Federal Register

Bighorn Lake beginning at the junction between Mormon Point and the south north and south mouth of Jim Creek, marked lakeshore access roads leading mouth of Jim Creek. On the east side of Bighorn Lake beginning at the junction of U.S. Highway 14A and the John Blue road, northerly on the John Blue road to the first road to the left, on said road in a westerly direction to its terminus at the shoreline of Horseshoe Bend, and the along the Big Fork Canal, crossing said canal and terminating on the south shore of Horseshoe Bend, and the marked lakeshore access roads leading off this main route to Mormon Point, north and south mouth of Jim Creek, South Narrows, and the lakeshore road between Mormon Point and the south mouth of Jim Creek. On the east side of Bighorn Lake beginning at the junction of U.S. Highway 14A and the John Blue road, northerly on the John Blue road to the first road to the left, on said road in a westerly direction to its terminus at the shoreline of Bighorn Lake. All frozen lake surfaces are closed to snowmobiling.

(2) On roads designated for snowmobile use only that portion of the road or parking area intended for other motor vehicle use may be used by snowmobiles. Such roadway is available for snowmobile use only when the designated road or parking area is closed by snow depth to all other motor vehicles used by the public. These routes will be marked by signs, snow piles or other appropriate means. The superintendent shall determine the opening and closing dates for use of designated snowmobile routes each year. Routes will be open to snowmobile travel when they are considered to be safe for travel but not necessarily free of safety hazards. Snowmobiles may travel in these areas with the permission of the superintendent, but at their own risk.

(3) Snowmobile use outside designated routes is prohibited.

Dated: June 10, 1983.

J. Craig Potter,
Acting Assistant Secretary for Fish and Wildlife and Parks.

BILLING CODE 4310-70-M

36 CFR Part 7

Glacier National Park, Montana; Fishing Regulations

AGENCY: National Park Service, Interior.

ACTIONS: Final rule.

SUMMARY: On March 25, 1983, the National Park Service, Department of the Interior, published in the Federal Register (48 FR 12563) a proposed rule modifying fishing season opening and closing dates, fish catch limits, and fish entrail disposal methods for Glacier National Park. The proposal was made available for public review and comment for a period of thirty (30) days following publication in the Federal Register, and ending on April 27, 1983. Comments received consideration during preparation of the final rule. As a result of this rulemaking process, the final regulation is published to provide for the preservation and enjoyment of the park by allowing sport fishing and encouraging native fish species in Glacier National Park.

EFFECTIVE DATE: July 29, 1983.

FOR FURTHER INFORMATION CONTACT:
Charles B. Sigler, Chief Park Ranger, Glacier National Park, Telephone: (406) 888-5441.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to the Act of August 25, 1916, establishing the National Park Service, the fishery of Glacier National Park is to be managed to conserve native fish populations, as well as provide for the enjoyment of the public. Current fishing regulations for Glacier were adopted more than a decade ago. During the past four years, considerable data concerning the park fishery have been gathered by the U.S. Fish and Wildlife Service, and the park aquatic biologist. Conclusions based on these data indicated the present fishing regulations are in need of change. The intent of the new regulations is to better encourage native fish species, discourage exotic species, and to improve fish entrail disposal. It is also felt the park fishing season can closely match the States general season.

Current regulations provide for a catch limit of an aggregate of five game fish, not to exceed three cutthroat trout, lake trout, bull trout, or grayling. Some waters are closed to fishing to protect native cutthroat and bull trout spawning stock. Special regulations pertaining to catch and release fishing and fly fishing only apply to a few waters. Sanitation regulations prohibit disposal of fish entrails in fresh waters. The current park fishing season extends from June 5 until October 15.

Daily catch limits will be changed in the final rule to the following: cutthroat trout 2; bull trout 1; burbot (ling) 5; northern pike 5; whitefish 5; kokanee salmon 5; grayling 5; lake trout 5, except on Lake McDonald, where the limit is 10; rainbow trout 5. The possession limit will not exceed 10 fish.

