

TENNESSEE**Bledsoe County**

Bledsoe County Jail, 128 Frazier St.,
Pikeville, 08001049.

VIRGINIA**Charlotte County**

Keysville Railroad Station, Railroad Ave.,
Keysville, 08001050.

Fauquier County

Cromwell's Run Rural Historic District
(Boundary Increase), Bounded by Fauquier
County line on the N., existing Cromwell's
Run Rural Historic District on the E.,
Atoka, 08001051.

Fredericksburg Independent City

Rowe House, 801 Hanover St.,
Fredericksburg, 08001052.

Galax Independent City

Galax Commercial Historic District
(Boundary Increase), 107 West Oldtown
St., Galax, 08001053.

Lynchburg Independent City

Kemper Street Industrial Historic District,
1300–1500 (odd) Kemper St., 1200–1300
(even) Campbell Ave., Lynchburg,
08001054.

Pittsylvania County

Seven Springs Farm, 224 Meadow View Ct.,
Danville, 08001056.

Prince William County

Camp French (Campaigns for the Control of
Navigation on the Lower Potomac River,
1861–1862, Virginia, Maryland, and DC,
MPS), Address Restricted, Marine Corps
Base, Quantico, 08001055.
Rising Hill Camp (Campaigns for the Control
of Navigation on the Lower Potomac River,
1861–1862, Virginia, Maryland, and DC,
MPS), Address Restricted, Marine Corps
Base, Quantico, 08001057.

Southampton County

Neaton-Powell House, 32142 South Main St.,
Boykins, 08001058.

Stafford County

Tennessee Camp (Campaigns for the Control
of Navigation on the Lower Potomac River,
1861–1862, Virginia, Maryland, and DC,
MPS), Address Restricted, Marine Corps
Base, Quantico, 08001059.

WISCONSIN**Wood County**

Roddiss, Hamilton and Catherine, House,
1108 E. 4th St., Marshfield, 08001060.

WYOMING**Weston County**

Newcastle Commercial District, Bounded by
Burlington Northern Santa-Fe Railroad
tracks and West Main St., Newcastle,
08001061.
Toomey's Mills, 500 W. Main St., Newcastle,
08001062.

Request for removal has been made for the
following resources:

MISSISSIPPI**Harrison County**

Bailey House, 1333 E. Beach Blvd., Biloxi,
84002160.
Biloxi's Tivoli Hotel, 863 E. Beach Dr.,
Biloxi, 84002167.
Church of the Redeemer, Bellman St., Biloxi,
84002177.
Hermann House, 523 E. Beach Blvd., Biloxi,
84002169.
Randall's Tavern, 919 Beach Blvd.,
Pascagoula, 91001807.

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BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR**Bureau of Reclamation****Privacy Act of 1974, as Amended;
System of Records**

AGENCY: Bureau of Reclamation,
Interior.

ACTION: Notice of a new system of
records and proposal to exempt the
system from certain Privacy Act
requirements.

SUMMARY: The Department of the
Interior (DOI) is issuing public notice of
its intent to establish a system of records
in its inventory of records systems
subject to the Privacy Act of 1974 (5
U.S.C. 552a). The Department is also
issuing notice of its intent to exempt the
system from specific Privacy Act
requirements, as described within the
section titled “Exemptions claimed for
the system.” The system of records is
called Interior—WBR–50, Reclamation
Law Enforcement Management
Information System (RLEMIS).

DATES: Comments received on or before
December 1, 2008 will be considered.

ADDRESSES: Comments on this proposed
system may be submitted to the Bureau
of Reclamation, Attention: Casey Snyder
(84–21300), Denver Federal Center,
Building 67, or P.O. Box 25007, Denver,
CO 80225. Comments may also be
submitted by e-mail to
csnyder@do.usbr.gov.

FOR FURTHER INFORMATION CONTACT:

Steven J. Jackson, Threat Manager,
Office of Law Enforcement, Bureau of
Reclamation, 303–445–2883.

