

**INTERNATIONAL TRADE COMMISSION****[Investigation No. TA-2104-14]****U.S.-Morocco Free Trade Agreement: Potential Economywide and Selected Sectoral Effects****AGENCY:** United States International Trade Commission.**ACTION:** Cancellation of public hearing.**EFFECTIVE DATE:** April 20, 2004.

**SUMMARY:** On April 16, 2003, the Commission received notice that the only scheduled witnesses for the hearing for investigation No. TA-2104-14, *U.S.-Morocco Free Trade Agreement: Potential Economywide and Selected Sectoral Effects*, scheduled for April 29, 2004, have elected to have their written submission serve as a substitute for their oral statement. Therefore, the public hearing in connection with this investigation, scheduled to be held beginning at 9:30 a.m. on April 29, 2004, at the U.S. International Trade Commission Building, 500 E Street, SW., Washington, DC, is canceled. Notice of institution of this investigation and the scheduling of the hearing was published in the **Federal Register** of March 23, 2004 (69 FR 13583). To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted at the earliest practical date and should be received not later than COB May 6, 2004. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW., Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's Rules (19 CFR 201.8) (see Handbook for Electronic Filing Procedures, [ftp://ftp.usitc.gov/pub/reports/electronic\\_filing\\_handbook.pdf](ftp://ftp.usitc.gov/pub/reports/electronic_filing_handbook.pdf)). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000 or [edis@usitc.gov](mailto:edis@usitc.gov)).

**FOR FURTHER INFORMATION CONTACT:**

James Stamps, Project Leader, Office of Economics (202-205-3227 or [james.stamps@usitc.gov](mailto:james.stamps@usitc.gov)). For information on the legal aspects of this investigation, contact William Gearhart of the Office of the General Counsel (202-205-3091 or [william.gearhart@usitc.gov](mailto:william.gearhart@usitc.gov)). For media information, contact Peg O'Laughlin (202-205-1819). Hearing impaired individuals are advised that information on this matter can be obtained by

contacting the TDD terminal on (202-205-1810).

**List of Subjects**

Morocco, tariffs, trade, imports and exports.

By order of the Commission.

Issued: April 20, 2004.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 04-9366 Filed 4-23-04; 8:45 am]

**BILLING CODE 7020-02-P**

**DEPARTMENT OF JUSTICE****[AAG/A ORDER NO. 004-2004]****Privacy Act of 1974; System of Records**

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), notice is given that the Department of Justice proposes to establish a new system of records entitled "Leave Sharing Systems," Justice/DOJ-010. The purpose of publishing this Department-wide notice is to record voluntary requests made by employees to either donate or receive annual leave, due to a medical emergency that requires an absence from work which will result in substantial loss of income to the employee. This Privacy Act notice covers both the Voluntary Leave Transfer Program and the Voluntary Leave Bank Program.

In accordance with 5 U.S.C. 552a(e) (4) and (11), the public is given a 30-day period in which to comment, and the Office of Management and Budget (OMB), which has oversight responsibility under the Act, requires a 40-day period in which to conclude its review of the system. Therefore, please submit any comments by May 26, 2004. The public, OMB, and the Congress are invited to submit any comments to Mary E. Cahill, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC, 20530 (Room 1400, National Place Building).

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and the Congress.

Dated: April 16, 2004.

**Paul R. Corts,**

*Assistant Attorney General for Administration.*

**DEPARTMENT OF JUSTICE****SYSTEM NAME:**

Leave Sharing Systems, JUSTICE/DOJ-010.

**SECURITY CLASSIFICATION:**

Not classified.

**SYSTEM LOCATIONS:**

Systems are maintained by designated Leave Transfer Coordinators throughout the Department of Justice (DOJ), Human Resources Offices, with the exception of the Leave Bank Coordinator, whose system is located at the following address: U.S. Department of Justice, Justice Management Division, 1331 Pennsylvania Ave., NW., Suite 1110, Washington, DC 20530. The Leave Transfer Coordinators' system location is shown in this notice under the Systems Managers and Addresses.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals covered by the Voluntary Leave Transfer Program (VLTP) are current employees (recipients and donors) of the DOJ, and employees in other Federal agencies who make voluntary leave donations to or receive voluntary leave donations from DOJ employees, excluding employees of the Federal Bureau of Investigations (FBI), Central Intelligence Agency, Defense Intelligence Agency, National Security Agency or any other Executive Agency or unit thereof, as determined by the President, whose principal function is the conduct of foreign intelligence or counterintelligence activities.

