpayer’s Identification Numbers” is added to both statements. Organization titles have been updated and other minor editorial changes made. All other changes proposed are editorial in nature.

Rayleen Cruz,

Manager, Property and Facilities Group.

INTERIOR/WBR-5

SYSTEM NAME:

Claims.

SYSTEM LOCATION:

Commissioner’s Office, Reclamation Service Center, and Regional Offices: Pacific Northwest, Mid-Pacific, Lower Colorado, Upper Colorado, and Great Plains. See appendix for addresses.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have filed tort, employee, or appropriation act claims, and claims under the Teton Dam Disaster Assistance Act.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records include claims and supporting documents submitted, information developed during investigations of claims, and final disposition.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Tort Claims Act, 28 U.S.C. 2671-2680; Military Personnel and Civilian Employees’ Claims Act, 31 U.S.C. 3701, 3721; Public Works for Water and Power Development and Energy Research Appropriation Act, 1977, Pub. L. 94-355, 90 Stat. 889; Teton Dam Disaster Assistance Act, Pub. L. 94-400, 90 Stat. 1211; Supplemental

Appropriation Act, 1977, Pub. L. 94-438, 90 Stat. 1415; and annual Energy and Water Development Appropriation Acts.

PURPOSE(S):

For settlement of damages relating to tort and non-tortious claims and for loss or damage to employee’s personal property resulting from activities of Reclamation. Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The primary uses of the records are to establish the facts and circumstances of each claim, compile statistical data, and evaluate claims. Disclosures outside the Department of the Interior may be made: (1) To the Department of Justice when related to litigation or anticipated litigation; (2) of information indicating a violation or potential violation of a statute, regulation, rule, order, or license to appropriate Federal, State, local, or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order, or license; (3) from the record of an individual in response to an inquiry from a congressional office made at the request of that individual; (4) where relevant or necessary to the hiring or retention of an employee, or the issuance of a security clearance, license, contract, grant, or other benefit, information may be disclosed: (a) To a Federal agency that has requested the information, or (b) to a Federal, State, or local agency to enable the Department of the Interior to obtain information from such agency; (5) to the Soil Conservation Service, and Farm Service Agency of the Department of Agriculture (USDA); Federal Emergency Management Agency, Army Corps of Engineers, and Department of Housing and Urban Development to assure that benefits to claimants have not been duplicated by the several agencies involved in disaster programs; (6) to the Department of Treasury, Internal Revenue Service, and State revenue and taxation departments relative to compensation for loss of salary or income; (7) to the Small Business Administration, Farm Service Agency, and Department of Housing and Urban Development regarding loans secured through those agencies; and (8) to General Services Administration (GSA) to document problems with GSA contract movers which result in claims against Reclamation.

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

Maintained in manual form in file folders.

RETRIEVABILITY:

By claimant's name.

SAFEGUARDS:

Records are maintained with safeguards in accordance with the requirements of 43 CFR 2.51 for manual records.

RETENTION AND DISPOSAL:

In accordance with approved retention and disposal schedules.

SYSTEM MANAGER(S) AND ADDRESS:

Claims Officers in the Reclamation Service Center, Commissioner's Office, and Regional Offices: Pacific Northwest, Mid-Pacific, Lower Colorado, Upper Colorado, and Great Plains. See appendix for addresses.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of a record(s) should be addressed to the System Manager at the appropriate address listed in the appendix. See 43 CFR 2.60.

RECORD ACCESS PROCEDURES:

Same as Notification above. See 43 CFR 2.63.

CONTESTING RECORD PROCEDURES:

Written petitions for amendment should be sent to the System Manager at the appropriate address listed in the appendix. See 43 CFR 2.71.

RECORD SOURCE CATEGORIES:

Claimants. Investigations conducted by Reclamation officials and contractors, officials of the Department of the Interior, and State and local governments.

INTERIOR/WBR-31**SYSTEM NAME:**

Acreage Limitation.

