

American ancestry. Officials of the U.S. Department of the Interior, Bureau of Indian Affairs and Minnesota Indian Affairs Council also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the White Earth Band of the Minnesota Chippewa Tribe, Minnesota.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact James L. (Jim) Jones Jr., Cultural Resource Director, Minnesota Indian Affairs Council, 1819 Bemidji Ave., Bemidji, MN 56601, telephone (218) 755-3825, before November 28, 2008. Repatriation of the human remains to the White Earth Band of the Minnesota Chippewa Tribe, Minnesota may proceed after that date if no additional claimants come forward.

The Minnesota Indian Affairs Council is responsible for notifying the White Earth Band of the Minnesota Chippewa Tribe, Minnesota that this notice has been published.

Dated: September 30, 2008

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. E8-25792 Filed 10-27-08; 8:45 am]

**BILLING CODE 4312-50-S**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Privacy Act of 1974; Amendments to Existing Systems of Records

**AGENCY:** National Park Service.

**ACTION:** Proposed amendment of existing Privacy Act systems of records.

**SUMMARY:** In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), the National Park Service, Department of the Interior is issuing public notice of its intent to amend 19 existing Privacy Act system of records notices to add a new routine use to authorize the disclosure of records to individuals involved in responding to a breach of Federal data. **DATES:** Comments must be received by December 8, 2008.

**ADDRESSES:** Any persons interested in commenting on these proposed amendments may do so by submitting comments in writing to the National Park Service Privacy Act Officer, Diane Cooke, U.S. Department of the Interior, 1849 C Street, NW. (2550), Washington, DC 20240, or by e-mail to [Diane\\_Cooke@nps.gov](mailto:Diane_Cooke@nps.gov). Before including your address, phone number, e-mail address, or other personal identifying

information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### FOR FURTHER INFORMATION CONTACT:

National Park Service Privacy Act Officer, Diane Cooke, U.S. Department of the Interior, 1849 C Street, NW. (2550), Washington, DC 20240, or by e-mail to [Diane\\_Cooke@nps.gov](mailto:Diane_Cooke@nps.gov).

**SUPPLEMENTARY INFORMATION:** On May 22, 2007, in a memorandum to the heads of Executive Departments and Agencies entitled "Safeguarding Against and Responding to the Breach of Personally Identifiable Information," the Office of Management and Budget directed agencies to develop and publish a routine use for disclosure of information in connection with response and remedial efforts in the event of a data breach. This routine use will serve to protect the interest of the individuals whose information is at issue by allowing agencies to take appropriate steps to facilitate a timely and effective response to the breach, thereby improving its ability to prevent, minimize or remedy any harm resulting from a compromise of data maintained in its systems of records. Accordingly, the National Park Service of the Department of the Interior is proposing to add a new routine use to authorize disclosure to appropriate agencies, entities, and persons, of information maintained in the following systems in the event of a data breach. These amendments will be effective as proposed at the end of the comment period unless comments are received which would require a contrary determination. The Department will publish a revised notice if changes are made based upon a review of comments received.

Dated: May 05, 2008.

**Diane Cooke,**

*National Park Service Privacy Act Officer.*

#### SYSTEM NAMES:

Interior, NPS-1: "Special Use Permits." (Published November 10, 1983, 48 FR 51696)

Interior, NPS-2: "Land Acquisition and Relocation Files." (Published November 10, 1983, 48 FR 51697)

Interior, NPS-3: "Land Acquisition Management Information System and Master Deed Listing" (Published November 10, 1983, 48 FR 51698)

Interior, NPS-4: "Travel Records." (Published November 10, 1983, 48 FR 51698, as amended on December 21, 1988, 48 FR 51325)

Interior, NPS-5: "Retirement Record." (Published November 10, 1983, 48 FR 51699)

Interior, DOI-6: The "America the Beautiful—The National Parks and Federal Recreational Lands Pass." (Published June 4, 2007, 72 FR 30817)

Interior, NPS-6: "Audiovisual Performances Selection Files." (Published April 11, 1977, 42 FR 19073)

Interior, NPS-7: "National Park Service Historical Library." (Published, November 10, 1983, 48 FR 51699)

Interior, NPS-8: "Property and Supplies Accountability." (Published November 10, 1983, 48 FR 51700)

Interior, NPS-10: "Central Files." (Published April 11, 1977, 42 FR 19075)

Interior, NPS-12: "U.S. Park Police Personnel Photograph File." (Published April 11, 1977, 42 FR 19075)

Interior, NPS-13: "Concessioner." (Published November 10, 1983, 48 FR 51700)

Interior, NPS-14: "Concessioner Financial Statement and Audit Report Files." (Published November 10, 1983, 48 FR 51701)

Interior, NPS-15: "Concessions Management Files." (Published November 10, 1983, 48 FR 51701)

Interior, NPS-17: "Employee Financial Irregularities." (Published November 10, 1983, 48 FR 51702 and amended on December 21, 1988, 53 FR 51325)

Interior, NPS-18: "Collection, Certifying and Disbursing Officers, and Imprest Fund Cashiers." (Published November 10, 1983, 48 FR 51703)

Interior, NPS-19: "Case Incident and Reporting System." (Published April 7, 1999, 64 FR 16983-16984 and amended January 6, 2005, 70 FR 1265-1266)

Interior, NPS-21: "Visitor Statistical Survey Forms." (Published November 10, 1983, 48 FR 51705)

Interior, NPS-22: "Motor Vehicle Operations Program." (Published November 10, 1983, 48 FR 51705)

#### NEW ROUTINE USE:

#### DISCLOSURES OUTSIDE THE DEPARTMENT OF THE INTERIOR MAY BE MADE:

To appropriate agencies, entities, and persons when:

(a) It is suspected or confirmed that the security or confidentiality of information in the system of records has been compromised; and

(b) The Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interest, identity theft or fraud, or harm to the

security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and

(c) The disclosure is made to such agencies, entities and persons who are reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

[FR Doc. E8-25680 Filed 10-27-08; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act and Resource Conservation and Recovery Act

Notice is hereby given that on October 20, 2008, a proposed Consent Decree in *United States v. Blue Tee Corp., et al.*, Civil Action No. 6:08-cv-1316, was lodged with the United States District Court for the District of Kansas.

In this action, the United States, on behalf of the United States Environmental Protection Agency ("EPA"), sought the performance of response actions and the recovery of certain response costs incurred and to be incurred as a result of releases and threatened releases of hazardous substances from the Treece Subsite of the Cherokee County Superfund Site located in Cherokee County, Kansas. Pursuant to the proposed Consent Decree, Blue Tee Corp, Gold Fields Mining, LLC, and The Doe Run Resources Corporation agree to perform response actions collectively valued at approximately \$4.6 million, and to pay certain response costs. The proposed Consent Decree provides the Settling Defendants with a covenant not to sue on the terms set forth therein pursuant to Sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), and Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, U.S. Department of Justice, and either emailed to [pubcomments.enrd@usdoj.gov](mailto:pubcomments.enrd@usdoj.gov) or mailed to P.O. Box 7611, NW., Washington, DC 20044-7611, and should refer to *United States v. Blue Tee Corp., et al.*, D.J. Ref. 90-11-

2-06017/1. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The Consent Decree may be examined at the Office of the United States Attorney, 1200 Epic Center, 301 N. Main Street, Wichita, KS 67202-4812, and at the offices of EPA, Region 7, 901 N. 5th Street, Kansas City, Kansas 66101. During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$53.25 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Maureen M. Katz,**

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

[FR Doc. E8-25609 Filed 10-27-08; 8:45 am]

BILLING CODE 4410-15-P

## DEPARTMENT OF JUSTICE

### Civil Rights Division; Office of Special Counsel's Antidiscrimination Guidance for Employers Following the Department of Homeland Security's Safe-Harbor Procedures

**AGENCY:** Civil Rights Division, Justice.

**ACTION:** Notice.

**SUMMARY:** This notice provides guidance from the Department of Justice's Office of Special Counsel for employers following the Department of Homeland Security's Safe-Harbor Procedures pertaining to the receipt of "no-match" letters from the Social Security Administration ("SSA").

**DATES:** This notice is effective on October 28, 2008.

**FOR FURTHER INFORMATION CONTACT:** Sarah DeCosse, Office of Special Counsel for Immigration Related Unfair Employment Practices, Civil Rights Division, Department of Justice, P.O. Box 27728, Washington, DC 20038; Phone 202-616-5594.

**SUPPLEMENTARY INFORMATION:** The Department of Homeland Security's ("DHS's") Safe-Harbor Procedures for Employers Who Receive a No-Match Letter ("no-match rule") was published as a final rule on August 15, 2007 (72 FR 45611). The August 2007 rule was proposed to be modified by a Supplemental Proposed Rule that was published by DHS on March 26, 2008 (73 FR 15944). Elsewhere in this issue of the **Federal Register**, DHS is publishing a Supplemental Final Rule finalizing its March 2008 Supplemental Proposed rule.

The DHS's no-match rule offers employers who receive no-match letters from the Social Security Administration ("SSA") a safe-harbor in a related-immigration enforcement action if those employers follow the series of steps set forth in the no-match rule to ensure that the information provided by affected employees to confirm their work eligibility is genuine. The no-match rule provides that an employer may terminate an employee whose work eligibility could not be confirmed after the employer has followed the procedures that the rule sets forth.

Employers in the United States have inquired and sought information regarding any antidiscrimination implications for employers who follow these safe-harbor procedures; specifically, when the SSA notifies the employer that certain employees' names and Social Security numbers do not match in the SSA's records, the employer follows the procedures in DHS's no-match rule, the employees cannot resolve the mismatch or successfully complete a new employment eligibility verification, and the employer dismisses those employees. The Department of Justice (the Department) issues this notice to clarify when the Department, through the Civil Rights Division's Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC), may find reasonable cause to believe that employers following the safe-harbor procedures have engaged in unlawful discrimination in violation of the antidiscrimination provisions of the Immigration and Nationality Act, section 274B, which are codified in 8 U.S.C. 1324b.

OSC enforces the antidiscrimination provisions found at 8 U.S.C. 1324b (corresponding regulations appear in 28 CFR Parts 44, 68). Section 1324b protects United States citizens and certain work-authorized persons from intentional employment discrimination based upon citizenship or immigration status, national origin, and unfair documentary practices relating to the