

issued or approved by the National Archives and Records Administration.

**SYSTEM MANAGER AND ADDRESS:**

Director, Federal Bureau of Investigation, 935 Pennsylvania Avenue NW., Washington, DC 20535-0001.

**NOTIFICATION PROCEDURE:**

Same as RECORD ACCESS PROCEDURES, below.

**RECORD ACCESS PROCEDURES:**

The Attorney General has exempted this system of records from the notification, access, and contest procedures of the Privacy Act. These exemptions apply only to the extent that the information in this system is subject to exemption pursuant to 5 U.S.C. 552a(j) or (k). Where compliance would not appear to interfere with or adversely affect the purposes of the system, or the overall law enforcement/intelligence process, the applicable exemption (in whole or in part) may be waived by the FBI in its sole discretion.

All requests for access should follow the guidance provided on the FBI's Web site at <https://www.fbi.gov/services/records-management/foipa>. Individuals may mail, fax or email a request, clearly marked "Privacy Act Access Request," to the Federal Bureau of Investigation, ATTN: FOI/PA Request, Record/Information Dissemination Section, 170 Marcel Drive, Winchester, VA 22602-4843; Fax: 540-868-4995/6/7; Email: (scanned copy) [foiparequest@ic.fbi.gov](mailto:foiparequest@ic.fbi.gov). The request should include a general description of the records sought and must include either a completed Department of Justice Certification of Identity Form, DOJ-361, which can be located at the above link, or a letter that has been notarized which includes: The requester's full name, current and complete address, and place and date of birth. In the initial request the requester may also include any other identifying data that the requester may wish to furnish to assist the FBI in making a reasonable search. The request should include a return address for use by the FBI in responding; requesters are also encouraged to include a telephone number to facilitate FBI contacts related to processing the request. A determination of whether a record may be accessed will be made after a request is received.

**CONTESTING RECORD PROCEDURES:**

Individuals desiring to contest or amend information maintained in the system should direct their requests according to the RECORD ACCESS PROCEDURES listed above, stating clearly and concisely what information

is being contested, the reasons for contesting it, and the proposed amendment to the information sought. The envelope and letter should be clearly marked "Privacy Act Amendment Request" and comply with 28 CFR § 16.46. Some information may be exempt from contesting record procedures as described in the EXEMPTIONS CLAIMED FOR THE SYSTEM paragraph. An individual who is the subject of a record in this system may amend those records that are not exempt. A determination whether a record may be amended will be made at the time a request is received.

**RECORD SOURCE CATEGORIES:**

Information may be provided by individuals covered by this system, the FBI, DOJ and United States Government components, other domestic and foreign government entities, or obtained from private entities.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

The Attorney General has exempted this system of records from subsection (c)(3) and (4); (d)(1), (2), (3) and (4); (e)(1), (2), and (3); (e)(4) (G), (H) and (I); (e)(5) and (8); (f) and (g) of the Privacy Act. These exemptions apply only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(j) or (k). Rules are being promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c), and (e) and have been published in today's **Federal Register**. In addition, the DOJ will continue in effect and claim all exemptions claimed under 5 U.S.C. 552a(j) or (k) (or other applicable authority) by an originating agency from which the DOJ obtains records, where one or more reasons underlying an original exemption claim remain valid. Where compliance with an exempted provision could not appear to interfere with or adversely affect interests of the United States or other stakeholders, the DOJ in its sole discretion may waive an exemption in whole or in part; exercise of the discretionary waiver prerogative in a particular matter shall not create any entitlement to or expectations of waiver in that matter or any other matter. As a condition of discretionary waiver, the DOJ in its sole discretion may impose any restrictions deemed advisable by the DOJ (including, but not limited to, restrictions on the location, manner, or scope of notice, access or amendment).

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Water Act**

On September 13, 2016, a proposed Consent Decree in *United States of America v. Total Petroleum Puerto Rico Corporation*, Civil Action No.3:16-cv-02641, was filed with the United States District Court for Puerto Rico.

The proposed Consent Decree between the parties resolves the United States' claims that Total Petroleum violated the Clean Water Act and permits it holds under the Act at Total Petroleum's Bulk Fuels Terminal in Guaynabo, Puerto Rico. The proposed Consent Decree requires Total Petroleum to undertake work at its facility to comply with the Act and the permits it holds, to pay a \$345,000 civil penalty, and to undertake a project to improve aquatic habitat in the nearby San Juan Harbor.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to: *United States of America v. Total Petroleum Puerto Rico Corporation*, Civil Action No.3:16-cv-02641, D.J. Ref. 90-5-1-10983. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department Web site: <http://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$18.25 (25 cents per page

reproduction cost) payable to the United States Treasury.

**Robert E. Maher Jr.,**

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

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Income and Eligibility Verification System Confidentiality

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) titled, "Income and Eligibility Verification System Confidentiality," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.* Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that agency receives on or before October 19, 2016.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* Web site at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201609-1205-001](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201609-1205-001) (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-ETA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of

the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**FOR FURTHER INFORMATION CONTACT:** Contact Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**Authority:** 44 U.S.C. 3507(a)(1)(D).

**SUPPLEMENTARY INFORMATION:** This ICR seeks to extend PRA authority for the Income and Eligibility Verification System (IEVS) Confidentiality information collection. More specifically, this ICR relates to information collections established by the Deficit Reduction Act of 1984 (DRA), which created an IEVS for the exchange of information among State agencies administering specific programs. IEVS covered programs include Temporary Assistance for Needy Families; Medicaid; Food Stamps; Supplemental Security Income; Unemployment Compensation; and any State program approved under Social Security Act (SSA) titles I, X, XIV, or XVI. Under the DRA, participating programs must exchange information to the extent it is useful and productive in verifying eligibility and benefit amounts that assist the child support program and the Secretary of Health and Human Services in verifying eligibility and benefit amounts under SSA titles II and XVI. On September 27, 2006, the ETA issued a final rule regarding the Confidentiality and Disclosure of State Unemployment Compensation Information. *See* 71 FR 56830. This rule supports and expands upon the DRA statutory requirements and subsequent regulatory changes. A State is required to use a data sharing agreement when making a disclosure, to provide some assurance that a recipient of disclosed information follows safeguards protecting confidentiality; to provide an enforcement mechanism against any recipient that breaches those safeguards; and to show that the State has complied with the rule. A State Workforce Agency is required to provide notice to both employers and claimants about the uses of information the Agency provides the IEVS. SSA section 303 authorizes this information collection. *See* 42 U.S.C. 503.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA

and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1205-0238.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on September 30, 2016. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 4, 2016 (81 FR 11592).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205-0238. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
  - Enhance the quality, utility, and clarity of the information to be collected; and
  - Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

**Agency:** DOL-ETA.

**Title of Collection:** Income and Eligibility Verification System Confidentiality.

**OMB Control Number:** 1205-0238.

**Affected Public:** State, Local, and Tribal Governments.