

contest. A determination as to exemption shall be made at the time a request for access is received. A request for access to records contained in this system shall be made in writing, with the envelope and the letter clearly marked "Privacy Access Request." The request shall include the full name of the individual involved, his or her current address, date and place of birth, notarized signature, together with any other identifying information which may be of assistance in locating the record. The requester will also provide a return address for transmitting the information. Access requests will be directed to the System Manager listed above.

#### 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.

#### RECORD SOURCE CATEGORIES:

Department officers and employees, and other federal, state, local and foreign law enforcement and non-law enforcement agencies, private persons, witnesses, and informants.

#### SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G) and (H), (e)(5) and (8), (f), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2), (k)(1), (k)(2), and (k)(5). This exemption applies only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a (j)(2), (k)(1), (k)(2), or (k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c), and (e), and have been published in the **Federal Register**.

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## DEPARTMENT OF JUSTICE

### Federal Bureau of Prisons

#### Notice of Availability of the Record of Decision for Proposed Contract Award to House Federal, Low-Security Criminal Aliens Within a Contractor-Owned and Operated Correctional Facility

**AGENCY:** U.S. Department of Justice, Federal Bureau of Prisons.

**ACTION:** Notice of a Record of Decision.

**SUMMARY:** The U.S. Department of Justice, Federal Bureau of Prisons (BOP) announces the availability of the Record of Decision (ROD) concerning the proposed award of a contract to house approximately 1,750 (+/- 30 percent) Federal, low-security, adult male, non-U.S. citizen, criminal aliens, with 90 months or less remaining to serve on their sentences, within a contractor-owned and operated correctional facility.

#### Background Information

Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969 and the Council of Environmental Quality Regulations (40 CFR parts 1500-1508), the BOP has prepared Draft and Final Environmental Impact Statements (EISs) for the proposed award of a contract to house Federal, non-U.S. citizen, criminal aliens within a contractor-owned and operated correctional facility.

#### Project Information

The Federal Bureau of Prisons (BOP) faces continued growth in its inmate population resulting from on-going Federal law enforcement programs. Over the period encompassing Fiscal Year (FY) 2010 through FY 2015, the BOP anticipates the total Federal inmate population to increase from approximately 210,227 to 239,344. Of the approximately 29,000 inmates to be added to the Federal prison system during this time, the BOP is projecting approximately 8,000 to be low-security inmates. In housing these and other inmates, the BOP relies upon community-correction, detention and correctional facilities that are either federally-owned and operated (*i.e.*, BOP facilities); federally-owned and non-federally operated; or non-federally owned and operated (*i.e.*, contractor facilities).

Presently, the BOP is responsible for housing approximately 27,000 low-security criminal aliens and due to limitations on bedspace within BOP-operated Federal Correctional Institutions (FCI), approximately 25,000 such inmates are housed in contractor-owned and operated facilities. The projected number of sentenced criminal aliens and continued limitations on capacity within the BOP's low-security FCIs will ensure further reliance upon contractor-owned and operated correctional facilities to house a large portion of this inmate population. The BOP contracts with such operators to house and service a portion of the criminal alien population. Periodically, such contracts expire, and as long as needs persist, they are re-competed in accordance with BOP procedures and

Federal Acquisition Regulations. One such contract, scheduled to expire in 2012, involves approximately 1,750 low-security criminal aliens currently housed at the McRae Correctional Center located in McRae, Georgia.

In order to ensure that the criminal alien population currently incarcerated at the McRae Correctional Center continues to be properly housed and supervised in a contractor-owned and operated facility, the BOP undertook a nationwide procurement. Under the Criminal Alien Requirement 12 procurement (RFP-PCC-0017), the BOP solicited proposals to house approximately 1,750 (+/- 30 percent) Federal, low-security, adult male, non-U.S. citizen, criminal aliens, with 90 months or less remaining to serve on their sentences, within a contractor-owned and operated correctional facility. The BOP's procurement solicitation stated that the requirement would be fulfilled through a single award.

