

DEPARTMENT OF JUSTICE

Civil Rights Division; Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: 60-Day Notice of Information Collection Under Review: Procedure for the Administration of Section 5 of the Voting Rights Act of 1965.

The Department of Justice (DOJ), CRT has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until January 24, 2006. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Robert S. Berman, U.S. Department of Justice, Civil Rights Division, 950 Pennsylvania Avenue, NW., Voting Section, 1800G, Washington, DC 20530.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Procedure for the Administration of Section 5 of the Voting Rights Act of 1965.

(3) *Agency form number:* None.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: State, Local, or Tribal Government. Other: None. Abstract: Jurisdictions specifically covered under the Voting Rights Act are required to obtain preclearance from the Attorney General before instituting changes affecting voting. They must convince the Attorney General that proposed voting changes are not racially discriminatory. The procedures facilitate the provision of information that will enable the Attorney General to make the required determination.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 4,727 respondents will complete each form within approximately 10.02 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 47,365 total annual burden hours associated with this collection.

If additional information is required contact: Robert B. Briggs, Department Clearance Officer United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW., Washington, DC 20530.

Dated: November 18, 2005.

Robert B. Briggs,

Department Clearance Officer, Department of Justice.

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Between the United States of America, Certain Klamath Falls Homeowners, and the MBK Partnership and Its Partners and Affiliated Entities Under the Comprehensive Environmental Response, Compensation, and Liability Act

Pursuant to 28 CFR 50.7, notice is hereby given that on November 18, 2005, a proposed Consent Decree ("Consent Decree") in the case of *Burns v. MBK, et al. v. United States*, Civil Action No. 03-3021-HO (D. Or.), was lodged with the United States District Court for the District of Oregon.

The United States claims in this action sought the recovery of costs incurred in connection with response actions taken by the United States Environmental Protection Agency at the North Ridge Estates residential real estate development in Klamath Falls, Oregon ("the Site"). Under the terms of the Consent Decree, the MBK Partnership, and its partners and affiliated entities, will pay \$433,333 to EPA for the completion of an RI/FS at the Site. The United States will also pay, on behalf of the United States Department of Health and Human Services, General Services Administration, Department of the Navy and Department of Defense, \$400,000 to EPA for the completion of the RI/FS. In addition, pursuant to a separate settlement of their civil litigation against the MBK defendants, the homeowners that are a party to the Consent Decree have agreed to receive compensation for their homes, and to vacate their homes, so that EPA may complete its investigation and response action at the Site, and a receiver appointed by the United States District Court for the District of Oregon may attempt to redevelop and sell the property in return for the implementation of any final cleanup action. Under the Consent Decree, the United States will provide a covenant not to sue and contribution protection to the homeowners, the MBK defendants, and the receiver.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *Burns v. MBK et al. v. United States*, Civil Action No. 03-3021-HO (D. Ore.), D.J. Ref. 90-11-2-08462.

The Consent Decree may be examined at the Office of the United States Attorney, District of Oregon, 1000 SW. Third Ave., Portland, Oregon 97204-2902. During the public comment period, the Consent Decree may be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library,