6. To the Department of Justice to the extent that each disclosure is compatible with the purpose for which the record was collected and is relevant and necessary to litigation or anticipated litigation in which one of the following is a party or has an interest: (a) EPA or any of its components, (b) an EPA employee in his or her official capacity, (c) an EPA employee in his or her individual capacity where the Department of Justice is representing or considering representation of the employee, or (d) the United States where EPA determines that the litigation is likely to affect the agency.

7. In a proceeding before a court, other adjudicative body or grand jury, or in an administrative or regulatory proceeding, to the extent that each disclosure is compatible with the purpose for which the record was collected and is relevant and necessary to the proceeding in which one of the following is a party or has an interest: (a) EPA or any of its components, (b) an EPA employee in his or her official capacity, (c) an EPA employee in his or her individual capacity where the Department of Justice is representing or considering representation of the employee, or (d) the United States where EPA determines that the litigation is likely to affect the agency. Such disclosures include, but are not limited to, those made in the course of presenting evidence, conducting settlement negotiations, and responding to subpoenas and requests for discovery.

8. To representatives of the General Services Administration and the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

9. To qualified reviewers for their opinion and evaluation of applicants and their proposals as part of the application review process.

10. To other Federal government agencies and private-sector organizations regarding applicants or nominees in order to coordinate joint programs between Federal agencies, State or local government agencies, and/or private-sector organizations.

11. To the applicant institution for purposes of obtaining data regarding the application review process or award decisions, or administering grant awards.

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

STORAGE:

Various parts of the system are maintained on computer and/or in hard copy files.

RETRIEVABILITY:

Information is retrieved by the name of the principal investigator. Computer files may also be retrieved by various data elements in the database.

SAFEGUARDS:

All records are maintained in secured areas with restricted access or are accessed by unique passwords or log-in procedures. Only EPA personnel and agency contractors with a need-to-know in order to perform their duties may access the information.

RETENTION AND DISPOSAL:

Files are maintained in accordance with approved record retention schedules. Awarded proposals are transferred to the Federal Records Center one year after closeout where they are retained for an additional six years. Declined proposals are destroyed three years after they are declined.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Peer Review Division, National Center for Environmental Research and Quality Assurance Mail (Code 8725), USEPA, 401 M St., SW, Washington, DC 20460.

NOTIFICATION PROCEDURE:

Contact the system manager at the above address. You may be required to provide information to verify your identity.

RECORD ACCESS PROCEDURE:

Same as ''Notification Procedure,'' above. In addition, please specify the record you wish to access.

CONTESTING RECORD PROCEDURES:

Same as ''Notification Procedure,'' above. In addition, please specify the record you wish corrected, the requested correction, and justification for the correction.

RECORD SOURCE CATEGORIES:

Information is obtained from the principal investigators, academic institutions or other applicants, peer reviewers, and EPA and other Federal agency personnel.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The portions of this system consisting of investigatory material which would identify persons providing evaluations of EPA grant applicants and applications have been exempted pursuant to 5 U.S.C. 552a(k)(5). Regulations exempting this system from certain provisions of the Privacy Act will be published separately in the **Federal Register** in accordance with the requirements of 5 U.S.C. 553(b), (c), and (e).

[FR Doc. 97–24212 Filed 9–12–97; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5888–2]

Privacy Act of 1974; ORD Peer Review Panelist Information System (PRPIS) System of Records

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed new Privacy Act system of records.

SUMMARY: The United States Environmental Protection Agency (EPA) is publishing a notice for public comment on a system of records subject to the Privacy Act of 1974, 5 U.S.C. 552a. This system is entitled ''ORD Peer Review Panelist Information System (PRPIS).'' Additional information on this system is described in the Supplementary Information section of this notice.

EFFECTIVE DATE: This proposed action will be effective, without further notice on October 27, 1997, unless comments are received which result in a contrary determination.

ADDRESSES: Comments should be addressed to Director, National Center for Environmental Research and Quality Assurance (Mail Code 8701), U.S. Environmental Protection Agency, 401 M St., SW. Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Dr. Robert E. Menzer, Senior Science Advisor, National Center for Environmental Research and Quality Assurance (Mail Code 8701), U.S. Environmental Protection Agency, 401 M St., SW. Washington, DC 20460. Telephone: (202) 260–5779.

SUPPLEMENTARY INFORMATION: EPA uses the services of peer reviewers from the scientific community to assist in selecting the most meritorious applications from pools of applications or assessing the quality and performance of awarded grants, cooperative agreements, and fellowships. The purpose of this system of records is to assist EPA in conducting and documenting the review of applications through the use of

contracted peer reviewers. The system includes reviewer files and computer-generated records developed in connection with the review and decision process for awarding grants under the terms of the Federal Grant and Cooperative Agreement Act of 1977. Reviewer files are comprised of (1) personal data about potential reviewers, who are scientists and engineers in the academic and private sectors, (2) information about their educational background and expertise, (3) records of their employment, (4) records of their publications and other accomplishments, (5) conflict of interest and confidentially certifications, and (6) records of panel participation. Computer-generated records include data regarding the administrative management of the peer review process. This system of records contains records retrieved by the names of the peer reviewers, universities, not-for-profit research organizations, and other organizations. Only information retrievable by the names of individuals is covered by this Privacy Act notice.

