

Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 by June 9, 1999.

As required by 5 U.S.C. 552a(r) and Office of Management and Budget (OMB) implementing regulations, the Department of Justice has provided a report on the proposed changes to OMB and the Congress.

A modified system description is set forth below.

Dated: April 30, 1999.

**Stephen R. Colgate,**  
Assistant Attorney General for  
Administration.

#### JUSTICE/OJP-012

##### SYSTEM NAME:

Public Safety Officers Benefits System.

##### SYSTEM LOCATION:

Bureau of Justice Assistance, Office of Justice Programs, (OJP), 810 Seventh Street, NW, Washington, DC 20531.

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

Public Safety Officers who are permanently and totally disabled by a traumatic injury in the line of duty and the surviving beneficiaries of public safety officers who died while in the line of duty.

##### CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains an index by claimant survivor and deceased or permanently and disabled Public Safety Officers; case files of eligibility documentation; and benefit payment records.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Authority for maintaining this system exists under 42 U.S.C. 3796 and 44 U.S.C. 3103.

##### PURPOSES:

Information contained in this system is used or may be used to determine and record eligibility of Public Safety Officers under the Public Safety Officers Benefits Act and the Federal Law Enforcement Dependents Assistance Act.

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

Records, or any information derived therefrom, may be disclosed as follows: To State and local agencies to verify and certify eligibility for benefits; to researchers for the purpose of researching the cause and prevention of public safety officer line of duty deaths; to appropriate Federal agencies to coordinate benefits paid under similar

programs; in a proceeding before a court or adjudicative body before which the OJP is authorized to appear, when i.

The OJP, or any subdivision thereof, or ii. Any employee of the OJP in his or her official capacity, or iii. Any employee of the OJP in his or her individual capacity, where the Department of Justice has agreed to represent the employee, or iv. The United States, where the OJP determines that the litigation is likely to affect it or any of its subdivisions, is a party to litigation or has an interest in litigation and such records are determined by the OJP to be arguably relevant to the litigation; to the news media and the public pursuant to 28 CFR 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy; to the National Archives and Records Administration (NARA) and to the General Services Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906; to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

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

##### STORAGE:

Information in this system is maintained on a master index, in folders and in an automated information system.

##### RETRIEVABILITY:

Information is retrieved by name of claimant, name of deceased or disabled Public Safety Officer, and case file number.

##### SAFEGUARDS:

Computerized information is safeguarded and protected by computer password key and limited access. Noncomputerized data is safeguarded in locked cabinets. All files are maintained in a guarded building.

##### RETENTION AND DISPOSAL:

Files are retained in the Public Safety Officer Benefits (PSOB) Office on hard copy and on a computer network. Files will be disposed of pursuant to OJP Handbook 1330.2A.

##### SYSTEM MANAGER(S) AND ADDRESS:

PSOB Program Officer, Bureau of Justice Assistance, Office of Justice

Programs, 810 Seventh Street, NW, Washington, DC 20531.

##### NOTIFICATION PROCEDURE:

Same as above.

##### RECORD ACCESS PROCEDURES:

Request for access to a record from this system should be made in writing with the envelope and the letter clearly marked "Privacy Access Request." 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 and state clearly and concisely what information is being contested, the reason for contesting it and the proposed amendment to the information sought.

##### RECORD SOURCE CATEGORIES:

Public agencies including employing agency, beneficiaries, educational institutions, physicians, hospitals, official state and Federal Documents.

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

None.

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## DEPARTMENT OF JUSTICE

EAAG/A Order No. 163-99]

### Privacy Act of 1974; Notice of Modified System of Records

Section 5301 of the Anti-Drug Abuse Act of 1988 (Pub. L. 100-690, codified at 21 U.S.C. 862), and section 815 of the 1993 National Defense Authorization Act (Pub. L. 102-484 codified at 10 U.S.C. 2408), provide that certain individuals convicted of drug trafficking or possession are disqualified from receiving certain Federal benefits, and individuals convicted of certain defense-contract related felonies may not be employed by or engage in certain activities with defense contractors or first tier subcontractors. The Attorney General has directed the Denial of Federal Benefits Clearinghouse of the Department of Justice to perform certain duties in order that the purpose of this act be fulfilled. These duties include maintaining an information clearinghouse for persons so disqualified and forwarding to the General Services Administration (GSA) data concerning court denials of Federal benefits for inclusion in GSA's Lists of Parties excluded for Federal

Procurement and Nonprocurement Programs, more commonly referred to as the "Debarment List" and for employment eligibility purposes.

The Department now proposes to modify the system to clarify an existing Privacy Act routine use disclosure regarding the disclosure for disqualification for certain Federal benefits, defense-related employment, and other activities and to reinstate a Privacy Act routine use regarding disclosure to courts for verification purposes. The routine use disclosure, as modified, allows for disclosure to Federal agencies, certain private entities, certain defense-related contractors and first-tier subcontractors, and makes it clear that such parties will only have access to Clearinghouse information in order to verify eligibility for Federal benefits, employment or other certain activities, pursuant to the mandate in the Anti-Drug Abuse Act and the Defense Authorization Act. The routine use will permit disclosure of information to these parties only for the aforementioned purposes. In addition, a routine use disclosure to courts is being reinstated to allow for disclosure of clearinghouse information for verification purposes.