In backcountry waters, fish entrails are to be disposed of by puncturing the air bladder and depositing in deep water in the lake or stream from which they were taken, at a distance at least 200 feet from the nearest campsite. This will allow a sanitary and safe method of entrail disposal in bear habitat, instead of burying, depositing on the ground, or packing out. This regulation is part of the bear management program, and when now implemented will reduce the possibility of bears being drawn into confrontations with humans, while scavenging the inedible fish parts deposited on lakeshores or stream banks.

The final regulations also lengthen the general park season to extend from 12:01 a.m., on the third Saturday of May, until midnight of November 30, with some exceptions. This coincides with the general State fishing season outside the park. A special season for lake trout will allow fishing on Lake McDonald from April 1 until the third Saturday in May, in December 1, through December 31. There is no change in the closure of tributary streams of the North Fork and Middle Fork of the Flathead River, for protection of native bull trout spawning areas. Moreover, there is no change in waters previously restricted to fly fishing only or catch and release fishing only.

Public Participation

The policy of the Department of the Interior is, whenever practical, to afford the public an opportunity to participate in the rulemaking process. To this end, a news release was distributed by the park to local newspapers and radio stations, upon the proposed rule’s publication, to elicit public comment. During the 30-day comment period ending April 27, 1983, three letters and one telephone call were received inquiring about or commenting on the proposed regulation. Two of the letters pertained to Lake McDonald; one being fairly unspecific as to its concern. The other asked if the regulation would be temporary; it is not. A third respondent questioned whether the method of fish entrail disposal would result in water pollution. As prescribed in the regulation, the punctured air bladder will permit the entrails to sink, returning them to the nutrient cycle by natural processes that pose no threat to water quality. This finding is based on five years of research at Glacier and Yellowstone National Parks.

Lacking any significant public objection, the final rule published here is identical to that appearing March 25, 1983 in the Federal Register.

Drafting Information

The following persons participated in the writing of this regulation: Charles B. Sigler, Chief Park Ranger; William F. Conrod, Resource Management Ranger; David Lange, Resource Management Ranger; Dr. Leo Marnell, Aquatic Biologist; all of Glacier National Park.
Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3501 et seq.

Compliance With Other Laws

The Department of the Interior has determined that this document is not a "major rule" under Executive Order 12291 and certifies that this document will not have a "significant economic effect on a substantial number of small entities" under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). By extending fishing opportunities, this regulation should have a positive, albeit limited, effect on local sporting goods stores and other establishments provisioning anglers.

Pursuant to the National Environmental Policy Act 42 U.S.C. 4332, the Service has prepared an environmental assessment on this proposed regulation, which is available at the address noted above.

List of Subjects in 36 CFR Part 7

National parks.

PART 7—[AMENDED]

In consideration of the following, 36 CFR 7.3 is amended by revising the introductory paragraph (b)(2) and adding paragraph (b)(3) as follows:

§ 7.3 Glacier National Park.

(a) Fishing, open season. All waters in the parks shall be open to fishing from 12:01 a.m. on the third Saturday of May and end at 12 midnight on November 30, except as otherwise provided by the following restrictions:

(5) Lake McDonald will be extended to fishing for lake trout only from 12:01 a.m. on April 1 to 12 midnight on the third Friday in May, and from 12:01 a.m. on December 1 to 12 midnight December 31.

(b) Fishing, daily limit of catch, possession limit and entrail disposal.

(2) The daily limit for sport fish in waters of Glacier National Park are: cutthroat trout 2; bull trout 1; barbich 2; northern pike 5; whitefish 5; kokanee salmon 5; brook trout 5; grayling 5; rainbow trout 5; lake trout 5, except in Lake McDonald, where the limit is 10. The possession limit will not exceed 10 fish. However:

(3) In backcountry waters, fish entrails will be disposed of by puncturing the air bladder and depositing the entrails in deep water in the lake or stream from which they were taken, at a distance of 200 feet or more from any campsite.

Dated: June 1, 1983.

