

regarding the protection of bank endorsements. For this reason, Customs issued a Notice of Proposed Rulemaking, published in the **Federal Register** (64 FR 62619) on November 17, 1999, proposing that required information be placed on the face side of monetary instruments accepted for Customs payments. The notice requested comments on the proposed amendments. No comments were received. After further consideration of this matter, Customs has determined to adopt the proposed changes as a final rule. This document amends §§ 24.1(b) and 24.1(b)(1) of the Customs Regulations, accordingly.

#### Executive Order 12866

This document does not meet the criteria for a "significant regulatory action" as specified in Executive Order 12866.

#### Regulatory Flexibility Act

Pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), it is certified that the amendments to the Customs Regulations set forth in this document will not have a significant economic impact on a substantial number of small entities. These amendments regarding the endorsement of checks and other instruments will improve the processing of these instruments, without any additional burden on businesses or individuals. Accordingly, these amendments are not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

#### Drafting Information

The principal author of this document was Bill Conrad, Office of Regulations and Rulings, U.S. Customs Service. Personnel from other offices contributed in its development.

#### List of Subjects in 19 CFR Part 24

Accounting, Claims, Customs duties and inspection, Fees, Financial and accounting procedures, Imports, Taxes.

#### Amendments to the Regulations

For the reasons stated in the preamble, part 24 of the Customs Regulations (19 CFR part 24) is amended as follows:

#### PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

1. The general authority citation for part 24 and the relevant specific authority citation continue to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 58a–58c, 66, 1202 (General Note 20, Harmonized Tariff

Schedule of the United States), 1505, 1624; 26 U.S.C. 4461, 4462; 31 U.S.C. 9701.

Section 24.1 also issued under 19 U.S.C. 197, 198, 1648;

\* \* \* \* \*

2. In § 24.1, the second and third sentences of introductory paragraph (b) and all of paragraph (b)(1) are revised to read as follows:

#### § 24.1 Collection of Customs duties, taxes, and other charges.

\* \* \* \* \*

(b) \* \* \* Where the amount of the check is over \$25, the Customs cashier or other employee authorized to receive Customs collections will ensure that the payor's name, home and business telephone number (including area code), and date of birth are recorded on the face (front) side of the monetary instrument. In addition, one of the following will be recorded on the face side of the instrument: preferably, the payor's social security number or, alternatively, a current passport number or current driver's license number (including issuing state). \* \* \*

(1) Where the amount is less than \$100 and the identification requirements of paragraph (a)(4) of this section have been met, the Customs employee accepting the check or money order will place his name and badge number on the collection voucher and place the serial number or other form of voucher identification on the face side of the check or money order so that the check or money order can be easily associated with the voucher.

\* \* \* \* \*

Dated: Approved: July 18, 2000.

**Raymond W. Kelly,**

*Commissioner of Customs.*

**John P. Simpson,**

*Deputy Assistant Secretary of the Treasury.*

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#### DEPARTMENT OF THE TREASURY

#### 31 CFR Part 1

#### Internal Revenue Service; Privacy Act, Implementation

**AGENCY:** Office of the Secretary, Treasury.

**ACTION:** Final rule.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, 5 U.S.C. 552a, as amended, the Department of the Treasury gives notice of a final rule to exempt an Internal Revenue Service system of records entitled "IRS Audit Trail and Security

Records System—Treasury/IRS 34.037," from certain provisions of the Privacy Act. The exemption is intended to comply with the legal prohibitions against the disclosure of certain kinds of information and to protect certain information, about individuals, maintained in this system of records.

**EFFECTIVE DATE:** September 20, 2000.

#### FOR FURTHER INFORMATION CONTACT:

David Silverman, Tax Law Specialist, 6103/Privacy Operations, Governmental Liaison and Disclosure, Internal Revenue Service, at 202–622–6200.

**SUPPLEMENTARY INFORMATION:** The Department of the Treasury published a notice of a proposed rule exempting a system of records from certain provisions of the Privacy Act of 1974, as amended, on November 17, 1999, at 64 FR 62620–62622. The Internal Revenue Service (IRS) published the system notice in its entirety on November 19, 1999, at 63 FR 63108. Under 5 U.S.C. 552a(k)(2), the head of an agency may promulgate rules to exempt any system of records within the agency from certain provisions of the Privacy Act of 1974, as amended, if the system is investigatory material compiled for law enforcement purposes. The IRS Audit Trail and Security Records System—Treasury/IRS 34.037 contains investigatory material compiled for law enforcement purposes.

The proposed rule requested that public comments be sent to the Governmental Liaison and Disclosure Office, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, DC 20224, no later than January 22, 1999. The Governmental Liaison and Disclosure Office received comments addressing the issues below from one individual. As discussed below, no changes to the rule were made on the basis of these comments.

First, the commenter stated that the system notice lacked specificity as to the users of the system because the notice provided that "[o]utside of IRS information systems, the office of the Treasury Inspector General for Tax Administration is the principal user of the data contained in this system of records." The use of the word "principal" would permit other personnel to have access to this system of records. The language in the current rule is the same that is used for the Treasury/IRS 34.020, the Audit Lead Trail Analysis System. This is because it is impossible to predict that only the information systems personnel and the Treasury Inspector General for Tax Administration may have a need to use this system. This system concerns primarily audit logs that track access to

sensitive but unclassified data for almost all IRS computer systems. Although generally the people who monitor such logs are information system administrators, there may be exceptions where personnel from another IRS function monitor the logs.

The commenter also expressed concern that government and non-law enforcement personnel will have access to and use of the system, and that the system should only exempt certain records depending on whether the information is being used for law enforcement purposes. All of the information is being used for law enforcement purposes, specifically to detect violations of applicable statutes, including 18 U.S.C. 1030(a)(2)(B) and 26 U.S.C. 6103, 7213, 7213A. Therefore, the entire system is entitled to the law enforcement exemption. The final concern expressed by the commenter was a lack of description of the specific records to be covered. This system is broad because it would be burdensome and confusing to the public to create multiple systems with corresponding multiple notices for the purpose of printing the same description of audit logs and security records used to monitor access.

Accordingly, the Department of the Treasury is hereby giving notice that the system of records entitled "IRS Audit Trail and Security Records System—Treasury/IRS 34.037," is exempt from certain provisions of the Privacy Act. The provisions of the Privacy Act from which exemption is claimed pursuant to 5 U.S.C. 552a(k)(2) are as follows: 5 U.S.C. 552a (c)(3), (d)(1), (d)(2), (d)(3), (d)(4), (e)(1), (e)(4)(G) , (H) and (f).

As required by Executive Order 12866, it has been determined that this proposed rule is not a significant regulatory action, and therefore, does not require a regulatory impact analysis.

The regulation will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

Pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601–612, it is hereby certified that these regulations will not significantly affect a substantial number of small entities. The proposed rule imposes no duties or obligations on small entities.

In accordance with the provisions of the Paperwork Reduction Act of 1995, the Department of the Treasury has determined that this final rule would

not impose new record keeping, application, reporting, or other types of information collection requirements.

**List of Subjects in 31 CFR Part 1**

Privacy.

Part 1 of Title 31 of the Code of Federal Regulations is amended as follows:

1. The authority citation for part 1 continues to read as follows:

**Authority:** 5 U.S.C. 301 and 31 U.S.C. 321. Subpart A also issued under 5 U.S.C. 552, as amended. Subpart C also issued under 5 U.S.C. 552a.

**§ 1.36 [Amended]**

2. Section 1.36 of Subpart C is amended by adding the following text in numerical order in paragraph (b)(1) under the heading THE INTERNAL REVENUE SERVICE:

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

Name of system	No.
* * * * *	
IRS Audit Trail and Security Records System .....	34.037
* * * * *	
* * * * *	

Dated: September 13, 2000.

**W. Earl Wright, Jr.,**  
*Chief Management and Administrative Programs Officer.*  
[FR Doc. 00–24167 Filed 9–19–00; 8:45 am]  
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**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 117**

**[CGD05–00–042]**

**Drawbridge Operation Regulations; Milford Haven, VA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Fifth Coast Guard District, has approved a temporary deviation from the regulations governing the operation of the Gwynns Island Drawbridge across Milford Haven, mile 0.1, in Grimstead, Virginia. Beginning at 6 a.m. on September 25, through 6 p.m. on November 23, 2000, the bridge may remain in the closed position. This

closure is necessary to encapsulate the entire bridge structure for painting.

**DATES:** This deviation is effective from 6 a.m. on September 25 until 6 p.m. on November 23, 2000.

**FOR FURTHER INFORMATION CONTACT:** Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (757) 398–6222.

**SUPPLEMENTARY INFORMATION:** The Coast Guard received an electronic e-mail from the Virginia Department of Transportation July 28, 2000, requesting a temporary deviation from the current operating schedule of the Gwynns Island drawbridge. Presently, the draw is required to open on signal at all times. This requirement is included in the general operating regulations at 33 CFR 117.5. The work to be performed on the Gwynns Island Drawbridge primarily consists of encapsulating the entire structure with a canvas shroud, sand blasting the old paint off, then applying several coats of fresh paint.

This work requires completely immobilizing the operation of the swing span. In accordance with 33 CFR 117.35, the District Commander approved VDOT's request for a temporary deviation from the governing regulations in a letter dated August 23, 2000.

The Coast Guard has informed the known users of the waterway of the bridge closure so that these vessels can arrange their transits to minimize any impact caused by the temporary deviation.

The temporary deviation allows the Gwynns Island Drawbridge across the Milford Haven, mile 0.1, in Grimstead, Virginia to remain closed from 6 a.m. on September 25, until 6 p.m. on November 23, 2000.

Dated: September 11, 2000.

**J. E. Shkor,**  
*U.S. Coast Guard, Commander, Fifth Coast Guard District.*  
[FR Doc. 00–24168 Filed 9–19–00; 8:45 am]  
**BILLING CODE 4910–15–P**

**DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**37 CFR Chapter I and Part 1**

**RIN 0651–AB15**

**Simplification of Certain Requirements in Patent Interference Practice**

September 15, 2000.

**AGENCY:** United States Patent and Trademark Office, Commerce.