Moreover, the Department is expanding the record source category to include: (1) The individuals convicted of qualifying offenses and, (2) U.S. Attorneys.

A number of smaller, less substantive changes are also being made. The system location section is being revised to reflect the current location of the system at 810 Seventh Street, NW., Washington, DC 20531. The authority section is being revised to refer to the current statutory citations, 21 U.S.C. 862 and 10 U.S.C. 2408(c). The system is also being revised to reflect the fact that information is now being maintained in a database in a secured computer network and the information is now retrievable by case number, as well as name of individual and Social Security number. The reference to computer diskettes under Safeguards has been removed, as information is no longer being maintained in that format. Finally, the category of records section is being revised to include additional clarifying information and to read more clearly.

Title 5 U.S.C. 552a(e)(4) and (11) provide that the public be given 30 days in which to comment on the proposed new routine uses. Any comments must be submitted in writing to Mary Cahill, Management Analyst, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 June 1, 1999.

As required by 5 U.S.C. 552a(r) and Office of Management and Budget (OMB) implementing regulations, the Department of Justice has provided a report on the proposed changes to OMB and the Congress.

A modified system description is set forth below.

Dated: April 30, 1999.

**Stephen R. Colgate,**  
*Assistant Attorney General for Administration.*

#### **JUSTICE/OJP-13**

##### **SYSTEM NAME:**

Denial of Federal Benefits Clearinghouse System (DEBAR).

##### **SYSTEM LOCATION:**

Office of Justice Programs; Denial of Federal Benefits Program (DFBP), 810 Seventh Street NW, Washington, DC 20531.

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

Any individual convicted of a Federal or State offense involving drug trafficking or possession of a controlled substance who has been denied Federal benefits by Federal or State courts and any individual convicted of defense-contract related felonies.

##### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Records include any which are necessary to identify a person who is convicted of drug trafficking or possession of a controlled substance and sentenced by a State or Federal judge to a denial of Federal benefits pursuant to 21 U.S.C. 862; convicted of a defense contract-related felony and sentenced by a Federal judge to a denial of Federal benefits pursuant to 10 U.S.C. 2408; and any records which may be relevant to consideration of employment or other Federal benefits. For example, included are current and prior offense and arrest data such as type of offense for which the individual is being placed on a list of ineligible to receive benefits; court and sentencing data, including community service sentencing, if any; identification of benefits to be denied and status thereof, including period of denial; and treatment data. Records also include court orders, notices from U.S. Attorneys concerning convictions, Federal agency benefit listings, and a log of groups or individuals requesting information about an offender's denials.

##### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

The system is established and maintained in accordance with 21 U.S.C. 862 and 10 U.S.C. 2408(c).

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

Records, or any information derived therefrom, may be disclosed as follows: to the General Services Administration (GSA) for inclusion in the publication, "Lists of Parties Excluded from Federal Procurement and Nonprocurement Programs," more commonly known as the "Debarment List;" to Federal agencies, certain private entities, certain defense-related contractors and first-tier subcontractors that require access to such records in order to verify disqualifying convictions prior to awarding a Federal benefit, as defined under 21 U.S.C. 862, or employment under 10 U.S.C. 2408(a); to the sentencing court for verification purposes; in a proceeding before a court or adjudicative body before which the OJP is authorized to appear, when: i. The OJP, or any subdivision thereof; or ii. Any employee of the OJP in his or her official capacity; or iii. Any employee of the OJP in his or her individual capacity, where the Department of Justice has agreed to represent the employee; or iv. The United States, where the OJP determines that the litigation is likely to affect it or any of its subdivisions, is a party to litigation or has an interest in litigation and such records are determined by the OJP to be arguably relevant to the litigation; to the news media and the public pursuant to 28 CFR 50.2 may be made available from systems of records maintained by the Department of Justice, unless it is determined that release of the specific information in a particular case would constitute an unwarranted invasion of personal privacy; to a Member of Congress or a staff person acting on the Member's behalf, when the Member or staff officially requests the information on behalf of, and at the request of, the individual who is the subject of the record; to the National Archives and Records Administration (NARA) and the General Services Administration (GSA) in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

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

###### **STORAGE:**

Information maintained in the system is stored in a database on a secured computer network, as well as in manual file folders.

###### **RETRIEVABILITY:**

Data is retrievable by name of individual, social security number, and case number.

**SAFEGUARDS:**

Information contained in the system is maintained in accordance with DFBP procedures. Manual information in the system is safeguarded in locked file cabinets within a limited access room in a limited access building. Access to manual files is limited to personnel who have a need for files to perform official duties. Operational access to information maintained on a dedicated computer system, is controlled by levels of security provided by password keys to prevent unauthorized entry, and an audit trail of accessed information. Access is also limited to personnel who have a need to know to perform official duties.