Dated: August 28, 1997.

Alvin M. Pesachowitz,

Acting Assistant Adminstrator for Administration and Resources Management and Chief Information Officer.

EPA–37

SYSTEM NAME:

ORD Peer Review Panelist Information System (PRPIS) System of Records.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

National Center for Environmental Research and Quality Assurance, Office of Research and Development, Waterside Mall, 401 M St., SW. Washington, DC 20460.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Peer reviewers who evaluate grant, fellowship, and cooperative agreement applicants and their applications.

CATEGORIES OF RECORDS IN THE SYSTEM:

The names of the peer reviewers, supporting data about the academic institutions or other institutional affiliations of the peer reviewers, proposal evaluations from peer reviewers, review records, contract and financial data, committee or panel discussion summaries, and other agency records containing or reflecting comments on the applications or the applicants from peer reviewers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101; Federal Grant and Cooperative Agreement Act, 41 U.S.C. 501 et seq.; the Clean Air Act, as amended, 42 U.S.C. 1857 et seq.; the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1254 et seq.; the Public Health Service Act, as amended, 42 U.S.C. 241 et seq.; the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq.; the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 et seq.; and the Grant Act, 42 U.S.C. 1891 et seq.

PURPOSE(S):

The purpose of this system of records is to assist EPA in conducting and documenting the review of applications for research grants, cooperative agreements, and fellowships through the use of peer reviewers from the scientific community.

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

Disclosure of information from this system of records may be made as follows:

1. To a Member of Congress or a congressional office from the record of an individual in response to an inquiry from that Member or office made at the request of the individual to whom the record pertains.

2. To EPA contractors, grantees, volunteers, and other individuals who have been engaged to assist the Federal Government in the performance of a contract, grant, cooperative agreement, or other activity related to this system of records and who need to have access to the records in order to perform that activity.

3. To a Federal agency which has requested information relevant to its decision in connection with the hiring or retention of an employee; the reporting of an investigation on an employee; the letting of a contract; or the issuance of a security clearance, license, grant, or other benefit.

4. To a Federal, State, or local agency where necessary to enable EPA to obtain information relevant to an EPA decision concerning the hiring or retention of an employee; the letting of a contract; or the issuance of a security clearance, license, grant, or other benefit.

5. To an appropriate Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where there is an indication of a violation or potential violation of the statute, rule, regulation, or order and the information disclosed is relevant to the matter.

6. To the Department of Justice to the extent that each disclosure is compatible with the purpose for which the record was collected and is relevant and necessary to litigation or anticipated litigation in which one of the following is a party or has an interest: (a) EPA or any of its components, (b) an EPA employee in his or her official capacity, (c) an EPA employee in his or her individual capacity where the Department of Justice is representing or considering representation of the employee, or (d) the United States where EPA determines that the litigation is likely to affect the agency.

7. In a proceeding before a court, other adjudicative body or grand jury, or in an administrative or regulatory proceeding, to the extent that each disclosure is compatible with the purpose for which the record was collected and is relevant and necessary to the proceeding in which one of the following is a party or has an interest: (a) EPA or any of its components, (b) an EPA employee in his or her official capacity, (c) an EPA employee in his or her individual capacity where the Department of Justice is representing or considering representation of the employee, or (d) the United States where EPA determines that the litigation is likely to affect the agency. Such disclosures include, but are not limited to, those made in the course of presenting evidence, conducting settlement negotiations, and responding to subpoenas and requests for discovery.

8. To representatives of the General Services Administration and the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

9. To Federal government agencies with whom EPA cooperates in joint grant programs.

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

STORAGE :

Various parts of the system are maintained on computer and/or in hard copy files.

RETRIEVABILITY:

Information is retrieved from hard copy and computer files by the names of peer reviewers. Computer records may also be retrieved by non-personal data elements.

SAFEGUARDS:

All records are maintained in secured areas with restricted access or are accessed by unique passwords or log-in procedures. Only EPA personnel and agency contractors with a need-to-know in order to perform their duties may access the information.

RETENTION AND DISPOSAL:

File is cumulative and is maintained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Peer Review Division, National Center for Environmental Research and Quality Assurance Mail (Code 8703), USEPA, 401 M St., SW, Washington, DC 20460.

NOTIFICATION PROCEDURE:

Contact the system manager at the above address. You may be required to provide information to verify your identity.