SYSTEM LOCATION:

(1) District offices in which subject individuals submitted certification and reporting forms (addresses may be obtained from the applicable regional office); (2) Regional offices listed in the appendix; and (3) Bureau of Reclamation, PO Box 25007, Denver, Colorado 80225-0007.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals that directly or indirectly own or lease land that is subject to the

acreage limitation provisions of Federal reclamation law, and individuals that operate such land.

Note: Records pertaining to corporate or other commercial entities are also maintained in the system. Only records pertaining to individuals are protected by the Privacy Act.

CATEGORIES OF RECORDS IN THE SYSTEM:

For owners, lessees, and operators: Names, addresses, and telephone numbers.

For owners and lessees: Taxpayer's Identification Numbers; Individual Taxpayer's Identification Numbers; Social Security Numbers; citizenship status; status pursuant to Federal reclamation law; legal descriptions or assessor parcel numbers; deeds; contracts or agreements relative to the transfer of land ownerships, including excess land sales and pertinent details of such sales; signature authorization documents; power-of-attorney documents; irrevocable elections; terms and effective dates of leases; leases; lease/purchase options; trust agreements; partnership agreements; and corporate resolutions.

For farm operators: Farm operating agreements, type of services provided, acreage operated by farm operators, and other pertinent details.

Authority for maintenance of the system: Reclamation Act of 1902, as amended and supplemented (43 U.S.C. 371), especially sections 206, 224(c), 224(g), and 228 of the Reclamation Reform Act of 1982 (43 U.S.C. 390aa).

PURPOSE(S):

The primary purpose of the system is to obtain from landowners and lessees written information on their landholdings that is pertinent to their compliance with the ownership and full-cost pricing provisions of Federal reclamation law.

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

The data collected are used by district and Bureau of Reclamation personnel to determine compliance with Federal reclamation law.

Disclosures outside the Department of the Interior may be made pursuant to 43 CFR 2.56 and: (1) To the U.S. Department of Justice or in a proceeding before a court or adjudicative body when (a) the United States, the Department of the Interior, a component of the Department, or when represented by the Government, an employee of the Department is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Department of the Interior determines

that the disclosure is relevant or necessary to the litigation and is compatible with the purpose for which the records were compiled; (2) Of information indicating a violation or potential violation of a statute, regulation, rule, order, lease, license, contract, grant, or other agreement to appropriate Federal, State, tribal, territorial, local, or foreign agencies responsible for investigating or prosecuting the violation of, or for enforcing, implementing, or administering a statute, regulation, rule, order, lease, license, contract, grant, or other agreement; (3) To a congressional office from the record of an individual in response to an inquiry the individual has made to the congressional office; (4) To non-Federal auditors under contract with the Department of the Interior to perform audits relating to the acreage limitation program; (5) To the Internal Revenue Service for the purpose of reporting the existence of "illegal Federal irrigation subsidies" as defined by Section 90 of the Internal Revenue Code; and (6) To financial institutions for the purpose of acquiring information needed by the lender to complete the certification and reporting requirements of the Reclamation Reform Act of 1982 (43 U.S.C. 390aa) for involuntarily acquired irrigable or irrigation land.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosure pursuant to 5 U.S.C. 552a(b)(12). Disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

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

Records are maintained in manual form in file folders and, where automated, on magnetic media.

RETRIEVABILITY:

Manual records are retrieved by district and/or landholder name, by assessor parcel number, by excess land sale number, and/or by acreage limitation topic (e.g., trusts, farm operators, etc.). Automated records are retrieved by district identification number; sale number; landholder name; operator name; Social Security Number (if available); Taxpayer's Identification Number; Individual Taxpayer's Identification Number; telephone number; address; and/or identifying property characteristics, such as an assessor's parcel number.

SAFEGUARDS:

Records are maintained with safeguards in accordance with requirements of 43 CFR 2.51 for manual and computer records, and 43 CFR 2.52 for conduct of employees handling records subject to the Act.

RETENTION AND DISPOSAL:

Certiification and reporting forms (including verification forms) are retained for 6 years, at a minimum. The most current fully completed certification and reporting forms are maintained on file with the most current verification form, in accordance with 43 CFR 426.19(e). All other records are retained in compliance with Bureau of Reclamation retention schedules that have been approved by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Manager, Reclamation Law, Contracts, and Repayment Office, Bureau of Reclamation, Denver Federal Center, PO Box 25007, Denver, Colorado 80225-0007.

