

ADDRESSES: All meetings will be held at the Westin Arlington Gateway, 801 North Glebe Road, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: For further information regarding the meetings, please contact David Capozzi, Executive Director, (202) 272-0010 (voice) and (202) 272-0082 (TTY).

SUPPLEMENTARY INFORMATION: At the Board meeting scheduled on Wednesday, March 31, the Access Board will consider the following agenda items:

- Approval of the draft January 13, 2010 meeting minutes.
- Budget Committee Report.
- Planning and Evaluation Committee Report.
- Technical Programs Committee Report.
- Ad Hoc Committee Reports.
- Election of Officers.
- Executive Director's Report.
- ADA and ABA Guidelines; Federal Agency Updates.

All meetings are accessible to persons with disabilities. An assistive listening system, computer assisted real-time transcription (CART), and sign language interpreters will be available at the Board meeting. Persons attending Board meetings are requested to refrain from using perfume, cologne, and other fragrances for the comfort of other participants (see <http://www.access-board.gov/about/policies/fragrance.htm> for more information).

David M. Capozzi,
Executive Director.

[FR Doc. 2010-5891 Filed 3-17-10; 8:45 am]

BILLING CODE 8150-01-P

COMMISSION ON CIVIL RIGHTS

Hearing on the Department of Justice's Actions Related to the New Black Panther Party Litigation and Its Enforcement of Section 11(b) of the Voting Rights Act

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of hearing.

DATES AND TIME: Friday, April 23, 2010; 9:30 a.m. EDT.

PLACE: U.S. Commission on Civil Rights, 624 Ninth Street, NW., Room 540, Washington, DC 20425.

SUMMARY: Notice is hereby given pursuant to the provisions of the Civil Rights Commission Amendments Act of 1994, 42 U.S.C. 1975a, and 45 CFR 702.3., that public hearings before the U.S. Commission on Civil Rights will commence on Friday, April 23, 2010,

beginning at 9:30 a.m. EDT in Washington, DC at the Commission's offices located at 624 Ninth Street, NW., Room 540, Washington, DC 20425, and continue until completed. If on April 23, 2010, the operating status of the Federal Government in the Washington, DC area is closed or the hearing is otherwise not initiated on said date, the hearing will be rescheduled for May 14, 2010 at the same time and location. An executive session not open to the public may be convened at any appropriate time before or during the hearing.

The purpose of this hearing is to collect information within the jurisdiction of the Commission, under 42 U.S.C. 1975a, related particularly to the Department of Justice's actions in the New Black Panther Party Litigation and enforcement of Section 11(b) of the Voting Rights Act.

The Commission is authorized to hold hearings and to issue subpoenas for the production of documents and the attendance of witnesses pursuant to 45 CFR 701.2. The Commission is an independent bipartisan, fact finding agency authorized to study, collect, and disseminate information, and to appraise the laws and policies of the Federal Government, and to study and collect information with respect to discrimination or denials of equal protection of the laws under the Constitution because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice. The Commission has broad authority to investigate allegations of voting irregularities even when alleged abuses do not involve discrimination.

CONTACT PERSON FOR FURTHER

INFORMATION: Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376-8591. TDD: (202) 376-8116.

Persons with a disability requiring special services, such as an interpreter for the hearing impaired, should contact Pamela Dunston at least seven days prior to the scheduled date of the hearing at 202-376-8105. TDD: (202) 376-8116.

Dated: March 12, 2010.

David Blackwood,
General Counsel.

[FR Doc. 2010-5884 Filed 3-17-10; 8:45 am]

BILLING CODE 6335-01-P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Meeting

DATE AND TIME: Friday, March 26, 2010; 11:30 a.m. EDT.

PLACE: Via Teleconference.

Public Dial In: 1-800-597-7623.

Conference ID # 63007474.

Meeting Open to Public

Meeting Agenda

This meeting is open to the public, except where noted otherwise.

I. Approval of Agenda

II. Program Planning

- Approval of Letter to Youngstown, Ohio City Council Members re Racially Bifurcated Test Results in the Police and Fire Departments

• Update on Status of 2010 Enforcement Report—Some of the discussion of this agenda item may be held in closed session.

• Update on Status of Title IX Project—Some of the discussion of this agenda item may be held in closed session.

III. Adjourn

CONTACT PERSON FOR FURTHER

INFORMATION: Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376-8591. TDD: (202) 376-8116.

Persons with a disability requiring special services, such as an interpreter for the hearing impaired, should contact Pamela Dunston at least seven days prior to the meeting at 202-376-8105. TDD: (202) 376-8116.

Dated: March 16, 2010.

Martin Dannenfelser,
Staff Director.

[FR Doc. 2010-6135 Filed 3-16-10; 4:15 pm]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

[Docket No. 100226117-0125-01]

Privacy Act of 1974; Altered System of Records

AGENCY: U.S. Census Bureau, Department of Commerce.

ACTION: Notice of Amendment, Privacy Act System of Records; COMMERCE/CENSUS-10 and 5, combining the American Community Survey, and the Population and Housing Census Records of the 2000 Census Including Preliminary Statistics for the 2010 Decennial Census, into the COMMERCE/CENSUS-5, Decennial Census Program.

SUMMARY: In accordance with the Privacy Act of 1974, as amended, Title 5 United States Code (U.S.C.) 552A(e)(4) and (11); and Office of Management and Budget (OMB) Circular A-130, Appendix I, "Federal Agency Responsibilities for Maintaining Records About Individuals," the

Department of Commerce is issuing notice of intent to update the system of records titled COMMERCE/CENSUS-5, Population and Housing Census Records of the 2000 Census Including Preliminary Statistics for the 2010 Decennial Census, by combining the system of records under COMMERCE/CENSUS-10 American Community Survey with the updated COMMERCE/CENSUS-5 Population and Housing Census Records of the 2000 Census Including Preliminary Statistics for the 2010 Decennial Census system and renaming the newly combined system notice to COMMERCE/CENSUS-5, Decennial Census Program. Accordingly, the COMMERCE/CENSUS-5, Population and Housing Census Records of the 2000 Census Including Preliminary Statistics for the 2010 Decennial Census system notice published in the Federal Register on February 21, 2006 (71 FR 8839) is amended as below. The system of records entitled COMMERCE/CENSUS-10, American Community Survey, published in the **Federal Register** on January 17, 2007 (72 FR 1979), will be abolished upon final publication of the **FEDERAL REGISTER** notice for the newly amended and renamed system of records entitled COMMERCE/CENSUS-5, Decennial Census Program. We invite public comment on the system amendment announced in this publication.

DATES: *Comment Date:* To be considered, written comments on the proposed amended system must be submitted on or before April 19, 2010.

Effective Date: Unless comments dictate otherwise, the amendments will become effective as proposed on the date of publication of a subsequent notice in the **Federal Register**.

ADDRESSES: Please address comments to: Chief Privacy Officer, Privacy Office, Room HQ-8H168, U.S. Census Bureau, Washington, DC 20233-3700.

SUPPLEMENTARY INFORMATION: Delete and replace with the following language: "This amendment combines two systems into one, thereby integrating the mandatory data collections required for the decennial census program. This includes the detailed characteristics information now collected on an ongoing basis by the American Community Survey as well as the decennial collection of the basic characteristics information required for apportionment and redistricting counts. Therefore, this amendment updates the purpose of the system, categories of records in the system, policies and practices for retrieving, retaining, and disposing of records in the system, and

other administrative information. This system is renamed "Decennial Census Program" and includes the information collected by the American Community Survey, as well as information collected during the Decennial Census of Population and Housing. The American Community Survey is an ongoing survey with an annual sample of approximately 3 million residential addresses in the U.S.; approximately 36,000 residential addresses in Puerto Rico; approximately 20,000 group quarters facilities in the U.S.; and approximately 100 group quarters facilities in Puerto Rico. The Decennial Census of Population and Housing is one of the few federal activities for which authority rests in the Constitution (Article 1, Section 2). Decennial census data collection processes touch the lives of every person in the United States. Decennial census data products provide the basis for apportioning among the states the seats in the U.S. House of Representatives, for developing the districts that members of Congress, state legislators, and other elected individuals represent, for the distribution of billions of dollars each year to governmental entities at all levels, and for untold numbers of governmental and business decisions.

As an example of the scope of the Decennial Census of Population and Housing, in 2010, the Census Bureau will be contacting over 130 million addresses in order to enumerate over 300 million people in an increasingly more complex demographic and technological environment. The Census Bureau conducts a census of population and housing, and disseminates the data to the President, the states, and to the American people. The 2010 Census will cover the 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, the Commonwealth of the Northern Mariana Islands, Guam, the Pacific Island Area of American Samoa, and Federally-Affiliated Americans Overseas. The Census Day for the 2010 Census will be April 1, 2010, have a boundary reference date of January 1, 2010, apportionment counts will be delivered to the President by December 31, 2010, and redistricting counts will be delivered to the states by April 1, 2011."

COMMERCE/CENSUS-5

SYSTEM NAME:

Delete and replace with the following language: "COMMERCE/CENSUS-5, Decennial Census Program"

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Delete and replace with the following language: "U.S. Census Bureau, 4600 Silver Hill Road, Washington, DC 20233-8100; Bureau of the Census, Bowie Computer Center, 17101 Medford Boulevard, Bowie, Maryland 20715."

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete and replace with the following language: "All persons surveyed during the ongoing American Community Survey and all persons counted during the Decennial Census of Population and Housing as well as all persons counted in any pilot census tests of procedures related to the American Community Survey and the Decennial Census of Population and Housing are covered by the system. Participation in the decennial censuses (the American Community Survey and the Decennial Census of Population and Housing) as well as all of the pilot censuses is mandatory."

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete and replace with the following language: "Records collected by the American Community Survey and its pilot censuses obtain population information such as name, address, telephone number, age, sex, race, Hispanic origin, relationships, housing tenure, number of persons in the household, as well as more detailed information on topics such as, marital status and history, fertility, income, employment, education, health insurance or health coverage plans, disability, grandparents as care-givers, and military status and history. In addition, the American Community Survey and its pilot censuses contain housing information on topics such as year built, structure description, uses, features, amenities, and number of rooms, utilities, purchase type (e.g. mortgage or deed of trust), and financial characteristics (e.g. home value, property taxes, etc.)."

Records collected during the Decennial Census of Population and Housing contain population information such as name, address, telephone number, age, sex, race, Hispanic origin, relationship, housing tenure, number of persons in the household, number of persons in the household not permanent residents, and whether residents sometimes live somewhere else.

In accordance with 13 U.S.C., Section 6(c), information in the American Community Survey and Decennial Census of Population and Housing may also come from administrative records from federal, states, counties, cities, or other units of government, or from

private persons and agencies. For instance, external sources used for information include: the U.S. Department of Defense and the U.S. Office of Personal Management for enumeration of federally affiliated Americans overseas; tribal, State, and local governments for service-based enumeration of persons without permanent shelter; and the U.S. Postal Service for address and road updates.

Pilot census records may contain information similar to that included in the American Community Survey and Decennial Census of Population and Housing."

AUTHORITIES FOR MAINTENANCE OF THE SYSTEM:

Delete and replace with the following language: "13 U.S.C., Sections 141 and 193."

PURPOSE(S):

Delete and replace with the following language: "The purpose of this system is to collect statistical information from respondents for the Decennial Census Program, which includes both the American Community Survey and the Decennial Census of Population and Housing, in order to provide key infrastructure data for the nation. The American Community Survey, the Decennial Census of Population and Housing, and pilot census records are maintained to conduct research and analysis with survey and administrative data for projects as authorized by Title 13 of the U.S.C., Sections 141 and 193 and the U.S. Census Bureau; and to undertake methodological evaluations and enhancements leading to improved data collection and quality control studies. Also, information collected by the Decennial Census of Population and Housing is used to provide official census transcripts of the results to the named person(s), their heirs, or legal representatives as authorized by Title 13 of the U.S.C., Section 8 as described in the system of records notice COMMERCE/CENSUS-6, Population Census Personal Service Records for 1910 and All Subsequent Decennial Censuses (this does not apply to the American Community Survey and pilot census records)."

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

Delete and replace with the following language: "These records are maintained and used solely for statistical purposes and are confidential under Title 13 of the U.S.C., Sections 9 and 214. Publications do not contain data that could identify any particular household or individual."

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Delete and replace with the following language: "None."

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

STORAGE:

Delete and replace with the following language: "Records will be stored in a secure computerized system and on magnetic media; output data will be either electronic or paper copies. Source data sets containing personal identifiers will be maintained in a secure restricted-access environment."

RETRIEVABILITY:

Delete and replace with the following language: "Information for the Decennial Census of Population and Housing and for the American Community Survey may be retrieved by name and address. Additionally, information may be retrieved only by authorized access and in accordance with other security controls."