RECORD ACCESS PROCEDURE:

Same as ''Notification Procedure,'' above. In addition, please specify the record you wish to access.

CONTESTING RECORD PROCEDURES:

Same as ''Notification Procedure,'' above. In addition, please specify the record you wish corrected, the requested correction, and justification for the correction.

RECORD SOURCE CATEGORIES:

Information is obtained from the individual reviewers and EPA and other Federal agency personnel.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 97–24413 Filed 9–12–97; 8:45 am]

BILLING CODE 6560–50P

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket 96–45; DA 97–1957]

Common Carrier Bureau Seeks Comment on Universal Service Support Distribution Options for Schools, Libraries, and Rural Health Care Providers

Released: September 10, 1997.

Potential for Exhaustion of Funds

On May 8, 1997, the Federal Communications Commission (Commission) released a Report and Order on Universal Service CC Docket No. 96–45, FCC 97–157 62 FR 32862 (June 17, 1997) (*Order*).[1] In the *Order,* the Commission determined that funds for eligible schools, libraries, and rural health care providers will be distributed on a first-come first-served basis beginning January 1, 1998. The Commission also established a $2.25 billion annual cap on universal service support for schools and libraries and a $400 million annual cap for rural health care providers. Eligible schools and libraries will be required to participate in a competitive bidding process to select their service providers and will be permitted to submit funding requests once they have made agreements for specific eligible services. The Administrator will commit funds based on those agreements on a first-come first-served basis until only $250 million in funds remains available. Thereafter, a system of priorities will govern the distribution of the remaining $250 million to provide an opportunity for only the most economically disadvantaged schools and libraries to receive support. In light of the need to implement the necessary administrative processes, funding for the period beginning January 1, 1998 and ending June 30, 1998 will be limited to $1 billion for schools and libraries. Similarly, disbursement to rural health care providers will be limited to $100 million in the first quarter of 1998.

In response to concerns expressed about distributing support to schools, libraries, and rural health care providers on a first-come, first-serve basis, we seek comment on the following issues:

(1) Whether a ''window'' period should be established in which all beneficiaries filing within that period would be given equal priority. We seek comment on the length of the period in which any such window should remain open and as to whether there should be a ''rolling'' or ongoing series of windows, *e.g.,* a series of two-week windows during which all beneficiaries filing within that two-week period would be given equal priority.

(2) Whether to clarify that the rules of priority for distributing funds to schools and libraries set forth in § 54.507 of the Commission's rules, 47 CFR 54.507, apply to the $1 billion available between January 1, 1998 through June 30, 1998. That is, if expenditures between January 1, 1998 and June 30, 1998 reach the level where only $250 million remains before the $1 billion cap is reached, the remaining funds will be distributed in accordance with the rules of priority.[2]

(3) We also seek comment on whether a mechanism to prioritize requests from rural health care providers should be adopted in the event that requests exceed available funds. For example, should a mechanism be established to ensure that funds are distributed to rural health care providers located in all regions of the country? We seek comment on whether such a mechanism should be permanent or should apply only in the first quarter of 1998, when collection for rural health care is limited to $100 million.

(4) We also seek comment on whether other methods might ensure a broad and fair distribution of funds, particularly at the earliest stages of these support programs.

Allocation of Aggregated Requests for Funds

In the *Order,* the Commission held that schools and libraries may apply for funds on an individual basis, by school district, by state, or by consortium. In the event that a school district or a state applies for support on behalf of its schools, the school district or state may compute the discounts on an individual school basis or may compute an average discount. The state or school district shall strive to ensure that each school receives the full benefit of the discount to which it is entitled. On July 31, 1997, the ''E-Rate Implementation Working Group,'' comprised of the U.S. Department of Education, Institute of Museum and Library Services, National Telecommunications and Information Administration, Rural Utilities Service, and Education and Library Network Coalition, filed a report with the Commission in CC Docket 96–45 in response to the Commission's request for recommendations on certain issues regarding universal service support for schools and libraries.[3] The Working Group Report proposes a method for allocating support to individual institutions that apply for funds on an aggregated (*e.g.,* statewide or districtwide) basis. We seek comment on that proposal. Copies of the report

[1] Federal-State Joint Board on Universal Service, *Report and Order,* CC Docket No. 96–45, FCC 97–157 (released May 8, 1997) 62 FR 32862 (June 17, 1997).

[2] Although the text of the *Order* discusses the trigger mechanism only with respect to the full $2.25 billion cap per funding year, we note that § 54.507(g) of the Commission's rules states that the trigger mechanism applies when only $250 million remains in any funding year, which includes the period from January 1, 1998 through June 30, 1998.

[3] U.S. Department of Education, Institute of Museum and Library Services, National Telecommunications and Information Administration, Rural Utilities Service, Education and Library Networks, *Report by the E-Rate Implementation Working Group* (July 31, 1997) (Working Group Report).