**RETENTION AND DISPOSAL:**

Data is maintained for current and prior years in a master file. Data is not destroyed, but maintained for historical purposes.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, DFBP, Office of Justice Programs, 810 Seventh Street, NW, Washington, DC 20531.

**NOTIFICATION PROCEDURE:**

Same as above.

**RECORD ACCESS PROCEDURES:**

A request for access to a record from the system shall be in writing, with the envelope and letter marked "Privacy Access Request." Direct the access request to the System Manager listed above. Identification of individuals requesting access to their records will include fingerprinting (28 CFR 20.34).

**CONTESTING RECORDS PROCEDURES:**

An individual desiring to contest or amend information maintained in the system should direct the request to the System Manager listed above. The request should state clearly and concisely the information being contested, the reasons for contesting the information, and the proposed information amendment(s) sought.

**RECORD SOURCE CATEGORIES:**

Sources of information contained in the system are Federal and State courts, individuals convicted of certain drug offenses, individuals convicted of defense-contract related felonies, United States Attorneys, and Federal agencies.

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

None.

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**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

**Manufacturer of Controlled Substances; Notice of Registration**

By Notice dated January 27, 1999, and published in the **Federal Register** on February 10, 1999, (64 FR 6684), Isotec, Inc., 3858 Benner Road, Miamisburg, Ohio 45342, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Cathinone (1235) .....	I
Methcathinone (1237) .....	I
N-Ethylamphetamine (1475) .....	I
N,N-Dimethylamphetamine (1480) .....	I
Aminorex (1585) .....	I
Methaqualone (2565) .....	I
Lysergic acid diethylamide (7315) .....	I
Tetrahydrocannabinols (7370) .....	I
Mescaline (7381) .....	I
2,5-Dimethoxyamphetamine (7396) .....	I
3,4-Methylenedioxyamphetamine (7400) .....	I
3,4-Methylenedioxy-N-ethylamphetamine (7404) .....	I
3,4-Methylenedioxymethamphetamine (7405) .....	I
4-Methoxyamphetamine (7411) ...	I
Psilocybin (7437) .....	I
Psilocyn (7438) .....	I
N-Ethyl-1-phenylcyclohexylamine (7455) .....	I
Dihydromorphine (9145) .....	I
Normorphine (9313) .....	I
Acetylmethadol (9601) .....	I
Alphacetylmethadol Except Levo-Alphacetylmethadol (9603) .....	I
Normethadone (9635) .....	I
3-Methylfentanyl (9813) .....	I
Amphetamine (1100) .....	II
Methamphetamine (1105) .....	II
Methylphenidate (1724) .....	II
Amobarbital (2125) .....	II
Pentobarbital (2270) .....	II
Secobarbital (2315) .....	II
1-Phenylcyclohexylamine (7460) .....	II
Phencyclidine (7471) .....	II
Phenylacetone (8501) .....	II
1-Piperidinocyclohexanecarbonitrile (8603) .....	II
Codeine (9050) .....	II
Dihydrocodeine (9120) .....	II
Oxycodone (9143) .....	II
Hydromorphone (9150) .....	II
Benzoylcegoning (9180) .....	II
Ethylmorphine (9190) .....	II
Hydrocodone (9193) .....	II
Isomethadone (9226) .....	II
Meperidine (9230) .....	II
Methadone (9250) .....	II
Methadone intermediate (9254) ...	II
Dextropropoxyphene, bulk (non-dosage forms) (9273) .....	II
Morphine (9300) .....	II

Drug	Schedule
Levo-Alphacetylmethadol (9648) ..	II
Oxymorphone (9652) .....	II
Fentanyl (9801) .....	II

The firm plans to use small quantities of the listed controlled substances to produce standards for analytical laboratories.

DEA has considered the factors in Title 21, United States Code, Section 823(a) and determined that the registration of Isotec, Inc. to manufacture the listed controlled substances is consistent with the public interest at this time. DEA has investigated Isotec, Inc. on a regular basis to ensure that the company's continued registration is consistent with the public interest. These investigations have included inspection and testing of the company's physical security systems, audits of the company's records, verification of the company's compliance with state and local laws, and a review of the company's background and history. Therefore, pursuant to 21 U.S.C. 823 and 28 CFR 0.100 and 0.104, the Deputy Assistant Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic classes of controlled substances listed above is granted.

Dated: April 26, 1999.

**John H. King,**

*Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.*

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**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

[Docket No. 96-41]

**Paul W. Saxton, Continuation of Registration**

On July 15, 1996, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA) issued an Order to Show Cause to Paul W. Saxton, D.O. (Respondent) of Sandy, Utah, notifying him or an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration AS9420059 and deny any pending applications for renewal of such registration as a practitioner pursuant to 21 U.S.C. 823(f) and 824(a)(4), for reason that his continued registration would be inconsistent with the public interest.