Individuals covered by the Voluntary Leave Bank Program (VLBP) are current employees of the DOJ, excluding the FBI and Executive Office for U.S. Trustees.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records maintained in the Voluntary Leave Transfer (VLT) system include two categories of records: Recipient records—VLT Recipient application, medical records, time and attendance report, and related comments; and Donor records—Authorization to Transfer Leave application, time and attendance report, and related comments.

Records maintained in the Voluntary Leave Bank (VLB) system include two categories of records: Recipient records—VLB Recipient application, medical records, time and attendance report, and related comments; and Donor records—Request for Leave or Approved Absence (SF-71), time and attendance report, and related comments.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Title 5, United States Code, Chapter 63, Subchapter III; 5 United States Code, Part 630, Subpart I and J; Public Law 103-103, the Federal Employees Leave Sharing Amendments Act of 1993.

**PURPOSE OF THE SYSTEM:**

The Voluntary Leave Transfer and Leave Bank systems record and track

donor and recipient leave or medical records to assist employees without available paid leave with medical or family emergencies that require an absence from duty. The VLTP covers employees who experience medical emergencies, as well as employees who are caring for family members who are experiencing medical emergencies. The VLBP works in conjunction with the existing VLTP in the Department. The Leave Bank accepts membership contributions of annual leave, and makes that leave available to qualified members who experience medical emergencies.

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

Pursuant to subsection (b) (3) of the Privacy Act, information may be disclosed from this system as follows:

A. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf and at the request of an individual who is the subject of the record.

B. To the National Archives and Records Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

C. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body, when the DOJ determines that the records are arguably relevant to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator holds the records to be relevant to the proceeding.

D. To an actual or potential party to litigation or the party's authorized representative for the purpose of negotiation or discussion on such matters as settlements, plea bargaining, or in informal discovery proceedings.

E. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal Government, when necessary to accomplish an agency function related to this system of records.

F. To designated timekeepers to adjust employees' leave balances.

G. To designated Leave Bank Board members to administer donated leave, review recipients' applications, and make decisions on appeals.

H. To the Office of Personnel Management to evaluate the effectiveness of the program.

I. Where a record, either on its face or in conjunction with other information, indicates a violation or potential

violation of law—criminal, civil, or regulatory in nature—the relevant records may be referred to the appropriate federal, state, local, foreign, or tribal, law enforcement authority or other appropriate agency charged with the responsibility of investigating or prosecuting such a violation or enforcing or implementing such law.

J. To appropriate officials and employees of a federal agency or entity which requires information relevant to a decision concerning the hiring, appointment, or retention of an employee; the issuance, renewal, suspension, or revocation of a security clearance; the execution of a security or suitability investigation; the letting of a contract; or the issuance of a grant or benefit.

K. The Department of Justice may disclose relevant and necessary information to a former employee of the Department for purposes of: Responding to an official inquiry by a federal, state, or local government entity or professional licensing authority, in accordance with applicable Department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Not Applicable.

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

**STORAGE:**

Applications and medical records are stored in paper files. Time and attendance records are stored in an automated system. Paper files are stored in secured areas.

**RETRIEVABILITY:**

Information is retrieved by employee name, Social Security number, or report generated by an automated system.

**SAFEGUARDS:**

Safeguard measures include the use of secured areas, user identification and passwords with restricted access to data, and envelopes which appropriately identify the sensitive nature of the enclosed information.

**RETENTION AND DISPOSAL:**

Records are retained and disposed of in accordance with the General Records Schedule 1, Civilian Personnel Records. They are destroyed one year after the

end of the year in which the file is closed.