SUPPLEMENTARY INFORMATION: The
primary purpose of the system is for the
Bureau of Reclamation's (Reclamation)
Office of Security, Safety, and Law
Enforcement, Office of Law Enforcement
to maintain a database in both paper
and electronic media relevant to
information received and collected as
part of investigations, incidents, and
suspicious activities involving
Reclamation.

Reclamation has taken steps to
minimize any impacts on an
individual's privacy and to minimize
the amount of personal data contained
within the system. All information goes
through a hierarchical review process to
ensure that only relevant data is entered
into the system.

The system will be effective as
proposed at the end of the comment
period unless comments are received
which would require a contrary
determination. Reclamation will publish
a revised notice if changes are made
based upon a review of comments
received.

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.

A copy of the system notice for
Interior—WBR–50, Reclamation Law
Enforcement Management Information
System (RLEMIS), follows.

Dated: September 15, 2008

Dave Achterberg,

*Director, Security, Safety and Law
Enforcement, Bureau of Reclamation, Denver,
Colorado.*

INTERIOR—WBR–50**SYSTEM NAME:**

Reclamation Law Enforcement
Management Information System
(RLEMIS).

SYSTEM LOCATION:

Bureau of Reclamation (Reclamation)/
U.S. Fish and Wildlife Service, Offices
of Law Enforcement, 755 Parfet, Suite
230, Lakewood, Colorado 80225.

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

The categories of individuals covered
by the system are: Law enforcement
personnel, official foreign visitors,
potential and known subjects of
incidents and suspicious activities.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records maintained on criminal
activity and intelligence information
covered by the system include, but are
not limited to, the following data fields:
Subject name; personal identifiers (such
as Social Security number, date of birth,
passport number); physical
characteristics (such as sex, eye color,
weight); contact information (such as
address, telephone number, employer);

and information about the incident or investigation (such as case agent, source reliability, activity date, narrative, disposition, vehicle information, impacted Reclamation facilities).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 40 U.S.C. 486; 44 U.S.C. 3101; Public Law 107-69; 43 U.S.C. 373b and 373c; Presidential Memorandum on Upgrading Security at Federal Facilities, June 28, 1995; Homeland Security Presidential Directives, HSPD 7 and 12; USA PATRIOT ACT of 2001, USA PATRIOT Improvement Act of 2005, E.O. 12333, as amended, E.O. 13383, DHS MOU Concerning Information Sharing, Homeland Security Act of 2002, National Security Act of 1947 as amended, Intelligence Reform and Terrorism Prevention Act of 2004 and 28 CFR part 23.

PURPOSE(S):

The primary purpose of the system is to ensure the safety and security of Reclamation's employees, the general public, as well as Reclamation facilities, lands, waters, and physical and cyber infrastructure. RLEMIS collects, stores, and allows for retrieval of historical and current information on all incidents/investigations reported at Reclamation facilities, and maintains a record of official foreign visitors to Reclamation facilities. The database maintained is relevant to information received by, and collected as part of, investigations and inquiries conducted by Reclamation's Office of Law Enforcement. RLEMIS is a secure system which is completely independent from other systems.

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

The primary use of records stored in RLEMIS is for investigative/analytical purposes. RLEMIS ensures accountability related to the systematic management, analysis, and reporting of information related to law enforcement. This provides Reclamation's Office of Law Enforcement with an efficient law enforcement reporting and intelligence system.

RLEMIS will enable authorized Reclamation personnel to:

- Capture, integrate, and share law enforcement and related information from multiple sources.
- Meet reporting requirements.
- Assist with analysis and prioritization of protection efforts.

DISCLOSURES:

DISCLOSURES OUTSIDE THE DEPARTMENT OF THE INTERIOR MAY BE MADE WITHOUT THE PERMISSION OF THE SUBJECT OF THE RECORDS IF THE RECORDS WILL BE DISCLOSED:

- (1)(a) To any of the following entities or individuals, when the circumstances set forth in paragraph (b) are met:
 - (i) The U.S. Department of Justice (DOJ);
 - (ii) A court or an adjudicative or other administrative body;
 - (iii) A party in litigation before a court or an adjudicative or other administrative body; or
 - (iv) Any DOI employee acting in his or her individual capacity if DOI or DOJ has agreed to represent that employee or pay for private representation of the employee;
- (b) When:
 - (i) One of the following is a party to the proceeding or has an interest in the proceeding:
 - (A) DOI or any component of DOI;
 - (B) Any other Federal agency appearing before the Office of Hearings and Appeals;
 - (C) Any DOI employee acting in his or her official capacity;
 - (D) Any DOI employee acting in his or her individual capacity if DOI or DOJ has agreed to represent that employee or pay for private representation of the employee;
 - (E) The United States, when DOJ determines that DOI is likely to be affected by the proceeding; and
 - (ii) DOI deems the disclosure to be:
 - (A) Relevant and necessary to the proceeding; and
 - (B) Compatible with the purpose for which the records were compiled.
- (2) To a congressional office in response to a written inquiry regarding an individual included in the RLEMIS database, or the heir of such individual if the individual is deceased.
- (3) To appropriate Federal, State, local, or foreign law enforcement or intelligence agencies responsible for investigating or prosecuting the violation of or for enforcing or implementing a statute, rule, regulation, order or license, when DOI becomes aware of a violation or potential violation of a statute, rule, regulation, order, or license.
- (4) To an official of another Federal agency to provide information needed in the performance of official duties related to reconciling or reconstructing data files, in support of the functions for which the records were collected and maintained.
- (5) To Federal, State, or local agencies that have requested information relevant or necessary to the hiring, firing, or

retention of an employee, contractor, etc., or the issuance of a security clearance, license, contract, grant, or other benefit.

(6) To representatives of the National Archives and Records Administration to conduct records management inspections under the authority of 44 U.S.C. 2903 and 2904.

(7) To State and local governments and tribal organizations to provide information needed in response to court order and/or discovery purposes related to litigation.

(8) To an expert, consultant, or contractor (including employees of the contractor) of DOI that performs, on DOI's behalf, services requiring access to these records.

(9) To appropriate agencies, entities, and persons when:

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

(b) DOI 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 it is maintained by DOI 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 DOI's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

(10) Pursuant to 5 U.S.C. 552a(b)(12), records can be disclosed to consumer reporting agencies as they are defined in the Fair Credit Reporting Act.

RELEASE OF INFORMATION:

(a) The release of information under the above circumstances should only occur when it will not:

(i) Interfere with ongoing law enforcement proceedings;

(ii) Risk the health or safety of an individual; or

(iii) Reveal the identity of an informant or witness that has received an explicit assurance of confidentiality from the U.S. Government.

(b) Social Security Numbers should not be released under these circumstances unless the Social Security Number belongs to the individual requester.

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

STORAGE:

Records may be stored both in folders in paper form and in computer systems in electronic form. The main storage for the system will be electronic records contained in the RLEMIS database. The records stored in RLEMIS are maintained on a stand alone server that is provided with physical security and are not retrievable without a username and password. Paper records are stored in locked cabinets in a room requiring both proximity card and pass-code access. After hours, the storage space is locked and alarmed. Law enforcement response is available for both the storage space and server.

RETRIEVABILITY:

Records are retrievable by name, personal identifiers (date of birth, Social Security Number, address, etc.), organization information (name and address), vehicle type and license, incident type and location, case agent, incident/investigation status (open, closed, etc.), date, and foreign visitor trip information (date, citizenship, location, etc.).

SAFEGUARDS:

Records are maintained with safeguards meeting the requirements of 43 CFR 2.51 for manual and computerized records. The records are accessible to Reclamation personnel on a need-to-know basis and to those whose official duties require such access. Disclosure of information through remote terminals is restricted through the use of passwords and username combinations, and sign-on protocols, which are periodically changed. The related Privacy Impact Assessment has been completed on RLEMIS. The Information Security Plan establishes access controls and safeguarded measures to protect the information of individuals. All individuals using the database are required to log off the password protected file server and computers at the end of each day. Manual and electronic records are maintained in conformity with Office of Management and Budget and Departmental Guidelines reflecting the implementation of the Federal Information Security Management Act.

RETENTION AND DISPOSAL:

Records are retained and disposed of according to various law enforcement and security legislation and 28 CFR part 23.

