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II. Comments

Interested persons may submit to the Dockets Management Branch (see **ADDRESSES**) written or electronic comments regarding this document. Submit a single copy of electronic comments to <http://www.fda.gov/dockets/ecomments> or two hard copies of any written comments, except that individuals may submit one hard copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

III. Electronic Access

Persons with access to the Internet may obtain the document at <http://www.fda.gov/cder/guidance/index.htm>, <http://www.fda.gov/cber/guidelines.htm>, or <http://www.fda.gov/ohrms/dockets/default.htm>.

Dated: January 27, 2003.

Margaret M. Dotzel,

Assistant Commissioner for Policy.

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DEPARTMENT OF THE INTERIOR

Office of the Secretary

Privacy Act of 1974: As Amended; Revision to an Existing System of Records

AGENCY: Office of the Secretary, Department of the Interior.

ACTION: Proposed revisions to an existing system of records.

SUMMARY: Under the Privacy Act of 1974, as amended (5 U.S.C. 552a), the Department of the Interior is issuing public notice of its intent to modify an existing Privacy Act system of records notice managed by the Office of the Secretary entitled the "Electronic Email Archive System (EEAS)", Interior—OS-10 (67 FR 46202-46203, dated July 12, 2002). The revisions will update the "Categories of individuals covered by the system" section.

EFFECTIVE DATE: These actions will be effective January 28, 2003.

FOR FURTHER INFORMATION CONTACT: For more information on the EEAS system

and its requirements, please contact Regina Lawrence, Office of the Chief Information Officer, Department of the Interior at 202-208-5413, or mail at MS-5312-MIB, 1849 C St. NW., Washington, DC 20240.

SUPPLEMENTARY INFORMATION: In this notice, the Department of the Interior is proposing to add additional Departmental bureaus/offices that will be participating in the EEAS to the "Categories of individuals covered by the system" section. These additional bureaus/offices are the Office of Surface Mining, the Bureau of Reclamation, and the National Business Center. These bureaus/offices are being added because they may also send or receive email with information related to Indian Trust programs. The EEAS was developed as a way to respond to information requests from the Court in the *Cobell et al. v. Norton, et al.*, Federal District Court Case No. 1:96CV01285 litigation.

Thus, the Department of the Interior proposes to amend EEAS, Interior—OS-10 to read as follows:

Dated: January 23, 2003.

Marilyn A. Legnini,

Departmental Privacy Act Officer.

INTERIOR/OS-10

SYSTEM NAME:

Electronic Email Archive System (EEAS).

SECURITY CLASSIFICATION:

Sensitive, but unclassified.

SYSTEM LOCATION:

The records of this system are located at a digital safe site at a location managed by the contractor for the Department of the Interior. Only information maintained at this site by the contractor is considered a Privacy Act system of records covered by this notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system contains information on individuals who send and receive electronic messages using Internet email and interoffice email from and to those Departmental bureaus/offices involved with Indian Trust programs, and those individuals who are referred to in the electronic messages. These bureaus/offices are as follows: Office of the Solicitor; Bureau of Indian Affairs; Office of the Special Trustee for American Indians; Office of the Assistant Secretary—Indian Affairs; Bureau of Land Management; Office of the Assistant Secretary—Policy, Management, and Budget; Office of Hearings and Appeals; Office of

Historical Trust Accounting; Office of the Secretary; the Minerals Management Service; the United States Geological Survey; the National Park Service; and the U.S. Fish and Wildlife Service. The following bureau/offices are being added to the EEAS because the Court is concerned that they may send or receive email containing individual Indian Trust related information: the Office of Surface Mining; the Bureau of Reclamation; and the National Business Center.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records include information from Internet email and interoffice email, including address of sender and receiver(s), subject, date sent or received, text of the message, name of attachment, attachment text, and certification status. The name and email address of the sender and receiver are captured along with the bcc, cc, subject line, and text of the message.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 43 CFR part 1455, and 40 CFR part 1441.

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

The system's main purpose is to respond to requests from the federal district court in *Cobell v. Norton* regarding information about individual Indian Trust programs that is embodied in email communication.

Disclosures outside the Department of the Interior can be made to:

(a) Contractors who service and maintain the system for the Department, ensuring that all provisions of the Privacy Act, and all other applicable laws, regulations, and policies relating to contracting and record security are met.

(b) Another Federal agency to enable that agency to respond to an inquiry by the individual to whom the record pertains.

(c)(1) To any of the following entities or individuals.

(A) The Department of Justice (DOJ), or

(B) To a court, adjudicative or other administrative body, or

(C) To a party in litigation before a court or adjudicative or administrative body, or

(D) The Department or any component of the Department, or

(E) Any Department employee acting in his or her official capacity, or

(F) Any Departmental employee acting in his or her individual capacity if the Department or the DOJ has agreed to represent that employee or pay for private representation of the employee,