**SYSTEM MANAGER(S) AND ADDRESS:**

*Leave Bank System Manager:* Director, Personnel Staff, Justice Management Division, 1331 Pennsylvania Ave., NW, Suite 1110, Washington, DC 20530.

*Leave Transfer System Managers:*  
Leave Transfer Coordinator:

Antitrust Division, Executive Officer, 601 D Street, NW, Rm. 10150, Washington, DC 20004

Civil Division, Director, Office of Administration, 1100 L Street, NW, Rm. 9018, Washington, DC 20530

Civil Rights Division, Executive Officer, 1425 New York Ave., NW, Rm. 5058, Washington, DC 20530

Criminal Division, Executive Officer, Office of Administration, 1400 New York Ave., NW, Rm. 5000, Washington, DC 20530

Environmental and Natural Resources Division, Executive Officer, 601 D Street, NW, Rm. 2038, Washington, DC 20004

Tax Division, Executive Officer, 601 D Street, NW, Rm. 7802, Washington, DC 20004

Drug Enforcement Administration, Deputy Assistant Administrator for Personnel, 700 Army Navy Drive, Rm. W3166, Arlington, VA 22202

Executive Office for Immigration Review, Office of the General Counsel, Employee and Labor Relations Unit, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041

Executive Office for United States Attorneys, Personnel Staff, 600 E Street, NW, Room 8017, Washington, DC 20530

Executive Office for United States Trustees, Human Resource Division, 20 Massachusetts Ave., NW, Rm. 8209, Washington, DC 20530

Federal Bureau of Prisons, Human Resource Management Division, Labor Management Relations and Security Branch, 320 1st Street, NW, Bldg. 400, Washington, DC 20534

Office of Justice Programs, Office of Administration, Director, Office of Personnel, 810 7th Street, NW, Rm. 3330, Washington, DC 20531

United States Marshals Service Headquarters, Washington, DC 20530-1000

Office of the Inspector General, Personnel Officer, 1425 New York Ave., NW, Suite 7000, Washington, DC 20530

Bureau of Alcohol, Tobacco, Firearms and Explosives, Personnel Division, Employee and Labor Relations Team, 650 Massachusetts Ave., NW, Rm. 4300, Washington, DC 20010

Other Offices, Boards, and Divisions: Director, Human Resources, Justice Management Division, 1331 Pennsylvania Ave., NW, Suite 1110, Washington, DC 20530

**NOTIFICATION PROCEDURE:**

Address inquiries to System Managers named above.

**RECORD ACCESS PROCEDURES:**

Requests for access to records from the system must be in writing to the

System Manager, and be clearly marked "Privacy Act Access Request." The request should include the component where the records reside, if known (generally, the employing component), and must include the requestor's name, title, organization, address, phone number and a general description and purpose of records sought, and must include the requestor's full name, current address, and date and place of birth. The request must be signed and dated and either notarized or submitted under penalty of perjury. Records will be released in accordance with the Freedom of Information Act, as well as the Privacy Act.

#### CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. Please include the information requested in "Record Access Procedures" above.

#### RECORD SOURCE CATEGORIES:

Sources of information include employees who make written requests for application to the leave sharing programs, including supporting documentation, such as time and attendance records and medical records.

#### EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 04-9292 Filed 4-23-04; 8:45 am]

BILLING CODE 4410-CG-P

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[Docket No. 03-20]

#### William E. "Bill" Smith d/b/a B & B Wholesale; Denial of Application

On March 31, 2003, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to B & B Wholesale (Respondent), proposing to deny its application executed on May 21, 2002, for DEA Certificate of Registration as a distributor of list I chemicals. The Order to Show Cause alleged that granting the application of the Respondent would be inconsistent with the public interest as that term is used in 21 U.S.C. 823(h) and 824(a).