SYSTEM MANAGER(S) AND ADDRESS:

Steven J. Jackson, Threat Manager, Office of Law Enforcement (84-42000), Bureau of Reclamation, P.O. Box 25007, Denver, Colorado 80225-0007.

RECORD SOURCE CATEGORIES:

Incident information is obtained from subjects, complainants, witnesses, official respondents, and investigating officials.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

Under the general exemption authority provided by 5 U.S.C. 552a(j)(2), the DOI has adopted a regulation, 43 CFR 2.79(a), which exempts this system of records from the provisions of 5 U.S.C. 552a. The records and reports contained in RLEMIS are exempted, pursuant to 5 U.S.C. 552a(j)(2), from Privacy Act subsections (c)(3) and (c)(4); (d); (e)(1) through (e)(3), (e)(4)(G) through (e)(4)(I), (e)(5), (e)(8); (f); and (g). This system of records is also exempt from the portions of the regulations in 43 CFR part 2, subpart G, which implement the above 5 U.S.C. 552a subsections.

Reasons for exemptions:

Reclamation's RLEMIS systems of records are exempted from the above provisions of the Privacy Act for the following reasons:

(1) 5 U.S.C. 552a(c)(3). This section requires an agency to make the accounting of each disclosure of records available to the individual named in the record upon request. Release of accounting of disclosures would alert the subjects of an investigation to the existence of the investigation and the fact that they are subjects of the investigation. The release of such information to the subjects of an investigation would provide them with significant information concerning the nature of the investigation, and could seriously impede or compromise the investigation, endanger the physical safety of confidential sources, witnesses and their families, and lead to the improper influencing of witnesses, the destruction of evidence, or the fabrication of testimony.

(2) 5 U.S.C. 552a(c)(4); (d); (e)(4)(G) and (e)(4)(H); (f); and (g). Granting access to records in RLEMIS could inform the subject of an investigation of an actual or potential criminal violation of the existence of that investigation, of the nature and scope of the information and evidence obtained, of the identity of confidential sources, witnesses, and law enforcement personnel, and could provide information to enable the subject to avoid detection or apprehension. Granting access to such information could seriously impede or

compromise an investigation; endanger the physical safety of confidential sources, witnesses, and law enforcement personnel, as well as their families; lead to the improper influencing of witnesses, the destruction of evidence, or the fabrication of testimony; and disclose investigative techniques and procedures. In addition, granting access to such information could disclose classified, security-sensitive, or confidential information and could constitute an unwarranted invasion of the personal privacy of others.

(3) 5 U.S.C. 552a(e)(1). The application of this provision could impair investigations and law enforcement, because it is not always possible to determine the relevance or necessity of specific information in the early stages of an investigation. Relevance and necessity are often questions of judgment and timing, and it is only after the information is evaluated that the relevance and necessity of such information can be established. In addition, during the course of the investigation, the investigator may obtain information which is incidental to the main purpose of the investigation but which may relate to matters under the investigative jurisdiction of another agency. Such information cannot readily be segregated. Furthermore, during the course of the investigation, an investigator may obtain information concerning the violation of laws outside the scope of the investigator's jurisdiction. In the interest of effective law enforcement, Reclamation investigators should retain this information, since it can aid in establishing patterns of criminal activity and can provide valuable leads for other law enforcement agencies.

(4) 5 U.S.C. 552a(e)(2). The application of this provision could impair investigations and law enforcement by alerting the subject of an investigation of the existence of the investigation, enabling the subject to avoid detection or apprehension, to influence witnesses improperly, to destroy evidence, or to fabricate testimony. In addition, in certain circumstances, the subject of an investigation cannot be required to provide information to investigators, and information must be collected from other sources. Furthermore, it is often necessary to collect information from sources other than the subject of the investigation to verify the accuracy of the evidence collected.

(5) 5 U.S.C. 552a(e)(3). This section requires an agency to inform each person whom it asks to supply information, on a form that can be

retained by the person, of the authority which the information is sought and whether disclosure is mandatory or voluntary; of the principal purposes for which the information is intended to be used; of the routine uses which may be made of the information; and the effects on the person, if any, of not providing all or any part of the requested information. The application of this provision could provide the subject of an investigation with substantial information about the nature of that investigation, which could interfere with the investigation. Moreover, providing such information to the subject of an investigation could seriously impede or compromise an undercover investigation by revealing its existence and could endanger the physical safety of confidential sources, witnesses, and investigators by revealing their identities.

(6) 5 U.S.C. 552a(e)(4)(I). The application of this section could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promise(s) of anonymity and confidentiality. This could compromise Reclamation's ability to conduct investigations and to identify, detect and apprehend violators.

(7) 5 U.S.C. 552a(e)(5). This section requires an agency to maintain its records with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in making any determination about the individual. In collecting information for criminal law enforcement purposes, it is not possible to determine in advance what information is accurate, relevant, timely, and complete. Material that may seem unrelated, irrelevant, or incomplete when collected may take on added meaning or significance as the investigation progresses. The restrictions of this provision could interfere with the preparation of a complete investigative report, thereby impeding effective law enforcement.

(8) 5 U.S.C. 552a(e)(8). This section requires an agency to make reasonable efforts to serve notice on an individual when any record on the individual is made available to any person under compulsory legal process when that process becomes a matter of public record. Complying with this provision could prematurely reveal an ongoing criminal investigation to the subject of the investigation.

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-394-A & 399-A (Second Review) (Remand)]

Ball Bearings From Japan and the United Kingdom

AGENCY: United States International Trade Commission.

ACTION: Notice of remand proceedings.

SUMMARY: The U.S. International Trade Commission ("Commission") hereby gives notice of the court-ordered remand of its affirmative determinations in the five-year reviews of the antidumping orders on ball bearings from Japan and the United Kingdom. For further information concerning the conduct of this proceeding and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subpart A (19 CFR part 207).

DATES: *Effective Date:* October 8, 2008.

FOR FURTHER INFORMATION CONTACT: Russell Duncan, Office of Investigations, telephone 202-708-4727, or David Goldfine, Office of General Counsel, telephone 202-708-5452, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record of investigation Nos. 731-TA-340 E & H may be viewed on the Commission's electronic docket ("EDIS") at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—In June 2006, the Commission determined that revocation of the antidumping duty orders on ball bearings from France, Germany, Italy, Japan, and the United Kingdom would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. The Commission's determinations for Japan and the United Kingdom were appealed to the Court of International Trade. On September 9, 2008, the Court issued a decision remanding the matter to the Commission for further proceedings. *NSK v. United States*, Slip Op. 08-95 (Ct. Int'l Trade, Sept. 9, 2008). In its

opinion, the Court issued an order instructing the Commission to (1) "conduct a *Bratsk* analysis of non-subject imports as outlined in this opinion;" (2) "reassess supply conditions within the domestic industry," *i.e.*, the industry's restructuring efforts during the period of review, and (3) "reexamine its findings with regard to likely impact and its decision to cumulate imports from the United Kingdom in light of changes in its determinations that may result as a consequence of the foregoing remand instructions."

Participation in the proceeding.—Only those persons who were interested parties to the reviews (*i.e.*, persons listed on the Commission Secretary's service list) and parties to the appeal may participate in the remand proceeding. Such persons need not make any additional filings with the Commission to participate in the remand proceeding. Business proprietary information ("BPI") referred to during the remand proceeding will be governed, as appropriate, by the administrative protective order issued in the reviews.

Written submissions.—The Commission is re-opening the record in this proceeding to obtain information to conduct a *Bratsk* analysis of non-subject imports as outlined in the Court's opinion. The Commission will permit the parties to file comments pertaining to the specific issues that are the subject of the Court's remand instructions and, in this regard, may comment on the new information obtained on remand. Comments should be limited to no more than fifteen (15) double-spaced and single-sided pages of textual material. The parties may not themselves submit any new factual information in their comments and may not address any issue other than those that are the subject of the Court's remand instructions. Any such comments must be filed with the Commission no later than November 28, 2008.

All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (Nov. 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other