

issue was contained in a questionnaire response. The potential breach was brought to counsel's attention by an attorney representing another party to the investigation. Counsel immediately informed the Secretary of the potential breach and supervised efforts by law firm personnel to retrieve copies of the document from those who had access to it. Many, but not all, of the copies of the document were retrieved. In responding to the Commission inquiry, counsel asserted that the information was publicly available and that the information was "innocuous" and not BPI because it revealed nothing about the substance of the questionnaire response. The Commission was not persuaded by counsel's assertions and determined that the APO had been breached because questionnaire responses are treated as confidential in their entirety unless the responses contain information that is otherwise publicly available. The Commission determined that the economist responsible for preparing the document and the attorney charged with final APO review of materials breached the APO by circulating the document which contained BPI. In issuing private letters of reprimand, the Commission considered the facts that the decision by the attorney and the economist not to bracket and delete the BPI at issue was not inadvertent, the breach was first identified by counsel for another party, and the attorney and economist were unable to account for numerous copies of the document at issue which may remain in the hands of parties not covered by the APO. In reaching its determination, the Commission also considered the mitigating factors that neither the attorney nor the economist had previously breached an APO, and the attorney reported the breach promptly after learning of it.

Case 5—Counsel in an investigation filed a public version of a document containing bracketed but unredacted BPI in footnotes. The information in question was submitted in a questionnaire response and was not publicly available at the time it was revealed in the public version of the document. The Commission Secretary discovered the possible breach and advised counsel, who took prompt measures to retrieve all copies of the relevant document. Although one party not entitled to access to BPI received a copy of the document, there is no evidence that that person actually reviewed the unredacted BPI.

The Commission determined that the attorney responsible for reviewing the document to assure APO compliance had breached the APO by failing to

redact bracketed BPI from a public submission. The lead attorney and two paralegals were not found responsible for the breach because the sole responsibility for assuring APO compliance was delegated to the non-lead attorney who was experienced in such matters. In reaching its determination to issue a warning letter, the Commission considered the mitigating factors that this was the attorney's first breach of an APO, the breach was inadvertent, and the attorney took immediate action to retrieve the document in question apparently before any non-signatory to the APO reviewed the BPI at issue. The Commission considered as an aggravating factor the fact that it was the Commission Secretary who discovered the breach.

IV. Investigation in Which No Breach Was Found

During 1998, the Commission completed one investigation in which no breach was found. An attorney attempted to discuss information protected under the APO with a person not on the APO. The Commission determined that the attorney did not breach the APO because the information revealed was inaccurate and was not the information protected under the APO. In advising the attorney that he had not breached the APO on technical grounds, the Commission urged him to exercise greater caution in the future.

Issued: April 27, 1999.

By order of the Commission.

Donna R. Koehnke,
Secretary.

[FR Doc. 99-10871 Filed 4-29-99; 8:45 am]
BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

Notice of Charter Renewal

In accordance with the provisions of the Federal Advisory Committee Act (Title 5, United States Code, Appendix 2), and Title 41, Code of Federal Regulations, Section 101-6.1015, the Director, FBI, with the concurrence of the Attorney General, has determined that the continuance of the Criminal Justice Information Services (CJIS) Advisory Policy Board (APB) is in the public interest, in connection with the performance of duties imposed upon the FBI by law, and hereby gives notice of the renewal of its charter, effective December 31, 1998.

The APB recommends to the Director, FBI, general policy with respect to the

philosophy, concept, and operational principles of the various criminal justice information systems managed by the FBI's CJIS Division.

The APB includes representatives from state and local criminal justice agencies; members of the judicial, prosecutorial, and correctional segments of the criminal justice community; a representative of federal agencies participating in the CJIS systems; and representatives of criminal justice professional associations (i.e., the International Association of Chiefs of Police, the Major Cities Chiefs, Major County Sheriffs' Association, the National Sheriffs' Association, the National District Attorneys Association, and the American Probation and Parole Association). All members of the APB are appointed by the FBI Director.

The APB functions solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act. The charter has been filed in accordance with the provisions of the Act.

Dated: April 21, 1999.

Louis J. Freeh,
Director.

[FR Doc. 99-10866 Filed 4-29-99; 8:45 am]
BILLING CODE 4410-02-M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

April 26, 1999.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor, Acting Departmental Clearance Officer, Pauline Perrow (202) 219-5096 ext. 165) or by E-Mail to Perrow-Pauline@dol.gov.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 (202) 395-7316, on or before June 1, 1999.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary