

if any, of the regulations and programs which ATF administers may be improved or eliminated. This request is being made to assist ATF in implementing the President's February 21, 1995, regulatory reform initiative.

**DATES:** Comments for inclusion in the first report to the President must be received on or before April 28, 1995. However, this review is an ongoing process and comments received after the due date will be considered.

**ADDRESSES:** Send written comments to: Deputy Associate Director, Regulatory Enforcement Programs; Bureau of Alcohol, Tobacco and Firearms; P.O. Box 50221, Washington, DC 20091-0221; Attn: Notice No. 809.

**FOR FURTHER INFORMATION CONTACT:** Marjorie D. Ruhf, Regulatory Enforcement, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW, Washington, DC 20226 (202-927-8230).

**SUPPLEMENTARY INFORMATION:**

**Background**

On February 21, 1995, President Clinton announced a regulatory reform initiative. This initiative included instructions to each agency to:

(a) Conduct a page-by-page review of all regulations to identify those which are obsolete or burdensome and those whose goals could be better achieved through the private sector, self-regulation or state and local governments. This review will include cleanup of old rules, rules that focus on describing organizations and procedures and rules that simply repeat statutory language. Second, the review will resolve any conflicts or overlaps which are found with rules of other agencies. Finally, the review will focus on ways of clarifying or streamlining remaining regulations.

(b) Review the statutes underlying agency regulations and programs and make recommendations for any necessary changes.

(c) Review agency policy and administrative decisions from this new perspective.

In cases where the agency's review discloses statutes, regulations or programs which should be revised or eliminated, the agency will, as soon as possible, suggest changes to the statutes or propose administrative changes to its regulations and programs.

The President also called on agencies to form partnerships with people affected by regulations to insure that reform is guided by reality. ATF plans to send representatives to scheduled industry events in the next few months to advance these ideas.

To further involve the public and regulated industries in this effort, ATF is also soliciting comments through this notice. The Bureau requests that comments be as specific as possible. If the person submitting a comment can cite a specific section of law or regulations, that information will help ATF to organize and analyze the responses. If the cite is not available, at least name the commodity (for instance, wine, cigarettes, ammunition, fireworks) and the activity (producing, labeling, importing) which the comment addresses. We encourage persons who wish to comment to start the process with outline suggestions within the 15-day comment period, with the understanding that more detailed proposals may be submitted later. Most changes which come about as a result of this initiative will be issued as proposed rules, so further opportunity to comment on specific changes will be afforded to interested persons.

ATF will not recognize any submitted material as confidential and comments may be disclosed to the public. Any material which the person commenting considers to be confidential or inappropriate for disclosure to the public should not be included in the comments. The name of the person submitting a comment is not exempt from disclosure.

Comments may be submitted by facsimile transmission (FAX) to (202) 927-8602, provided the comments: (1) are legible, (2) are 8 1/2" x 11" in size, (3) contain a written signature, and (4) are five pages or less in length. This limitation is necessary to assure reasonable access to the equipment. Comments sent by FAX in excess of five pages will not be accepted. Receipt of FAX transmittals will not be acknowledged. Facsimile transmitted comments will be treated as originals.

**Drafting Information.** The author of this document is Marjorie D. Ruhf, Wine, Beer & Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

**Authority:** This notice is issued under the authority in 5 U.S.C. 301, 18 U.S.C. 847 and 926, 22 U.S.C. 2778, 26 U.S.C. 7805, and 27 U.S.C. 205 and 215.

Approved: April 10, 1995.

Richard J. Watkins,

*Acting Director.*

[FR Doc. 95-9184 Filed 4-12-95; 8:45 am]

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**DEPARTMENT OF JUSTICE**

**28 CFR Part 16**

[AAG/A Order No. 99-95]

**Exemption of System of Records Under the Privacy Act**

**AGENCY:** Department of Justice.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Justice (DOJ), U.S. Marshals Service (USMS) proposes to amend its Privacy Act regulations. The USMS proposes to exempt a new Privacy Act system of records entitled, "Joint Automated Bookings Stations (JABS), USM-014" from subsections (c) (3) and (4), (d), (e) (1), (2), and (3), (e)(5), (e)(8) and (g) of the Privacy Act (5 U.S.C. 552a). Information in this system of records relates to matters of law enforcement, and the exemptions are necessary to avoid interference with law enforcement responsibilities and to protect the privacy of third parties. The reasons for the exemptions are set forth in the text below.

**DATES:** Submit any comments by May 15, 1995.

**ADDRESSES:** Address all comments to Patricia E. Neely, Staff Assistant, Systems Policy Staff, Information Resources Management, Justice Management Division, Department of Justice, Washington, DC (Room 850, WCTR Bldg.).

**FOR FURTHER INFORMATION CONTACT:** Patricia E. Neely, (202) 616-0718.

**SUPPLEMENTARY INFORMATION:** In the notice section of today's Federal Register, the USMS provides a description of this system of records.

This order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, it is hereby stated that the order will not have "a significant economic impact on a substantial number of small entities."