SAFEGUARDS:

Delete and replace with the following language: "The U.S. Census Bureau is committed to respecting respondent privacy and protecting confidentiality. Through the Data Stewardship Program, we have implemented management, operational, and technical controls and practices to ensure high-level data protection to respondents of our census and surveys: (1) All U.S. Census Bureau sworn individuals are subject to the restrictions, penalties, and prohibitions of Title 13 of the U.S.C., and all employees are annually certified through training concerning confidentiality of data; (2) data sets released by the U.S. Census Bureau have been subjected to and have successfully met criteria established by an internal Disclosure Review Board to ensure no personally identifiable data are released; (3) an unauthorized browsing policy protects respondent information from casual or inappropriate use by any person with access to Title 13 protected data; (4) all computer systems that maintain sensitive information are in compliance with the Federal Information Security Management Act, which includes auditing and controls over access to restricted data; and (5) paper copies that contain sensitive information are stored in secure facilities in a locked drawer or file cabinet behind a locked door."

RETENTION AND DISPOSAL:

Delete and replace with the following language: "American Community

Survey, Decennial Census of Population and Housing, and pilot census respondent data, including personally identifying data, are captured as images suitable for computer processing. Original data sources are destroyed, according to the disposal procedures for Title 13 records, after confirmation of successful data capture and data transmission to U.S. Census Bureau headquarters. For the American Community Survey, personally identifying data are scheduled for permanent retention. For the Decennial Census of Population and Housing, a unified record of individual response, including all names and other written entries provided by the respondent, and all associated address and geographic information for each housing unit or person living in group quarters is scheduled for permanent retention to meet the National Archives and Records Administration (NARA) archiving requirements. Pilot data collections, data capture, and data processing records are destroyed within two years or when no longer needed for program or evaluation purposes, whichever is later. These requirements are laid out in the Records Schedule established in conjunction with NARA (Title 44, U.S.C., Section 2108).

SYSTEM MANAGER AND ADDRESS:

Delete and replace with the following language: "Associate Director for Decennial Census, U.S. Census Bureau, 4600 Silver Hill Road, Washington, DC 20233-8000."

NOTIFICATION PROCEDURE:

Delete and replace with the following language: "None."

RECORD ACCESS PROCEDURES:

Delete and replace with the following language: "None."

CONTESTING RECORD PROCEDURES:

Delete and replace with the following language: "None."

RECORD SOURCE CATEGORIES:

Delete and replace with the following language: "Individuals covered by selected administrative records systems and Census Bureau censuses and surveys."

EXEMPTIONS CLAIMED FOR SYSTEM:

Delete and replace with the following language: "Pursuant to 5 U.S.C. 552a (k)(4), this system of records is exempted from the notification, access, and contest requirements of the agency procedures (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f)). This exemption is applicable because the data are maintained by the U.S.

Census Bureau solely as statistical records, as required under Title 13 U.S.C., and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance with the Department's rules which appear in 15 CFR part 4 subpart B and in accordance with agency rules published in the rules section of this **Federal Register**."

Dated: March 12, 2010.

Brenda Dolan,

Department of Commerce, Freedom of Information/Privacy Act Officer.

[FR Doc. 2010-5943 Filed 3-17-10; 8:45 am]

BILLING CODE 3510-07-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Action Affecting Export Privileges; MAHAN AIRWAYS; Mahan Airways, Mahan Tower, No. 21, Azadegan St., M.A. Jenah Exp. Way, Tehran, Iran, Respondent; Order Renewing Order Temporarily Denying Export Privileges

Pursuant to Section 766.24 of the Export Administration Regulations, 15 CFR Parts 730-774 (2009) ("EAR" or the "Regulations"), I hereby grant the request of the Bureau of Industry and Security ("BIS") to renew for 180 days the Order Temporarily Denying the Export Privileges of Respondent Mahan Airways ("TDO"), as I find that renewal of the TDO is necessary in the public interest to prevent an imminent violation of the EAR.

I. Procedural History

On March 17, 2008, Darryl W. Jackson, the then-Assistant Secretary of Commerce for Export Enforcement ("Assistant Secretary"), signed a TDO denying Mahan Airways' export privileges for a period of 180 days on the grounds that its issuance was necessary in the public interest to prevent an imminent violation of the Regulations. The TDO also named as denied persons Balli Group PLC, Balli Aviation, Balli Holdings, Vahid Alaghband, Hassan Alaghband, Blue Sky One Ltd., Blue Sky Two Ltd., Blue Sky Three Ltd., Blue Sky Four Ltd., Blue Sky Five Ltd., and Blue Sky Six Ltd. (all of the United Kingdom and hereinafter collectively referred to as the "Balli Group Respondents"), as well as Blue Airways (of Yerevan, Armenia). The TDO was issued *ex parte* pursuant to Section 766.24(a), and went into effect on March 21, 2008, the date it was published in the **Federal Register**. On July 18, 2008, in accordance with