NOTIFICATION PROCEDURE:

For inquiries regarding the existence of their own certification and reporting forms, individuals should contact the districts in which they have filed forms. For requests for access to other records in the system, individuals may send a written request to the appropriate office listed under "System Location." If you are unable to determine which office has the records, you may address your inquiry to the nearest Reclamation office listed in the appendix, or to the System Manager. Requests for notification of the existence of records shall be in writing, signed by the requester, and in compliance with the content requirements of 43 CFR 2.60.

RECORDS ACCESS PROCEDURES:

For requests for access to their own certification and reporting forms, individuals may contact the district(s) in which they have filed forms. For requests for access to other records in the system, individuals may send a written request to the appropriate office listed under "System Location." If you are unable to determine which office has the records, you may address your inquiry to the nearest Reclamation office listed in the appendix, or to the System Manager. Requests for access to records shall be in writing, signed by the requester, and in compliance with the content requirements of 43 CFR 2.63.

CONTESTING RECORD PROCEDURES:

For requests for amendment of their own certification and reporting forms, individuals shall contact the district(s)

in which they have filed forms. For request for amendment of other records in this system, individuals may send a written request to the appropriate office listed under "System Location." If you are unable to determine which office has the records, you may address your inquiry to the nearest Reclamation office listed in the appendix, or to the System Manager. Requests for amendment of records shall be in writing, signed by the requester, and in compliance with the content requirements of 43 CFR 2.71.

RECORD SOURCE CATEGORIES:

Individuals on whom records are maintained, certain Federal agencies, State and local governmental units, and land appraisers.

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DEPARTMENT OF THE INTERIOR**Office of Surface Mining Reclamation and Enforcement****Notice of Proposed Information Collection**

AGENCY: Office of Surface Mining Reclamation and Enforcement.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing that the information collection requests for the titles described below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The information collection requests describe the nature of the information collections and the expected burden and cost for 30 CFR Parts 750 and 877.

DATES: OMB has up to 60 days to approve or disapprove the information collections but may respond after 30 days. Therefore, public comments should be submitted to OMB by April 16, 1999 in order to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: To request a copy of either information collection request, explanatory information and related forms, contact John A. Trelease at (202) 208-2783, or electronically to jtreleas@osmre.gov.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the

public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. OSM has submitted two requests to OMB to renew its approval of the collections of information contained in: 30 CFR Part 750, Requirements for surface coal mining and reclamation operations on Indian Lands; and 30 CFR Part 877, Rights of entry. OSM is requesting a 3-year term of approval for each information collection activity.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for these collections of information are 1029-0091 for Part 750, and 1029-0055 for Part 877.

As required under 5 CFR 1320.8(d), a **Federal Register** notice soliciting comments for these collections of information was published on January 4, 1999 (64 FR 179). No comments were received. This notice provides the public with an additional 30 days in which to comment on the following information collection activities:

Title: Requirements for surface coal mining and reclamation operations on Indian Lands—30 CFR Part 750.

OMB Control Number: 1029-0091.

Summary: Operators who conduct or propose to conduct surface coal mining and reclamation operations on Indian lands must comply with the requirements of 30 CFR 750 pursuant to Section 710 of SMCRA.

Bureau Form Number: None.

Frequency of Collection: On occasion.

Description of Respondents:

Applicants for coal mining permits.

Total Annual Responses: 75.

Total Annual Burden Hours: 1,400.

Title: Rights of Entry—30 CFR Part 877.

OMB Control Number: 1029-0055.

Summary: This regulation establishes procedures for non-consensual entry upon private lands for the purpose of abandoned mine land reclamation activities or exploratory studies when the landowner refuses consent or is not available.

Bureau Form Number: None.

Frequency of Collection: On occasion.

Description of Respondents: State abandoned mine land reclamation agencies.

Total Annual Responses: 30.

Total Annual Burden Hours: 30.

Send comments on the need for the collections of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the