The BOP requires flexibility in managing the shortage of beds at the low-security level as well as the anticipated future increases at this security level. Such management flexibility, involving the use of privately-owned and operated facilities, would help to meet population capacity needs in a timely fashion, conform to Federal law, and maintain fiscal responsibility while successfully meeting the mission of the BOP. That mission is to protect society by confining offenders in the controlled environments of prison and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

The BOP issued a Draft EIS in June 2011 with publication of the Notice of Availability (NOA) in the **Federal Register** on June 24, 2011. The NOA provided a start date for the 45-day public comment period beginning on June 24, 2011, and ending on August 8, 2011. During the public comment period, public hearings concerning the proposed action and the Draft EIS were held on July 7, 2011 in Scott County, Mississippi; July 13, 2011 in McRae, Georgia; and August 4, 2011 in Hinton, Oklahoma.

The Final EIS addressed comments received on the Draft EIS and publication of the NOA in the **Federal Register** concerning the Final EIS occurred on September 9, 2011. The

public comments concerning the Final EIS ended on October 11, 2011, during which time comment letters and similar forms of communication were received by the BOP. Comments received by the BOP concerning the Final EIS were similar to those comments received by the BOP concerning the Draft EIS and all such comments were considered in the decision presented in the ROD.

BOP provided written notices of the availability of the Draft EIS and Final EIS in the **Federal Register**, three newspapers with local and regional circulations, and through three local public libraries. The BOP also distributed approximately 170 copies (each) of the Draft EIS and Final EIS to Federal agencies, state and local governments, elected officials, interested organizations and individuals.

The BOP evaluated alternatives as part of the EIS including the No Action Alternative; implementation of the proposed action in Hinton, Oklahoma involving use of the Great Plains Correctional Facility; in McRae, Georgia involving use of the existing or an expanded McRae Correctional Center; and implementation of the proposed action in Scott County, Mississippi involving development of a new contractor-owned and operated correctional facility to house the Federal inmate population. Each of the alternatives in Hinton, Oklahoma; McRae, Georgia; and Scott County, Mississippi were examined in detail in the Draft and Final EISs with contract award to the McRae Correctional Center in McRae, Georgia considered to be the Preferred Alternative.

#### Availability of Record of Decision

The Record of Decision and other information regarding this undertaking are available upon request. To request a copy of the Record of Decision, please contact: Richard A. Cohn, Chief, or Issac J. Gaston, Site Selection Specialist, Capacity Planning and Site Selection Branch, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534; Tel: 202-514-6470/Fax: 202-616-6024/E-mail: [racohn@bop.gov](mailto:racohn@bop.gov).

**FOR FURTHER INFORMATION CONTACT:** Richard A. Cohn, Federal Bureau of Prisons.

Dated: October 19, 2011.

**Richard A. Cohn,**

*Chief, Capacity Planning and Site Selection Branch.*

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**BILLING CODE P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Payment of Compensation Without Award

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Office of Workers' Compensation Programs (OWCP) sponsored information collection request (ICR) titled, "Payment of Compensation Without Award," Form LS-206, as revised to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 *et seq.*).

**DATES:** Submit comments on or before November 28, 2011.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain>, on the day following publication of this notice or by contacting Michel Smyth by telephone at (202) 693-4129 (this is not a toll-free number) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, *Attn:* OMB Desk Officer for the Department of Labor, Office of Workers' Compensation Programs (OWCP), Office of Management and Budget, Room 10235, Washington, DC 20503, *Telephone:* (202) 395-6929/*Fax:* (202) 395-6881 (these are not toll-free numbers), *email:* [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Michel Smyth by telephone at (202) 693-4129 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** Insurance carriers and self-insurers use Form LS-206 to report the initial payment of compensation benefits to injured claimants as required by the Longshore and Harbor Workers' Compensation Act to the OWCP. The OWCP is revising this information collection to make the form fillable and printable from the Internet for non-electronic submission to the agency and to make cosmetic changes to the form. The changes are not expected to alter the public burden.

This information collection is subject to the PRA. A Federal agency generally

cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under OMB Control Number 1240-0043. The current OMB approval is scheduled to expire on October 31, 2011; however, it should be noted that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the **Federal Register** on July 7, 2011 (76 FR 39904).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should reference OMB Control Number 1240-0043. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Office of Workers' Compensation Programs (OWCP).

*Title of Collection:* Payment of Compensation Without Award.

*OMB Control Number:* 1240-0043.

*Affected Public:* Private Sector—Businesses or other for profits.

*Total Estimated Number of Respondents:* 600.