Section 766.23 of the Regulations, Assistant Secretary Jackson issued an Order adding Blue Airways FZE and Blue Airways, both of Dubai, United Arab Emirates ("the UAE"), to the TDO as persons related to Blue Airways of Armenia (along with Blue Airways FZE and Blue Airways of the UAE, hereinafter collectively referred to as the Blue Airways Respondents).¹ On September 17, 2008, Assistant Secretary Jackson renewed the TDO for an additional 180 days in accordance with Section 766.24 of the Regulations, via an order effective upon issuance, and on March 16, 2009, the TDO was similarly renewed by then-Acting Assistant Secretary Kevin Delli-Colli.² On September 11, 2009,³ Acting Assistant Secretary Delli-Colli renewed the TDO for an additional 180 days against Mahan Airways. The TDO was not renewed against the Balli Group Respondents or the Blue Airways Respondents.

On February 17, 2010, BIS, through its Office of Export Enforcement ("OEE"), filed a written request for renewal of the TDO against Mahan Airways for an additional 180 days, and served a copy of its request on the Respondent in accordance with Section 766.5 of the Regulations. No opposition to renewal of the TDO has been received from Mahan Airways.

II. Discussion

A. Legal Standard

Pursuant to Section 766.24(d)(3) of the EAR, the sole issue to be considered in determining whether to continue a TDO is whether the TDO should be renewed to prevent an "imminent" violation of the EAR as defined in Section 766.24. "A violation may be 'imminent' either in time or in degree of likelihood." 15 CFR 766.24(b)(3). BIS may show "either that a violation is about to occur, or that the general circumstances of the matter under investigation or case under criminal or administrative charges demonstrate a likelihood of future violations." *Id.* As to the likelihood of future violations, BIS may show that "the violation under investigation or charges is significant, deliberate, covert and/or likely to occur again, rather than technical and negligent[.]" *Id.* A "lack of information

establishing the precise time a violation may occur does not preclude a finding that a violation is imminent, so long as there is sufficient reason to believe the likelihood of a violation." *Id.*

B. The TDO and BIS's Request for Renewal

OEE's request for renewal is based upon the facts underlying the issuance of the initial TDO and TDO renewals in this matter and the evidence developed over the course of this investigation indicating Mahan Airways' clear willingness to continue to disregard U.S. export controls and the TDO. The initial TDO was issued as a result of evidence that showed that Mahan Airways and other parties engaged in conduct prohibited by the EAR by knowingly re-exporting to Iran three U.S.-origin aircraft, specifically Boeing 747s ("Aircraft 1-3"), items subject to the EAR and classified under Export Control Classification Number ("ECCN") 9A991.b, without the required U.S. Government authorization. Further evidence submitted by BIS indicated that Mahan Airways was involved in the attempted re-export of three additional U.S.-origin Boeing 747s ("Aircraft 4-6") to Iran.

As more fully discussed in the September 17, 2008 TDO Renewal Order, evidence presented by BIS indicated that Aircraft 1-3 continued to be flown on Mahan Airways' routes after issuance of the TDO, in violation of the Regulations and the TDO itself.⁴ It also showed that Aircraft 1-3 had been flown in further violation of the Regulations and the TDO on the routes of Iran Air, an Iranian Government airline. In addition, as more fully discussed in the March 16, 2009 Renewal Order, in October 2008, Mahan Airways caused Aircraft 1-3 to be deregistered from the Armenian civil aircraft registry and subsequently registered the aircraft in Iran. The aircraft were relocated to Iran and were issued Iranian tail numbers, including EP-MNA and EP-MNB, and continued to be operated on Mahan Airways' routes in violation of the Regulations and the TDO.

Moreover, as discussed in the September 11, 2009 Renewal Order, Mahan Airways continued to operate Aircraft 1-3 in violation of the Regulations and the TDO, and also committed an additional knowing and willful violation of the Regulations and the TDO when it negotiated for and acquired an additional U.S.-origin

¹ The Related Persons Order was published in the **Federal Register** on July 24, 2008.

² The September 17, 2008 Renewal Order was published in the **Federal Register** on October 1, 2008. The March 16, 2009 Renewal Order was published in the **Federal Register** on March 25, 2009.

³ The September 11, 2009 Renewal Order was published in the **Federal Register** on September 18, 2009.

⁴ Engaging in conduct prohibited by a denial order violates the Regulations. 15 CFR 764.2(a) and (k).