The Order to Show Cause was delivered to the Respondent by certified

mail, and the Respondent timely requested a hearing under the business name "William "B" Smith d/b/a B & B Wholesale." On April 25, 2003, the presiding Administrative Law Judge Mary Ellen Bittner (Judge Bittner) issued an Order for Prehearing Statements, directing the Respondent to file a prehearing statement no later than June 9, 2003. However, the Respondent did not file a prehearing statement as directed. In her June 26, 2002, Order Terminating Proceedings, Judge Bittner deemed the Respondent as having waived its right to a hearing in the matter. Following the termination of proceedings, Judge Bittner transmitted the matter to the Deputy Administrator for issuance of a final order.

In light of the above, the Acting Deputy Administrator similarly finds that the Respondent has waived its hearing right. *Aqui Enterprises*, 67 FR 12576 (2002). After considering relevant material from the investigative file in this matter, the Acting Deputy Administrator now enters her final order without a hearing pursuant to 21 CFR 1309.53(c) and (d) and 1316.67 (2003).

List I chemicals are those that may be used in the manufacture of a controlled substance in violation of the Controlled Substances Act. 21 U.S.C. 802(34); 21 CFR 1310.02(a). Pseudoephedrine and ephedrine are list I chemicals commonly used to illegally manufacture methamphetamine, a Schedule II controlled substance.

Phenylpropanolamine, also a list I chemical, is presently a legitimately manufactured and distributed product used to provide relief of the symptoms resulting from irritation of the sinus, nasal and upper respiratory tract tissues, and is also used for weight control. Phenylpropanolamine is also a precursor chemical used in the illicit manufacture of methamphetamine and amphetamine. Methamphetamine is an extremely potent central nervous system stimulant, and its abuse is an ongoing public health concern in the United States.

The Acting Deputy Administrator's review of the investigative file reveals that DEA received an application dated May 21, 2002, from the Respondent located in Huntingdon, Tennessee. The application was submitted on behalf of the Respondent by its owner, Bill Smith (Mr. Smith). The Respondent seeks DEA registration as a distributor of the list I chemicals ephedrine, pseudoephedrine, and phenylpropanolamine. There is no evidence in the investigative file that the Respondent has sought to modify its pending registration application in any respect.

On August 1, 2002, a DEA Diversion Investigator conducted a pre-registration inspection of the Respondent's premises, where he met with Mr. Smith. During the inspection, the Diversion Investigator advised Mr. Smith of regulatory requirements and problems surrounding the diversion of list I chemicals. The Diversion Investigator also reviewed security, recordkeeping and distribution procedures with Mr. Smith and provided him with appropriate materials regarding DEA requirements for handlers of listed chemicals.

Mr. Smith stated that he is sole owner and the only employee of his company. DEA's investigation revealed that the Respondent is a distributor of general merchandise, and distributes a variety of items including gloves, lighters, novelty items, sundry items and a variety of other merchandise. The company is located in a predominantly residential area at Mr. Smith's residence, and sells various items that would be carried in a convenience store.

Mr. Smith further disclosed that he previously owned Bill's Bait and Tackle in Huntingdon, Tennessee, a business he owned and operated for approximately twenty-five years. According to Mr. Smith, Bill's Bait and Tackle sold a variety of fishing and tackle items and also sold list I chemical products. Following the dissolution of that business, Mr. Smith started B&B Wholesale in May 2002. The DEA investigative file reveals that an application for an unspecified DEA registration was filed on behalf of Bill's Bait and Tackle by Bill Smith, however, that application was withdrawn in January 1999.

Mr. Smith further stated that approximately five to ten percent of his business would be devoted to the sale of list I chemical products. Among the list I products that Mr. Smith planned for distribution were brand names such as Mini Thins, Max Brand, Tylenol Cold and Sinus, Tylenol Allergy and Sinus, Vicks NyQuil Liquitabs, Alka Seltzer Plus, Cold, Actifed, Sudafed and Advil Cold and Sinus. Mr. Smith added that he would limit the amount of Mini Thin and Max Alert products specifically in stock to 288 bottles.

When asked about potential suppliers of listed chemicals to his company, Mr. Smith informed DEA personnel that he planned to purchase these products from a company located in East, Lexington, Tennessee. In an unrelated investigation of that company, DEA found that the company supplied its listed chemical products primarily to convenience stores and gas stations. That investigation further revealed that