G. Ray Amert,
Assistant Secretary for Fish and Wildlife and
Parks.

[FR Doc. 83-17500 Filed 6-28-83; 8:45 am]
BILLING CODE 4310-70-M

VETERANS ADMINISTRATION

38 CFR Part 1

Privacy Act Exemptions

AGENCY: Veterans Administration.

ACTION: Final rule.

SUMMARY: The Veterans Administration is publishing, in final form, revised § 1.582 to title 38, Code of Federal Regulations. This revision permits the Veterans Administration to implement general and specific exemptions of the Privacy Act of 1974 for certain Agency systems of records identified in the revised regulation. Through this revision of § 1.582, four Veterans Administration systems of records are exempt pursuant to provisions of the Privacy Act.

EFFECTIVE DATE: July 29, 1983.

FOR FURTHER INFORMATION CONTACT: Howard C. Lem, Office of the General Counsel [024H], 810 Vermont Avenue, NW., Washington, DC 20420, (202) 369-3431.

SUPPLEMENTARY INFORMATION: On April 28, 1983, a proposed revision of § 1.582 was published on pages 18841 to 18844 of the Federal Register. Interested persons were given 30 days to submit comments on the proposed revision. No comments were received. This regulation revision is necessary to implement general and specific exemptions of the Privacy Act for two Office of Inspector General and two Department of Veterans Benefits systems of records pursuant to provisions of subsections (i)(2), (k)(2) and/or (k)(5) of the Privacy Act. It has been determined that this revision to this VA regulation is other than major under the criteria of Executive Order 12291 on Federal Regulations. It will not have an annual effect on the economy of $100 million or more; it will not result in major increases in costs for consumers, individual industries, Federal, state or local government agencies, or geographic regions, nor will it have a significant adverse effect on competition, employment, investment, productivity, innovation or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. The Administrator hereby certifies that this regulation will not, once promulgated, have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601 through 612. Pursuant to 5 U.S.C. 605(b), this regulation is, therefore, exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604. The reason for this certification is that this rule affects the Privacy Act rights of individuals and does not generally regulate small entities. Further, there are no reporting or recordkeeping requirements, additional paperwork burdens or other regulatory burdens imposed.

Any economic impact on small business entities is indirect, minimal and would occur in very few instances. There is no catalog of Federal Domestic Assistance number.

List of Subjects in 38 CFR Part 1


The following revision to the regulation is hereby adopted and set forth as final.

Approved: June 23, 1983.

By direction of the Administrator:

Everett Alvarez, Jr.
Deputy Administrator.

PART 1—[AMENDED]

38 CFR Part 1. General, is amended by revising § 1.362 to read as follows:

§ 1.362 Exemptions.

(a) Certain systems of records maintained by the Veterans Administration are exempted from provisions of the Privacy Act in accordance with exemptions (j) and (k) of 5 U.S.C. 552a.

(b) Exemption of Inspector General Systems of Records. The Veterans Administration provides limited access to Inspector General Systems of Records as indicated:

(1) The following systems of records are exempted pursuant to the provisions of 5 U.S.C. 552a(j)(2) from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4) and (5), (f) and (g) of 5 U.S.C. 552a; in addition, the following systems of records are exempted pursuant to the provisions of 5 U.S.C. 552a(k)(2) from subsections (c)(3).
(d) (e)(1), (e)(4)(G), (H), and (I), and (f) of 5 U.S.C. 552a:

29848 Federal Register

The record of reports and the access to records in each system of records. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual or to grant access to an investigative file could interfere with investigatory and enforcement proceedings, threaten the safety of individuals who have cooperated with authorities, constitute an unwarranted invasion of personal privacy of others, disclose the identity of confidential sources, reveal confidential information supplied by these sources, and disclose investigative techniques and procedures.

The application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality. This could compromise the ability to conduct investigations and to identify, detect and apprehend violators. Even though the agency has claimed an exemption from this particular requirement, it still plans to generally identify the categories of records and the sources for these records in this system. However, for the reasons stated in paragraph (b)(2)(ii) of this section, this exemption is still being cited in the event an individual wants to know a specific source of information.

The application of this provision could impair the successful conclusion of the investigation. Informing the individual of the information; and the possible effects on the subject, if any, of providing the requested information. The reasons for exempting this system of records from the foregoing provision are as follows:

(A) It is not possible to detect the relevance or necessity of specific information in the early stages of a criminal or other investigation.

(B) Relevance and necessity are questions of judgment and timing. What appears relevant and necessary may ultimately be determined to be unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established.

(C) In any investigation the Inspector General may obtain information concerning the violations of laws other than those within the scope of his/her jurisdiction. In the interest of effective law enforcement, the Inspector General should retain this information as it may aid in establishing patterns of criminal activity and provide leads for those law enforcement agencies charged with enforcing other segments of civil or criminal law.

(v) 5 U.S.C. §§ 552a(e)(1), (e)(4)(G), (H), and (I), and (f) of 5 U.S.C. 552a:

The record of reports and the access to records in each system of records. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual or to grant access to an investigative file could interfere with investigatory and enforcement proceedings, threaten the safety of individuals who have cooperated with authorities, constitute an unwarranted invasion of personal privacy of others, disclose the identity of confidential sources, reveal confidential information supplied by these sources, and disclose investigative techniques and procedures.

The application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality. This could compromise the ability to conduct investigations and to identify, detect and apprehend violators. Even though the agency has claimed an exemption from this particular requirement, it still plans to generally identify the categories of records and the sources for these records in this system. However, for the reasons stated in paragraph (b)(2)(ii) of this section, this exemption is still being cited in the event an individual wants to know a specific source of information.

The application of this provision could impair the successful conclusion of the investigation. Informing the individual of the information; and the possible effects on the subject, if any, of providing the requested information. The reasons for exempting this system of records from the foregoing provision are as follows:

(A) It is not possible to detect the relevance or necessity of specific information in the early stages of a criminal or other investigation.

(B) Relevance and necessity are questions of judgment and timing. What appears relevant and necessary may ultimately be determined to be unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established.

(C) In any investigation the Inspector General may obtain information concerning the violations of laws other than those within the scope of his/her jurisdiction. In the interest of effective law enforcement, the Inspector General should retain this information as it may aid in establishing patterns of criminal activity and provide leads for those law enforcement agencies charged with enforcing other segments of civil or criminal law.

(v) 5 U.S.C. §§ 552a(e)(1), (e)(4)(G), (H), and (I), and (f) of 5 U.S.C. 552a:

The record of reports and the access to records in each system of records. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual or to grant access to an investigative file could interfere with investigatory and enforcement proceedings, threaten the safety of individuals who have cooperated with authorities, constitute an unwarranted invasion of personal privacy of others, disclose the identity of confidential sources, reveal confidential information supplied by these sources, and disclose investigative techniques and procedures.

The application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality. This could compromise the ability to conduct investigations and to identify, detect and apprehend violators. Even though the agency has claimed an exemption from this particular requirement, it still plans to generally identify the categories of records and the sources for these records in this system. However, for the reasons stated in paragraph (b)(2)(ii) of this section, this exemption is still being cited in the event an individual wants to know a specific source of information.

The application of this provision could impair the successful conclusion of the investigation. Informing the individual of the information; and the possible effects on the subject, if any, of providing the requested information. The reasons for exempting this system of records from the foregoing provision are as follows:

(A) It is not possible to detect the relevance or necessity of specific information in the early stages of a criminal or other investigation.

(B) Relevance and necessity are questions of judgment and timing. What appears relevant and necessary may ultimately be determined to be unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established.

(C) In any investigation the Inspector General may obtain information concerning the violations of laws other than those within the scope of his/her jurisdiction. In the interest of effective law enforcement, the Inspector General should retain this information as it may aid in establishing patterns of criminal activity and provide leads for those law enforcement agencies charged with enforcing other segments of civil or criminal law.

(v) 5 U.S.C. §§ 552a(e)(1), (e)(4)(G), (H), and (I), and (f) of 5 U.S.C. 552a:

The record of reports and the access to records in each system of records. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual or to grant access to an investigative file could interfere with investigatory and enforcement proceedings, threaten the safety of individuals who have cooperated with authorities, constitute an unwarranted invasion of personal privacy of others, disclose the identity of confidential sources, reveal confidential information supplied by these sources, and disclose investigative techniques and procedures.

The application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality. This could compromise the ability to conduct investigations and to identify, detect and apprehend violators. Even though the agency has claimed an exemption from this particular requirement, it still plans to generally identify the categories of records and the sources for these records in this system. However, for the reasons stated in paragraph (b)(2)(ii) of this section, this exemption is still being cited in the event an individual wants to know a specific source of information.

The application of this provision could impair the successful conclusion of the investigation. Informing the individual of the information; and the possible effects on the subject, if any, of providing the requested information. The reasons for exempting this system of records from the foregoing provision are as follows:

(A) It is not possible to detect the relevance or necessity of specific information in the early stages of a criminal or other investigation.

(B) Relevance and necessity are questions of judgment and timing. What appears relevant and necessary may ultimately be determined to be unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established.

(C) In any investigation the Inspector General may obtain information concerning the violations of laws other than those within the scope of his/her jurisdiction. In the interest of effective law enforcement, the Inspector General should retain this information as it may aid in establishing patterns of criminal activity and provide leads for those law enforcement agencies charged with enforcing other segments of civil or criminal law.
(vii) 5 U.S.C. 552a(e)(5) requires that records be maintained with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in making any determination about an individual. Since the law defines "maintain" to include the collection of information, complying with this provision would prevent the collection of any data not shown to be accurate, relevant, timely, and complete at the moment of its collection. In gathering information during the course of an investigation, it is not always possible to determine this prior to collection of the information. Facts are first gathered and then placed into a logical order which objectively proves or disproves criminal behavior on the part of the subject. Material which may seem unrelated, irrelevant, incomplete, untimely, etc., may be taken on added meaning as an investigation progresses. The restrictions in this provision could interfere with the preparation of a complete investigative report.

(viii) 5 U.S.C. 552a(e)(6) requires an agency to make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record. The notice requirement of this provision could potentially reveal an ongoing criminal investigation to the subject of the investigation.

(c) Exemption of Loan Guaranty Service, Department of Veterans Benefits, Systems of Records. The Veterans Administration provides limited access to Loan Guaranty Service, Department of Veterans Benefits, systems of records as indicated:

(1) The following systems of records are exempted pursuant to the provisions of 5 U.S.C. 552a(k)(2) from subsections (c)(3), (d), (e)(1) and (e)(4) (G), (H) and (I) and (f):

(i) Loan Guaranty Fee Personnel and Program Participant Records—VA (17 VA 26);

(ii) Loan Guaranty Home Condominium and Mobile Home Loan Applicant Records and Paraplegic Grant Application Records—VA (50 VA 26).

(2) These exemptions apply to the extent that information in these systems is subject to exemption pursuant to 5 U.S.C. 552a(k)(2).

(3) For the reasons set forth, the systems of records listed under paragraph (c)(1) of this section are exempted under 5 U.S.C. 552a(k)(2) from the following provisions of 5 U.S.C. 552a:

(i) 5 U.S.C. 552a(c)(3) requires that an agency make accountings of disclosures of records available to individuals named in the records at their request. These accountings must state the date, nature and purpose of each disclosure of the record and the name and address of the recipient. The application of this provision would alert subjects of an investigation to the existence of the investigation and that such persons are subjects of that investigation. Since release of such information to subjects of an investigation would provide the subjects with significant information concerning the nature of the investigation, it could result in the altering or destruction of documentary evidence, improper influencing of witnesses and other activities that could impede or compromise the investigation.

(ii) 5 U.S.C. 552a(d), (e)(4) (G) and (H) and (f) relate to an individual's right to be notified of the existence of records pertaining to such individual; requirements for identifying an individual who requests access to records; and the agency procedures relating to access to records and the contest of information contained in such records. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual or to grant access to an investigative file could interfere with investigative and enforcement proceedings; constitute an unwarranted invasion of the personal privacy of others; disclose the identity of confidential sources and reveal confidential information supplied by these sources and disclose investigative techniques and procedures.

(iii) 5 U.S.C. 552a(e)(4)(I) requires the publication of the categories of sources of records in each system of records. The application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality. This would compromise the ability to conduct investigations. Even though the agency has claimed an exemption from this particular requirement, it still plans to generally identify the categories of records and the sources for these records in this system. However, for the reasons stated above, this exemption is still being cited in the event an individual wanted to know a specific source of information.

(iv) 5 U.S.C. 552a(e)(1) requires each agency to maintain in its records only such information about an individual that is relevant and necessary to accomplish a purpose of the agency required by statute or executive order. This system of records is exempt from the foregoing provision because:

(A) It is not possible to detect relevance or necessity of specific information in the early stages of an investigation.

(B) Relevance and necessity are questions of judgment and timing. What appears relevant and necessary when collected may ultimately be determined to be unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established.

(C) In interviewing persons or obtaining other forms of evidence during an investigation, information may be supplied to the investigator which relates to matters incidental to the main purpose of the investigation but which is appropriate in a thorough investigation. Oftentimes, such information cannot readily be segregated.

(4) The following system of records is exempt pursuant to the provisions of 5 U.S.C. 552a(k)(5) from subsections (c)(3), (d), (e)(4) (G) and (H) and (f) relate to an individual's right to be notified of the existence of records pertaining to such individual; requirements for identifying an individual who requests access to records; and the agency procedures relating to access to records and the contest of information contained in such records. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such individual or to grant access to an investigative file could interfere with investigative and enforcement proceedings; constitute an unwarranted invasion of the personal privacy of others; disclose the identity of confidential sources and reveal confidential information supplied by these sources and disclose investigative techniques and procedures.

(5) For the reasons set forth, the system of records listed in paragraph (c)(4) of this section is exempt under 5 U.S.C. 552a(k)(6) from the following provisions of 5 U.S.C. 552a:

(i) 5 U.S.C. 552a(c)(3) requires that an agency make accountings of disclosures of records available to individuals named in the records at their request. These accountings must state the date, nature and purpose of each disclosure of the record and the name and address of the recipient. The application of this provision would alert subjects of an investigation to the existence of the investigation and that such persons are subjects of that investigation. Since release of such information to subjects of an investigation would provide the subjects with significant information concerning the nature of the investigation, it could result in revealing the identity of a confidential source.

(ii) 5 U.S.C. 552a(d), (e)(4) (G) and (H) and (f) relate to an individual's right to be notified of the existence of records pertaining to such individual.
requirements for identifying an individual who requests access to records: and the agency procedures relating to access to records and the content of information contained in such records. This system is exempt from the foregoing provisions for the following reasons: To notify an individual at the individual's request of the existence of records in an investigative file pertaining to such an individual or to grant access to an investigative file would disclose the identity of confidential sources and reveal confidential information supplied by these sources.

(ii) 5 U.S.C. 552a(e)(4)(i) requires the publication of the categories of sources of records in each system of records. The application of this provision could disclose sufficient information to disclose the identity of a confidential source and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality. This would compromise the ability to conduct background suitability investigations.

(iv) 5 U.S.C. 552a(e)(4)(i) requires each agency to maintain in its records only such information about an individual that is relevant and necessary to accomplish a purpose of the agency required by statute or executive order. This system of records is exempt from the foregoing provision because:

(A) It is not possible to detect relevance and necessity of specific information from a confidential source in the early stages of an investigation.

(B) Relevance and necessity are questions of judgment and timing. What appears relevant and necessary when collected may ultimately be determined to be unnecessary. It is only after the information is evaluated that the relevance and necessity of such information can be established.