List of Subjects in 28 CFR Part 16

Administrative Practices and Procedure, Courts, Freedom of Information Act, Government in the Sunshine Act, and the Privacy Act.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order No. 793-78, it is proposed to amend 28 CFR part 16, as set forth below.

Dated: March 30, 1995.  
Stephen R. Colgate,  
Assistant Attorney General for  
Administration.

1. The authority for part 16 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a, 552b(g), 553; 18 U.S.C. 4203 (a)(1); 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717, 9701.

2. It is proposed to amend 28 CFR 16.101 by redesignating paragraph (s) as paragraph (u), and adding new paragraphs (s) and (t) as set forth below.

**§ 16.101 Exemption of U.S. Marshals Service (USMS) Systems—Limited Access, as indicated.**

\* \* \* \* \*

(s) The following system of records is exempt from 5 U.S.C. 552a(c) (3) and (4), (d), (e) (1), (2), (3), (e)(5) and (e)(8) and (g):

Joint Automated Booking Stations, Justice/USM-014

(t) These exemptions apply only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(f)(2). Where compliance would not interfere with or adversely affect the law enforcement process, the USMS may waive the exemptions, either partially or totally. Exemption from the particular subsections are justified for the following reasons:

(1) From subsections (c)(3) and (d) to the extent that access to records in this system of records may impede or interfere with law enforcement efforts, result in the disclosure of information that would constitute an unwarranted invasion of the personal privacy of collateral record subjects or other third parties, and/or jeopardize the health and/or safety of third parties.

(2) Where access to certain records may be appropriate, exemption from the amendment provisions of subsection (d)(2) is necessary to the extent that the necessary and appropriate justification, together with proof of record inaccuracy, is not provided, and/or to the extent that numerous, frivolous requests to amend could impose an impossible administrative burden by requiring agencies to continuously review booking and arrest data, much of which is collected from the arrestee during the arrest.

(3) From subsection (e)(1) to the extent that is necessary to retain all information in order not to impede, compromise, or interfere with law enforcement efforts, e.g., where the significance of the information may not be readily determined and/or where such information may provide leads or assistance to Federal and other law

enforcement agencies in discharging their law enforcement responsibilities.

(4) From subsection (e)(2) because, in some instances, the application of this provision would present a serious impediment to law enforcement since it may be necessary to obtain and verify information from a variety of sources other than the record subject to ensure safekeeping, security, and effective law enforcement. For example, it may be necessary that medical and psychiatric personnel provide information regarding the subject's behavior, physical health, or mental stability, etc. to ensure proper care while in custody, or it may be necessary to obtain information from a case agent or the court to ensure proper disposition of the subject individual.

(5) From subsection (e)(3) because the requirement that agencies inform each individual whom it asks to supply information of such information as is required by subsection (e)(3) may, in some cases, impede the information gathering process or otherwise interfere with or compromise law enforcement efforts, e.g., the subject may deliberately withhold information, or give erroneous information.

(6) From subsection (e)(5) because in the collection of information for law enforcement purposes it is impossible to determine in advance what information is accurate, relevant, timely and complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significance and the accuracy of such information can only be determined in a court of law. The restrictions imposed by subsection (e)(5) would restrict the ability to collect information for law enforcement purposes and may prevent the eventual development of the necessary criminal intelligence or otherwise impede effective law enforcement.

(7) From subsection (e)(8) to the extent that such notice may impede, interfere with, or otherwise compromise law enforcement and security efforts.

(8) From subsection (g) to the extent that this system is exempt from the access and amendment provisions of subsection (d).

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BILLING CODE 4410-01-M

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 100**

[CGD01-95-007]

**Special Local Regulation: Newport Offshore Grand Prix, Narragansett Bay, Newport, RI**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes a temporary Special Local Regulation for the Newport Offshore Grand Prix regatta. The regatta will be held on Sunday, May 21, 1995, in the waters of Narragansett Bay, Newport, RI. This regulation is needed to protect the boating public from the hazards associated with high speed powerboat racing in confined waters.

**DATES:** Comments must be received on or before May 4, 1995.

**ADDRESSES:** Comments should be mailed to Commander (b), First Coast Guard District, Captain John Foster Williams Federal Building, 408 Atlantic Ave., Boston, MA 02110-3350, or may be hand delivered to Room 428 at the same address, between 8 a.m. and 4 p.m., Monday through Friday, except federal holidays. Comments will become part of this docket and will be available for inspection or copying at the above address.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant (j.g.) B.M. Algeo, Chief, Boating Affairs Branch, First Coast Guard District, (617) 223-8311.

**SUPPLEMENTARY INFORMATION:**

**Request for Comments**

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this notice (OGD01-95-007), the specific section of the proposal to which each comment applies, and give reasons for each comment. The Coast Guard requests that all comments and attachments be submitted in an 8½" x 11" unbound format suitable for copying and electronic filing. If that is not practical, a second copy of any bound material is requested. Persons requesting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments. The Coast Guard