substantive rulemaking authority under sec. 9 of the ADEA, to promulgate a rule providing that apprenticeship programs are subject to the Act.

Executive Order 12866, Regulatory Planning and Review

The Equal Employment Opportunity Commission has determined that this is not a significant rule as defined by Executive Order 12866 and will not have an annual effect on the economy of \$100 million or more or adversely affect in a material way the effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, or local or tribal governments or communities. The rule will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency.

The rule as proposed does not contain any information collection or record keeping requirements as defined in the Paperwork Reduction Act of 1980 (Pub. L. 96–511). Similarly, the Commission certifies under 5 U.S.C. 605(b), enacted by the Regulatory Flexibility Act (Pub. L. 96–354), that this rule will not result in a significant economic impact on a substantial number of small entities. For this reason, a regulatory flexibility

analysis is not required.

The Commission is desirous of receiving comments concerning this proposed rule from interested members of the public. Accordingly, the Commission will receive comments for a period of 60 days after publication. The Commission will consider such comments before taking final action.

In addition, in accordance with Executive Order 12067, the Commission has solicited the views of affected Federal agencies.

The proposed rule appears below.

List of Subjects in 29 CFR Part 1625

Advertising, Aged, Employee benefit plans, Equal employment opportunity, Retirement.

Signed at Washington, D.C. this 22 day of September, 1995.

Gilbert F. Casellas, *Chairman*.

It is proposed to amend chapter XIV of title 29 of the Code of Federal Regulations as follows:

PART 1625—AGE DISCRIMINATION IN EMPLOYMENT ACT

1. The authority citation for part 1625 continues to read as follows:

Authority: 81 Stat. 602; 29 U.S.C. 621, 5 U.S.C. 301, Secretary's Order No. 10–68;

Secretary's Order No. 11–68; sec. 12, 29 U.S.C. 631, Pub. L. 99–592, 100 Stat. 3342; sec. 2, Reorg. Plan No. 1 of 1978, 43 FR

§1625.13 [Removed]

2. In Part 1625, § 1625.13 would be removed.

Subpart B—Substantive Regulations

3. In Part 1625, § 1625.21 would be added to Subpart B—Substantive Regulations to read as follows:

§ 1625.21 Apprenticeship programs.

All apprenticeship programs, including those apprenticeship programs created or maintained by joint labor—management organizations, are subject to the proscriptions of sections 4(a) and 4(c) of the Act, 29 U.S.C. 623(a) and (c). Age limitations in those programs are valid only if excepted under section 4(f)(1) or specifically exempt under section 9 of the Act in accordance with the rule set forth in 29 CFR 1627.15.

[FR Doc. 95–24174 Filed 10–2–95; 8:45 am] BILLING CODE 6570–01–M

DEPARTMENT OF DEFENSE

Defense Investigative Service

32 CFR Part 321

Privacy Program

AGENCY: Defense Investigative Service, DOD.

ACTION: Proposed rule.

SUMMARY: The Defense Investigative Service proposes to exempt a system of records identified as V5-04, entitled Counterintelligence Issues Database (CII-DB), from certain provisions of 5 U.S.C. 552a. Exemption is needed to comply with prohibitions against disclosure of information provided the government under a promise of confidentiality and to protect privacy rights of individuals identified in the system of records.

DATES: Comments must be received no later than December 4, 1995, to be considered by the agency.

ADDRESSES: Send comments to the Chief, Office of Information and Public Affairs (V0020), Defense Investigative Service, 1340 Braddock Place, Alexandria, VA 22314–1651.

FOR FURTHER INFORMATION CONTACT: Mr. Dale Hartig at (703) 325–5324.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

The Director, Administration and Management, Office of the Secretary of

Defense has determined that this proposed Privacy Act rule for the Department of Defense does not constitute "significant regulatory action". Analysis of the rule indicates that it does not have an annual effect on the economy of \$100 million or more: does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866 (1993).

Regulatory Flexibility Act of 1980

The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

Paperwork Reduction Act

The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act proposed rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

List of Subjects in 32 CFR Part 321

Privacy.

Accordingly, 32 CFR part 321 is amended as follows:

- 1. The authority citation for 32 CFR part 321 continues to read as follows:
- Authority: Pub. L. 93–579, 88 Stat 1896 (5 U.S.C.552a).
- 2. Section 321.14, paragraph (g) is redesignated as (h) and a new paragraph (g) is added as follows:

§ 321.14 Exemptions.

- (g) System identifier. VDIS V50904.
- (1) *System name.* Counterintelligence Issues Database (CII-DB).
- (2) Exemption. Portions of this system of records that fall within the provisions of 5 U.S.C. 552a(k)(1), (k)(2), (k)(3) and (k)(5) may be exempt from the following subsections (c)(3); (d)(1) through (d)(5); (e)(1); (e)(4)(G), (H), and (I); and (f).