(C) In interviewing persons or obtaining other forms of evidence during an investigation for suitability for VA approval, information may be supplied to the investigator which relates to matters incidental to the main purpose of the investigation but which is appropriate in a thorough investigation. Oftentimes, such information cannot readily be segregated and disclosure might jeopardize the identity of a confidential source.

(5 U.S.C. 552a(j) and (k); 38 U.S.C. 210(c))

POSTAL SERVICE
39 CFR Part 111
Uniform Parcel Size and Weight Limits; Correction

AGENCY: Postal Service.

ACTION: Final rule; correction.

SUMMARY: In the February 23, 1983 Federal Register, 46 FR 6071, 6072, the Postal Service adopted a final rule changing postal regulations to reflect the establishment of uniform size and weight limits of 70 pounds and 108 inches in length and girth combined for Express Mail, Priority Mail, parcel post, special fourth-class rate, and library rate fourth-class mail. That final rule incorrectly increased the maximum dimension for a parcel mailed from an APO or FPO outside the 48 contiguous states from 100 inches (length and girth combined) to 108 inches (length and girth combined). The correct dimension remains 100 inches.

EFFECTIVE DATE: February 27, 1983.


For the above reasons, the change to 125.52b of the Domestic Mail Manual, announced at 48 FR 8072, is hereby rescinded.

W. Allen Sanders,
Associate General Counsel, Office of General Law and Administration.

ENVIRONMENTAL PROTECTION AGENCY
40 CFR Part 52
(A-10-FRL 2387-2)
Approval and Pronouncement of Implementation Plans: Washington; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: This Notice is issued to clarify thirteen documents printed in the Federal Register pertaining to the approval of the State of Washington Implementation Plan. Given the complexity of these thirteen rulemaking actions which involved EPA approval or conditional approval of twenty-one SIP revisions, many of which partially or completely replaced earlier submittals, a concise but detailed description of those elements comprising the Federally-approved SIP is warranted. EPA is therefore clarifying and expanding § 52.2470 entitled "Identification of plan," § 52.2472 entitled "Extensions," and § 52.2479 entitled "Rules and regulations," in order to identify in greater detail the provisions of the State-submitted plan which have been approved by EPA.

DATE: This action is effective on June 29, 1983.

FOR FURTHER INFORMATION CONTACT: David C. Bray, Air Programs Branch, M/S 532, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101, Telephone (206) 442-1980 (PTS) 399-1380.

SUPPLEMENTARY INFORMATION:

(1) On June 5, 1980 (45 FR 37821), EPA approved the Yakima carbon monoxide (CO) plan, the statutory authority and schedule for an automobile inspection and maintenance program, revised statutory language on State legal authority, certain State and local regulations necessary for attainment of primary National Ambient Air Quality Standards in primary nonattainment areas (including the rescission of certain State and local regulations); and conditionally approved the Seattle-Tacoma CO and ozone plans, the Vancouver ozone plan, the Seattle, Tacoma, Vancouver, Spokane and Clarksptom TSP plans, the WDOE Part D new source review (NSR) regulations, the WDOE regulations for sources of volatile organic compounds (VOC), and provisions pertaining to combined emissions, source test procedures, and "no burn areas."

(2) On July 31, 1980 (45 FR 50749), EPA conditionally approved portions of the WDOE regulations for Kraft pulp mills, sulfate pulp mills, and primary aluminum plants and rescinded certain provisions in the previously approved regulations.

(3) On December 24, 1980 (45 FR 85007), EPA conditionally approved the Spokane CO plan.


(5) On August 14, 1981 (46 FR 41053), EPA approved the WDOE regulations for maintenance of pay.

(6) On September 14, 1981 (46 FR 45607), EPA approved the Seattle-Tacoma CO and ozone plans, the Vancouver ozone plan, the Seattle, Tacoma, Vancouver, Spokane and Clarksptom TSP plans, the WDOE Part D NSR regulations, the WDOE regulations for sources of VOC, a new regulation pertaining to civil sanctions under the Washington Clean Air Act, provisions pertaining to combined emissions, source test procedures, and "no burn