

Region V, 200 West Adams Street, Chicago, Illinois 60606, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree may also be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please enclose a check in the amount of \$6.00 (25 cents per page reproduction costs) payable to the "Consent Decree Library."

**Bruce Gelber,**

*Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 95-24960 Filed 10-6-95; 8:45 am]

**BILLING CODE 4410-01-M**

**Notice of Lodging of Consent Decree Pursuant to the Clean Water Act**

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that on September 29, 1995, a proposed Consent Decree in *United States, et al. v. Borough of Plum, et al.*, Civil Action No. 93-370, was lodged with the United States District Court for the Western District of Pennsylvania.

The complaint, filed by the United States on March 11, 1993, seeks injunctive relief and civil penalties under Section 309 of the Clean Water Act, 33 U.S.C. 1319. The Commonwealth of Pennsylvania intervened in the action as a plaintiff. The plaintiffs' complaints allege that the Borough of Plum and the Plum Borough Municipal Sewer Authority (now known as the Plum Borough Municipal Authority) violated the Clean Water Act and the Pennsylvania Clean Streams Law by, among other things, discharging raw sewage into Abers Creek, discharging from the Holiday Park Sewage Treatment Plant in violation of a discharge permit, and improperly operating and maintaining the Holiday Park Sewage Treatment Plant.

Under this Consent Decree, both defendants will pay a civil penalty of \$180,000 for their past violations. In addition, the Plum Borough Municipal Authority will implement appropriate injunctive relief, including the construction of equalization tanks that will retain raw sewage so that it can be treated and discharged from the Holiday Park Sewage Treatment Plant rather than discharged directly into Abers Creek.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney

General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States, et al. v. Borough of Plum, et al.*, DOJ Ref. #90-5-1-1-3960.

The Consent Decree may be examined at the Office of the United States Attorney for the Western District of Pennsylvania, 14th Floor Gulf Tower, 7th Avenue & Grant Street, Pittsburgh, Pennsylvania 15219; U.S. Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and at the Consent Decree Library, 1120 "G" Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and number, and enclose a check in the amount of \$12.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**Bruce S. Gelber,**

*Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 95-24961 Filed 10-6-95; 8:45 am]

**BILLING CODE 4410-01-M**

**[AAG/A Order No. 108-95]**

**Privacy Act of 1974; Privacy Act Systems of Records**

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a) and Office of Management and Budget Circular No. A-130, Department components have reviewed their Privacy Act systems of records to identify any minor changes that will clarify and/or more accurately describe their systems of records. As a result, the Antitrust Division, the Executive Office for Immigration Review, the Immigration and Naturalization Service (INS), and the Justice Management Division are republishing a total of 14 systems of records. In addition, both the Executive Office for Immigration Review and the INS are publishing a current appendix of office locations.

For public convenience, all changes have been italicized and a table of contents precedes the republication below.

Dated: September 18, 1995.

**Stephen R. Colgate,**

*Assistant Attorney General for Administration.*

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**JUSTICE/ATR-003**

**SYSTEM NAME:**

Index of Defendants in Pending and Terminated Antitrust Cases.

**SYSTEM LOCATION:**

U.S. Department of Justice: *Liberty Place, Suite 200*, Washington, DC 20530.

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

Individual defendants in pending and terminated criminal and civil cases brought by the United States under the antitrust laws.

This system contains an index reference to the case in which an individual (or corporation) is or was a defendant; included in information is proper case name, the judicial district and number of the case, and the date filed.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Authority for the establishment and maintenance of this index system exists under 28 U.S.C. 522 and 44 U.S.C. 3101.

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

Routine use of this cross index system is generally made by Department personnel for reference to proper case name. In addition a compilation of antitrust cases filed is prepared as needed showing the names of all defendants in pending civil and criminal Government antitrust cases. This compilation is utilized within the Department and occasionally distributed to other Government agencies for reference and statistical purposes.

A record maintained in this system, or any facts derived therefrom, may be disseminated in a proceeding before a court or adjudicative body before which the Antitrust Division is authorized to appear, when (1) the Antitrust Division, or any subdivision thereof; or (2) any employee of the Antitrust Division in his or her official capacity; or (3) any employee of the Antitrust Division in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (4) the United States, or any agency or subdivision thereof; or (5) the United States, where the Antitrust Division 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 Antitrust Division to be arguably relevant to the litigation.

Release of information to the news media: Information permitted to be released 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.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available 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 the system is maintained on index cards.

**RETRIEVABILITY:**

Information in the system is retrieved by reference to the name of individual or corporate defendants in antitrust cases.

**SAFEGUARDS:**

Information contained in the system is unclassified and of a public nature. During working hours access to the index is monitored by Antitrust Division personnel; during non-duty hours the area in which the system is maintained is locked.

**RETENTION AND DISPOSAL:**

Indefinite.

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

Chief, *Freedom of Information Act/ Privacy Act Unit; Antitrust Division; U.S. Department of Justice; Liberty Place, Suite 200, Washington, DC 20530.*

**NOTIFICATION PROCEDURE:**

Address inquiries to the Assistant Attorney General; Antitrust Division; U.S. Department of Justice; Washington, DC 20530.

**RECORD ACCESS PROCEDURES:**

Requests for access to a record from this system shall be in writing and be clearly identified as a "Privacy Access Request". Included in the request should be the name of the defendant in pending or terminated Government antitrust litigation. Requesters should indicate a return address. Requests will be directed to the System Manager shown above.

**CONTESTING RECORD PROCEDURES:**

Individuals desiring to contest or amend information maintained in the index should direct their request to the System Manager and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

**RECORD SOURCE CATEGORIES:**

Sources of information contained in this index are complaints filed under the antitrust laws by the United States and from Department records relating to such cases.

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

None.

**JUSTICE/ATR-004****SYSTEM NAME:**

Statements by Antitrust Division Officials (ATD Speech File).

**SYSTEM LOCATION:**

U.S. Department of Justice, *Liberty Place, Suite 200, Washington, DC 20530.*

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

Past and present employees of the Antitrust Division.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system contains an index record for each public statement or speech issued or made by employees of the Antitrust Division.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Authority for maintaining this system exists under 44 U.S.C. 3101.

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

This index is maintained for ready reference by Department personnel for the identification of the subject matter of and persons originating public statements by Antitrust Division employees; such reference is utilized in aid of compliance with requests from the public and within the agency for access to texts of such statements.

A record maintained in this system, or any facts derived therefrom, may be disseminated in a proceeding before a court or adjudicative body before which the Antitrust Division is authorized to appear, when (1) the Antitrust Division, or any subdivision thereof; or (2) any employee of the Antitrust Division in his or her official capacity; or (3) any employee of the Antitrust Division in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (4) the United States, or any agency or subdivision thereof; or (5) the United States, where the Antitrust Division 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 Antitrust Division to be arguably relevant to the litigation.

Release of information to the news media: Information permitted to be released 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.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available 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 contained in the index system is maintained on index cards.

**RETRIEVABILITY:**

This reference index utilizes name of present and former employees making or issuing statements as well as the subject matter or title of the statement.

**SAFEGUARDS:**

Information contained in the system is unclassified. During duty hours personnel monitor access to this index; the area is locked during non-duty hours.

**RETENTION AND DISPOSAL:**

Indefinite.

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

Chief, *Freedom of Information Act/ Privacy Act* Unit, Antitrust Division, U.S. Department of Justice, *Liberty Place, Suite 200*, Washington, DC 20530.

**NOTIFICATION PROCEDURE:**

Address inquiries to the Assistant Attorney General, Antitrust Division, U.S. Department of Justice, 10th and Constitution Avenue NW., Washington, DC 20530.

**RECORD ACCESS PROCEDURES:**

Request for access to a record from this system should be made in writing and be clearly identified as a "Privacy Access Request". Included in the request should be the name of the Antitrust Division employee making or issuing a public statement. Requesting should indicate a return address. Requests will be directed to the System Manager shown above.

**CONTESTING RECORD PROCEDURES:**

Individuals desiring to contest or amend information maintained in the index should direct their request to the System Manager and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

**RECORD SOURCE CATEGORIES:**

Sources of information maintained in the index are those records reflecting public statements issued or made by Antitrust Division employees.

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

None.

**JUSTICE/ATR-007**

**SYSTEM NAME:**

Antitrust Division Case Cards.

**SYSTEM LOCATION:**

U.S. Department of Justice, *Liberty Place, Suite 200*, Washington, DC 20530.

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

Individual defendants in pending and terminated criminal and civil cases brought by the United States under the antitrust laws where the defendant's name appears in the case title.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system contains an index reference to the case in which an individual (or corporation) is or was a defendant; included information is proper case name, the judicial district, number of the case, the commodity involved, each alleged violation, the section of the Antitrust Division responsible for the matter, and the disposition of the case.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Authority for maintaining this system exists under 44 U.S.C. 3101 and 28 U.S.C. 522.

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

This index is maintained for ready reference by Department personnel. It is utilized for referrals to case names, the preparation of speeches and to aid in determinations of the antitrust histories of companies.

A record maintained in this system, or any facts derived therefrom, may be disseminated in a proceeding before a court or adjudicative body before which the Antitrust Division is authorized to appear, when (1) the Antitrust Division, or any subdivision thereof; or (2) any employee of the Antitrust Division in his or her official capacity; or (3) any employee of the Antitrust Division in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (4) the United States, or any agency or subdivision thereof; or (5) the United States, where the Antitrust Division 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 Antitrust Division to be arguably relevant to the litigation.

Release of information to the news media: Information permitted to be released 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.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member of 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 contained in this system is maintained on index cards.

**RETRIEVABILITY:**

Information is retrieved by case name.

**SAFEGUARDS:**

Information contained in the system is unclassified. During duty hours access to this system is monitored and controlled by Antitrust Division personnel in the area where the system is maintained. This area is locked during non-duty hours.

**RETENTION AND DISPOSAL:**

Indefinite.

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

Chief, *Freedom of Information Act/ Privacy Act* Unit, Antitrust Division, U.S. Department of Justice, *Liberty Place, Suite 200* Washington DC 20530.

**NOTIFICATION PROCEDURE:**

Address inquiries to the Assistant Attorney General, Antitrust Division, U.S. Department of Justice, 10th and Constitution Avenue, NW., Washington, DC 20530.

**RECORD ACCESS PROCEDURES:**

Request for access to a record from this system should be made in writing and be clearly identified as a "Privacy Access Request." Included in the request should be the name of the defendant appearing in the title of the pending or terminated Government antitrust litigation. Requester should indicate a return address. Requests will be directed to the System Manager above.

**CONTESTING RECORD PROCEDURES:**

Individuals desiring to contest or amend information maintained in the

index should direct their request to the System Manager and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to be information sought.

**RECORD SOURCE CATEGORIES:**

Sources of information maintained in the index are those records reflecting litigation conducted by the Antitrust Division.

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

None.

**JUSTICE-ATR-008**

**SYSTEM NAME:**

Freedom of Information/Privacy Requester/Subject Index File

**SYSTEM LOCATION:**

U.S. Department of Justice, *Liberty Place, Suite 200*, Washington, DC 20530.

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

Individuals who have requested information under the Freedom of Information and Privacy Acts from files maintained by the Antitrust Division and individuals about whom material has been requested under the above acts.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system contains a record of every FOIA/PA request made, along with the response, copies of documents which have been requested, and internal memoranda or other records related to the initial processing of such request, subsequent appeals and/or litigation.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

44 U.S.C. 3101 to implement the provisions of 5 U.S.C. 552 and 5 U.S.C. 552a.

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

This index is maintained for ready reference by Division personnel for the identification of the subject matter of and persons originating Freedom of Information and Privacy Act requests. Such reference is utilized in aid of access to files, maintained by the Freedom of Information and Privacy Unit, for purposes of reference to requests on appeal, questions concerning pending or terminated requests, and compliance with requests similar or identical to past requests.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be

made available from the 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.

A record maintained in this system, or any facts derived therefrom, may be disseminated in a proceeding before a court or adjudicative body before which the Antitrust Division is authorized to appear, when (1) The Antitrust Division, or any subdivision thereof; or (2) any employee of the Antitrust Division in his or her official capacity; or (3) any employee of the Antitrust Division in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (4) the United States, or any agency or subdivision thereof; or (5) the United States, where the Antitrust Division 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 Antitrust Division to be arguably relevant to the litigation.

Release of information to Members of Congress: Information contained in systems of records maintained by the Department of Justice not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available 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.

Release of information to the National Archives and Records Administration: A record from a system of records may be disclosed as a routine use to the National Archives and Records Administration (NARA) 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:**

Paper documents are stored in file folders; abbreviated or summarized information is stored on manual index cards and on magnetic disks and tapes.

**RETRIEVABILITY:**

Request files are retrieved by case number or through a cross reference to the manual and automated indexes which are accessed by name. Summary data on requests received through July 31, 1983, is retrieved from the index cards; summary data as of August 1, 1983, is retrieved from magnetic disks

and tapes. Summary data consists of such data elements as name of requester, date and subject of request, date assigned, response date (and a brief description of the response), case number, and date appealed, if applicable.

**SAFEGUARDS:**

Information contained in the system is unclassified. During duty hours access to this system is monitored and controlled by Antitrust Division personnel in the area where the system is maintained. The area is locked during non-duty hours. In addition, only Antitrust Division personnel who have a need for the information contained in the system have the appropriate password for access to the system.

**RETENTION AND DISPOSAL:**

Indefinite.

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

Freedom of Information and Privacy Acts Control Officer, Antitrust Division, U.S. Department of Justice, *Liberty Place, Suite 200*, Washington, DC 20530.

**NOTIFICATION PROCEDURE:**

Address inquiries to the Assistant Attorney General, Antitrust Division, U.S. Department of Justice, 10th and Constitution Avenue NW., Washington, DC 20530.

**RECORD ACCESS PROCEDURE:**

Request for access to a record from this system should be made in writing and be clearly identified as a "Privacy Access Request." Included in the request should be the name of the individuals having made the Freedom of Information request and/or the individual about whom the records were requested. Requesters should indicate a return address. Requesters will be directed to the System Manager shown above.

**CONTESTING RECORD PROCEDURE:**

Individuals desiring to contest or amend information maintained in the index should direct their request to the System Manager and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

**RECORD SOURCE CATEGORIES:**

Source of the information maintained in the system are those records derived from the receipt and processing of Freedom of Information and Privacy Act requests.

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

The Attorney General has examined this system of records from subsections (c)(3), (d), (e)(4) (G) and (H), and (f) of the Privacy Act. This system is exempted pursuant to 5 U.S.C. 552a(k)(2) to the extent that the records contained in the system reflect Antitrust Division law enforcement and investigative information. Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c), and (e) and have been published in the **Federal Register**.

**JUSTICE/ATR-014****SYSTEM NAME:**

Civil Investigative Demand (CID) Tracking System, (JUSTICE/ATR-014).

**SYSTEM LOCATION:**

Information Systems Support Group, Antitrust Division, Department of Justice, Judiciary Center Building, 555 4th Street, NW., Washington, DC 20001.

**CATEGORIES OF INDIVIDUALS COVERED:**

Recipients of Antitrust Division (ATD) CID's in connection with certain ATD civil investigations.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

The CID number, the name of the CID recipient, the name of the company that employs the CID recipient, the date of CID, the type of CID (documentary, interrogatory or oral), the Department of Justice file number for the investigation and/or the title or subject of the previous investigation for which the CID was issued, and a reference indicating whether a matter was litigated as a result of information obtained by CID.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

The system is maintained pursuant to 28 U.S.C. 522, 44 U.S.C. 3101, and 28 CFR 0.40(a).

**PURPOSE OF THE SYSTEM:**

The proposed system contains information relating to the issuance of CID's (CID's require the production of documents and/or answers to written interrogatories, or oral testimony in connection with certain ATD civil investigations.) The system will be used by ATD to determine whether a party has been the recipient of a CID during a previous investigation(s), to identify the title (or nature) of that investigation(s), and to determine whether that individual should be issued a CID in an ongoing investigation(s).

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

Where ATD has reason to believe that information from this system of records, *e.g.*, names of individuals who are potential sources of information, may assist another agency (whether Federal State, local or foreign) in the conduct of its investigation(s) the information may be disclosed to such agency to provide that agency with or to assist the agency in identifying essential investigative leads.

Records or information may be disclosed as a routine use in a proceeding before a court or adjudicative body before which the Department is authorized to appear when any of the following is a party to litigation or has an interest in litigation and such records are determined by the Department to be arguably relevant to the litigation: The Department or any of the Department's components or its subdivisions; any Department employee in his or her official capacity, or in his or her individual capacity where the Department of Justice agrees to represent the employee; or the United States where the Department determines that the litigation is likely to affect it or any of the Department's components or its subdivisions.

Records or information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available 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.

Records or information may be disclosed as is necessary to respond to congressional inquiries on behalf of constituents

Records may be disclosed to the National Archives and Records Administration (NARA) and to the General Services Administration in records management inspections conducted under the authority of title 44 U.S.C. 2904 and 2906.

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

The records in this system are stored in a computer database.

**RETRIEVABILITY:**

Records are retrieved by the name of the individual who has been issued a CID.

**SAFEGUARDS:**

The information stored on the computer database is password-

protected. Passwords and user ID's are issued to authorized ATD employees only on a need-to-know basis.

**RETENTION AND DISPOSAL:**

Proposed plans for the retention and disposal of these records are being reviewed by the Department. Upon submission to and approved by the NARA, this system notice will be revised to identify the appropriate General Records Schedule that will govern the disposition of these records.

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

The system manager is the Chief, Information Systems Support Group, Antitrust Division, Department of Justice, Judiciary Center Building, room 11852, 555 4th Street, NW, Washington, DC 20001.

**NOTIFICATION PROCEDURE:**

Inquiries should be addressed to the Freedom of Information Act/Privacy Act (FOIA/PA) Officer, Antitrust Division, Department of Justice *Liberty Place, Suite 200* Washington, DC 20530. Clearly mark the letter and envelop "FOIA/PA Request."

**RECORD ACCESS PROCEDURES:**

Make all requests for access in writing and clearly mark the letter and envelope "FOIA/PA Request." Clearly indicate the name of the requester, name of the individual for which information is sought and provide the required verification of identity (28 CFR 16.41(d)). Direct all requests to the FOIA/PA Officer listed above and provide a return address for transmitting the information.

**CONTESTING RECORD PROCEDURES:**

Direct all requests to contest or amend information to the FOIA/PA Officer listed above. State clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment to the information sought. Clearly mark the letter and envelop "FOIA/PA Request."

**RECORD SOURCE CATEGORIES:**

Employers of CID recipients, or other investigative sources, who may provide the names of potential CID recipients; the individuals covered by the system; and records generated by virtue of the issuance of CID's.

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

None.

**JUSTICE/EOIR-001****SYSTEM NAME:**

Records and Management Information System (JUSTICE/EOIR-001).

**SYSTEM LOCATION:**

Executive Office for Immigration Review, Department of Justice, 5107 Leesburg Pike, Suite 2400, Falls Church, Virginia 22041. The system is also located in EOIR field offices (see appendix identified as JUSTICE/EOIR-999).

**CATEGORY OF INDIVIDUALS COVERED BY THE SYSTEM:**

This system contains case-related information pertaining to aliens and alleged aliens brought into the immigration hearing process, including certain aliens previously or subsequently admitted for lawful permanent residence.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system includes the name, file number, address and nationality of aliens and alleged aliens, decision memoranda, investigatory reports and materials compiled for the purpose of enforcing immigration laws, exhibits, transcripts, and other case-related papers concerning aliens, alleged aliens or lawful permanent residents brought into the administrative adjudication process.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

This system is established and maintained under the authority granted the Attorney General pursuant to 44 U.S.C. 3101 and 3103 and to fulfill the legislative mandate under 8 U.S.C. 1103, 1226 and 1252. Such authority has been delegated to EOIR by 8 CFR part 3.

**PURPOSE(S):**

Information in this system serves as the official record of immigration proceedings. EOIR employees use the information to prepare, process and track the proceedings. The information is further used to generate statistical reports and various documents, i.e., hearing calendars and administrative orders.

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

Information may be disseminated to the Department of State; Federal courts; Members of Congress; the alien or alleged alien's representative or attorney of record; and, to Federal, State and local agencies. Information is disseminated to the Department of State, pursuant to 8 CFR 208.11, to allow its preparation of advisory opinions regarding applications for political asylum; to the Federal courts to enable their review of EOIR administrative decisions on appeal; to Members of Congress to respond to constituent inquiries; and, to the representative or

attorney of record to ensure fair representation. Finally, in any claim in which there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, information, including investigatory information, may be disseminated to the appropriate Federal, State or local agency charged with the responsibility of investigating or prosecuting such violation or with enforcing or implementing such law.

*Release of information to the news media and the public:* Information permitted to be released 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 matter would constitute an unwarranted invasion of personal privacy.

*Release of information to Members of Congress:* Information contained in the system, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available 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.

*Release of information to the National Archives and Records Administration:* A record from the system of records may be disclosed to the National Archives and Records Administration (NARA) for 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:**

Records are maintained in file folders which are stored in file cabinets. A subset of the records is maintained on fixed disks or removable disk packs which are stored in file cabinets. All records are stored in secured EOIR office space.

**RETRIEVABILITY:**

Manual records are indexed by alien file number. Automated records are retrievable by a variety of identifying data elements including, but not limited to, alien file number, alien name and nationality.

**SAFEGUARDS:**

Information maintained in the system is safeguarded in accordance with Department of Justice rules and procedures. Record files are maintained in file cabinets accessible only to EOIR

employees. Automated information is stored on either fixed disks or removable disk packs which are stored in cabinets. Only EOIR employees in possession of specific access codes and passwords will be able to access automated information. All manual and automated records and mediums are located in EOIR office space accessible only to EOIR employees and locked during off-duty hours.

**RETENTION AND DISPOSAL:**

Record files are retained for six months after the final disposition of the case, then forwarded to regional Federal Records Centers. Automated records are maintained in EOIR field office data, bases for ninety days after final disposition, then transferred to the host computer at EOIR headquarters and retained indefinitely.

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

*General Counsel, Executive Office for Immigration Review, U.S. Department of Justice, 5107 Leesburg Pike, Suite 2400, Falls Church, Virginia 22041.*

**NOTIFICATION PROCEDURE:**

Address all inquiries to the system manager listed above.

**RECORD ACCESS PROCEDURES:**

Portions of this system are exempt from disclosure and contest by 5 U.S.C. 522a (k)(1) and (k)(2). Make all request for access to those portions not so exempted by writing to the system manager identified above. Clearly mark the envelope and letter "Privacy Access Requests": provide the full name and notarized signature to the individual who is the subject of the record, his/her date and place of birth, or any other identifying number or information which may assist in locating the record; and, a return address.

**CONTESTING RECORD PROCEDURE:**

Direct all requests to contest or amend information maintained to the system manager listed above. State clearly and concisely what information is being contested, the reason for contesting it, and the proposed amendment to the information.

**RECORD SOURCE CATEGORIES:**

Department of Justice offices and employees, primarily those of the Immigration and Naturalization Service; the Department of State and other Federal, State and local agencies; and the parties to immigration proceedings and their witnesses.

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

The Attorney General has exempted certain records of this system from the

access provisions of the Privacy Act (5 U.S.C. 552a(d)) pursuant to 5 U.S.C. 552a (k)(1) and (k)(2). Rules have promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the **Federal Register**.

#### JUSTICE/EOIR-999

##### SYSTEM NAME:

Appendix to Executive Office for Immigration Review System of Records. EOIR field offices are located as follows:

Executive Office for Immigration Review, Immigration Court, 901 N. Stuart Street, Room 1300, Arlington, VA 22203.

Executive Office for Immigration Review, Immigration Court, 77 Forsyth Street, SW., Atlanta, GA 30303.

Executive Office for Immigration Review, Immigration Court, U.S. Appraisers Bldg., 103 South Gay Street, Room 702, Baltimore, MD 21202.

Executive Office for Immigration Review, Immigration Court, JFK Federal Building, 15 New Sudbury Street, Room 320, Boston, MA 02203.

Executive Office for Immigration Review, Immigration Court, 130 Delaware Avenue, Suite 410, Buffalo, NY 14202.

Executive Office for Immigration Review, Immigration Court, Federal Building, Room 646, 536 South Clark Street, Chicago, IL 60605-1521.

Executive Office for Immigration Review, Immigration Court, Main Tower, Suite 700, 1200 Main Street, Dallas, TX 75202.

Executive Office for Immigration Review, Immigration Court, Byron G. Rogers Federal Building, 1961 Stout Street, Room 1403, Denver, CO 80294.

Executive Office for Immigration Review, Immigration Court, 1115 N. Imperial Avenue, 1st Floor, El Centro, CA 92243.

Executive Office for Immigration Review, Immigration Court, 625 Evans Street, Room 148A, Elizabeth, NJ 07201.

Executive Office for Immigration Review, Immigration Court, 1545 Hawkins Blvd., Suite 205, El Paso, TX 79925.

El Paso Service Processing Center, 8915 Montana, El Paso, TX 79925.

Federal Detention Center, 1705 East Hanna Road, Suite 366, Eloy, AZ 85231.

Executive Office for Immigration Review, Immigration Court, 3260 North Pinal Parkway Avenue, Florence, AZ 85232.

Executive Office for Immigration Review, Immigration Court, GSA Center, 651 Federal Drive, Suite 111-14, Guaynabo, PR 00965.

Executive Office for Immigration Review, Immigration Court, 201 East Jackson St., Harlingen, TX 78550.

Executive Office for Immigration Review, Immigration Court, 2320 La Branch Street, Room 2235, Houston, TX 77004.

Houston Service Processing Center, 15850 Export Plaza Drive, Houston, TX 77032.

Laredo Contract Facility, Route 4, P.O. Box 125A, Laredo, TX 78041.

Laredo Service Processing Center, P.O. Box 440110, Laredo, TX 78044-0110.

Executive Office for Immigration Review, Immigration Court, 300 N. Los Angeles Street, Room 2001, Los Angeles, CA 90012.

Port Isabel Service Processing Center, Route 3, Box 341, Building 37, Los Fresnos, TX 78566.

Executive Office for Immigration Review, Immigration Court, 155 S. Miami Avenue, Room 800, Miami, FL 33130.

Krome North Service Processing Center, 18201 SW. 12th Street, Miami, FL 33194.

Ulster Correctional Facility, Berme Road, P.O. Box 800, Napanoch, NY 12458.

Executive Office for Immigration Review, Immigration Court, 18 Rector St., Suite 500-R, Newark, NJ 07102.

Executive Office for Immigration Review, Immigration Court, 26 Federal Plaza, Room 13-130, New York, NY 10278.

Executive Office for Immigration Review, Immigration Court, 201 Varick Street, Room 350, New York, NY 10014.

Federal Deportation Center, Immigration Court, 1900 East Whately Rd., Oakdale, LA 71463.

Executive Office for Immigration Review, Immigration Court, Federal Building, 230 North First Avenue, Room 3114, Phoenix, AZ 85025.

Executive Office for Immigration Review, Immigration Court, U.S. Post Office/Courthouse Building, 615 E. Houston Street, Room 598, San Antonio, TX 78205-2040.

Executive Office for Immigration Review, Immigration Court, 401 West A Street, Suite 800, San Diego, CA 92101-7904.

Executive Office for Immigration Review, Immigration Court, 550 Kearny Street, Suite 800, San Francisco, CA 94108.

INS San Pedro Service Processing Center, 2001 Seaside Avenue, Room 136, San Pedro, CA 90731.

Executive Office for Immigration Review, Immigration Court, Key Tower Building, Suite 3150, 1000 Second Avenue, Seattle, WA 98104.

#### JUSTICE/INS-006

##### SYSTEM NAME:

Alien Address Reports.

##### SYSTEM LOCATION:

Immigration and Naturalization Service [INS]. *Headquarters*. 425 I Street NW., Washington, DC 20536.

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

Aliens *that were* required to report addresses *in 1980*: nonimmigrants; aliens lawfully admitted for permanent residence; aliens granted political asylum; refugees and other conditional entrants. (*The annual January requirement was terminated effective January 1, 1981.*)

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

This system contains an index and copies of Form I-53. Alien Address Report Card for the year 1980, that provided the following alien identification information: last name,

first, and middle; address in the U.S.; alien registration number (A-file No.); place entered the U.S.; date entered the U.S.; sex; country of birth, date of birth; country of citizenship; social security number (if any); occupation; employer; and signature and date.

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

Sections 103.265 and 290 of the Immigration and Nationality Act, as amended (8 U.S.C. 1103, 1305, and 1380).

##### PURPOSE(S):

The records in this system are used for research and historical purposes.

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

Relevant information contained in this system of records may be disclosed as follows:

A. 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.

B. To the National Archives and Records Administration and the General Services Administration 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:

INS *Headquarters* maintains a microfilm file of 1980 I-53 reports.

##### RETRIEVABILITY:

Records in the system are indexed and retrievable by name of the individual.

##### SAFEGUARDS:

Records are safeguarded in accordance with Department of Justice rules and procedures. INS offices are located in building, under security guard, and access to premises is by official identification. Access to automated systems is controlled by restricted passwords for use of remote terminals in secured areas.

##### RETENTION AND DISPOSAL:

Microfilm copies, index, reports, and magnetic tapes when no longer required will be offered to NARA for permanent retention in accordance with INS schedule NC1-85-78-8.

##### SYSTEM MANAGER AND ADDRESS:

*Assistant Commissioner, Office of Records, Office of Examinations, INS,*

Headquarters, 425 I Street, NW.,  
Washington, DC 20536.

**NOTIFICATION PROCEDURE:**

Address your inquiries to the system manager identified above.

**RECORD ACCESS PROCEDURE:**

Make all requests for access in writing to the Freedom of Information Act/Privacy Act (FOIA/PA) Officer at the address identified above. Clearly mark the envelope and letter "Privacy Act Request." Provide A-file number and/or the full name and date of birth, with a notarized signature of the individual who is the subject of the records, and a return address.

**CONTESTING RECORD PROCEDURE:**

Direct all requests to contest or amend information in the records to the FOIA/PA Officer at the address identified above. State clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment thereof. Clearly mark the envelope and letter "Privacy Act Request." Provide A-file number and/or full name and date of birth, with a notarized signature of the individual who is the subject of the records, and a return address.

**RECORD SOURCE CATEGORIES:**

Information in the system is obtained from *the individuals covered by the system*.

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

None.

**JUSTICE/INS—009**

**SYSTEM NAME:**

Alien Status Verification Index.

**SYSTEM LOCATION:**

Immigration and Naturalization Service (INS), 425 I Street NW., Washington, DC 20536.

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

Individuals covered by provisions of the immigration and nationality laws of the United States.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

The system consists of an index of aliens and other persons on whom INS has a record as an applicant, petitioner, beneficiary, or possible violator of the Immigration and Nationality Act. Records include index and file locator data such as last and first name, alien registration number (or "A-file" number), date and place of birth, social security account number, date coded status transaction data and immigration

status classification, verification number, and an employment eligibility statement.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Sections 101 and 121 of the Immigration Reform and Control Act of 1986, 8 U.S.C. 1360, 8 U.S.C. 1324a, 20 U.S.C. 1091, 42 U.S.C. 1436a, 42 U.S.C. 1320b-7, and Executive Order 12781.

**PURPOSE:**

This system of records is used to verify the alien's immigrant, nonimmigrant, and/or eligibility status for any purpose consistent with INS statutory responsibilities.

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

Relevant information contained in this system of records may be disclosed as follows:

A. To a Federal, State, or local government agency, or to a contractor acting on its behalf, to the extent that such disclosure is necessary to enable these agencies/contractors to make decisions concerning the (1) hiring or retention of an employee; (2) issuance of a security clearance; (3) reporting of an investigation of an employee; (4) letting of a contract; (5) issuance of a license or grant; or (6) determination of eligibility for a Federal program or other benefit. Such access may be via a system in which the recipient performs its own automated verification of the requisite information for deciding any of the above. INS will assign appropriate access codes for remote access through secured terminals to agencies which are to perform their own automated verification. Records may also be disclosed to these agencies, or contractors operating on their behalf, for use in computer matching programs for the purpose of verifying an alien's immigrant status or non-immigrant status and/or eligibility for the purpose of making Federal program benefit eligibility determinations.

B. To employers for verifying the employment eligibility of aliens to work in the United States in compliance with employer sanctions of the 1986 Immigration Reform and Control Act. Employers are assigned secure access codes and will have access through touch-tone telephone and/or point of sale equipment.

C. To the private contractor for maintenance and for other administrative support operations (e.g., preparing for INS management reimbursable cost reports etc. based on user access), to the extent necessary to perform such contract duties.

D. To other Federal, State, or local government agencies for the purpose of verifying information in conjunction with the conduct of a national intelligence and security investigation or for criminal or civil law enforcement purposes.

E. To the news media and the public pursuant to 23 CFR 50.2 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.

F. To a Member of Congress or staff action upon the Member's behalf when the Member or staff request the information on behalf of and at the request of the individual who is the subject of the record.

G. To the National Archives and Records Administration (NARA) and the General Services Administration 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:**

Records are stored on magnetic disk and tape.

**RETRIEVABILITY:**

Records are indexed and retrievable by name and date and place of birth, or by name and social security account number, by name and A-file number.

**SAFEGUARDS:**

Records are safeguarded in accordance with Department of Justice Orders governing security of automated records and Privacy Act systems of records. Access is controlled by restricted password for use of remote terminals in secured areas.

**RETENTION AND DISPOSAL:**

*A request for disposition authority is pending the approval of NARA.*

**SYSTEM MANAGER AND ADDRESS:**

*The Director, SAVE Program, Immigration and Naturalization Service, 425 I Street NW., Washington, DC., is the sole manager of the system.*

**NOTIFICATION PROCEDURE:**

Inquiries should be addressed to the system manager listed above.

**RECORD ACCESS PROCEDURES:**

In all cases, requests for access to a record from this system shall be in writing. If a request for access is made by mail the envelope and letter shall be clearly marked "Privacy Act Request." The requester shall include the name,

date and place of birth of the person whose record is sought and if known the alien file number. The requester shall also provide a return address for transmitting the information.

**CONTESTING RECORD PROCEDURES:**

Any individual desiring to contest or amend information maintained in the system should direct his or her request to the System Manager or to the INS office that maintains the file. The request should state clearly what information is being contested, the reasons for contesting it, and the proposed amendment to the information.

**RECORD SOURCE CATEGORIES:**

Basic information contained in this system is taken from Department of State and INS applications and reports on the individual.

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

None.

**JUSTICE/INS-010**

**SYSTEM NAME:**

Freedom of Information Act/Privacy Act (FOIA/PA) Case Tracking and Reporting System.

**SYSTEM LOCATION:**

Headquarters Regional, Service Centers, Administrative Centers, District, and other Files Control Offices of the Immigration and Naturalization Service (INS) in the United States as detailed in JUSTICE/INS-999.

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

Individuals making requests, individuals designated to receive responses, and individuals whose records are requested by others under the provisions of the Freedom of Information Act and/or Privacy Act.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Information extracted from FOIA/PA requests and the documentation provided by INS personnel of actions taken on the requests. The data base consists of data such as the names of requesters, record subjects, or persons designated to receive responses to requests, mailing addresses to send responses; date of receipt of requests; assigned request control numbers; date responses are due; interim and final action(s) taken on requests and the date(s) of final and/or interim actions; the persons or offices assigned action on requests; the types of requests; fee data; alien file numbers; specific exemptions applied to denial actions; offices where requests are transferred for referral or

consultations; and the names/titles of officials responsible for denials.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

This system is maintained pursuant to 44 U.S.C. 3101 and 8 U.S.C. 1103 to implement the provisions of 5 U.S.C. 552 and U.S.C. 552a.

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

This system of records is used to record, control, and determine the status of FOIA/PA requests, and produce statistical reports required by both Acts. Information from the system may be provided to the record subject, the requester or other persons designated by the requester, and to other Federal agencies and Department of Justice components receiving INS referrals or with whom consultations are required in order to complete the processing of requests. All other uses are internal within INS.

Release of information to Members of Congress: Information in this system may be disclosed as is necessary to appropriately respond to congressional inquires on behalf of constituents.

Release of information to the National Archives and Records Administration (NARA) and the General Services Administration (GSA): A record from this system of records may be disclosed as a routine use to the NARA and 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**

Records may be stored on magnetic disks and tapes.

**RETRIEVABILITY:**

Records are indexed and retrieved by control number or by name of requester or subject.

**SAFEGUARDS:**

Records are safeguarded in accordance with Department of Justice Security regulations governing Privacy Act systems of records. Access to the automated system is controlled by restricted password from remote terminals in secured areas.

**RETENTION AND DISPOSAL:**

Records are maintained *and disposed in accordance with NARA General Records Schedule 14 Items 11 through 15 for FOIA and 22 through 26 for PA.*

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

Director, Files and Forms Management, Immigration and

Naturalization Service, 425 I Street, NW., Washington, DC is the sole manager of the system.

**NOTIFICATION PROCEDURE:**

Inquiries should be addressed to the system manager listed above.

**RECORDS ACCESS PROCEDURE:**

In all cases, requests for access to a record from this system shall be in writing. If a request for access is made by mail, the envelope and letter shall be clearly marked "FOIA/PA Request." Requests should be submitted to the INS office where the request *was initially sent*, or to the Immigration and Naturalization Service, Attention: FOIA/PA Section 425 I Street, NW., Washington, DC 20536. The requester shall include the control number or name of the requester and/or name of the record subject, and the date and place of submission of the request. The requester shall also provide a return address for response to the inquiry.

**CONTESTING RECORD PROCEDURE:**

Any individual desiring to contest or amend information maintained in the system should direct his request to the system manager or to the INS office where the request which is the subject of the inquiry was submitted. The request should state clearly what information is being contested, the reason(s) for contesting it, and the proposed amendment to the information.

**RECORDS SOURCE CATEGORIES:**

Individuals requesting information under FOIA/PA and INS officials and employees engaged in processing or making determinations on FOIA/PA requests.

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

None.

**JUSTICE/INS-012**

**SYSTEM NAME:**

Deportable Alien Control System (DACS).

**SYSTEM LOCATION:**

Headquarters, Regional, District, and other offices of the Immigration and Naturalization Service (INS) in the United States as detailed in JUSTICE/INS-999.

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

Aliens alleged to be deportable by INS.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

The system is a computer data base that contains biographic information

about deportable aliens such as name, date and country of birth; United States and foreign addresses; file number, charge, amount of bond, hearing date, case assignment, scheduling date, section(s) of law under which deportability/excludability is alleged; data collected to support the INS position on deportability/excludability, including information on any criminal or subversive activities; date, place, and type of last entry into the United States; attorney/representative's identification number; family data, and other case-related information.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

8 U.S.C. 1103, 1251, and 1252.

**PURPOSE(S):**

The system provides INS with an automated data base which assists in the deportation or detention of aliens in accordance with immigration and nationality laws. It also serves as a docket and control system by providing management with information concerning the status and/or disposition of deportable aliens.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND PURPOSE OF SUCH USES:**

Relevant information contained in this system of records may be disclosed as follows:

A. To clerks and judges of Federal courts exercising jurisdiction over the deportable aliens in determining grounds for deportation.

B. To other Federal, State, and local government law enforcement and regulatory agencies and foreign governments, including the Department of Defense and all components thereof, the Department of State, the Department of the Treasury, the Central Intelligence Agency, the Selective Service System, the United States Coast Guard, the United Nations, and INTERPOL, and individuals and organizations during the course of investigation in the processing of a matter or during a proceeding within the purview of the immigration and nationality laws to elicit information required by INS to carry out its functions and statutory mandates.

C. Where there is an indication of a violation or potential violation of law (whether civil, criminal or regulatory in nature), to the appropriate agency (whether Federal, State, local or foreign), charged with the responsibility of investigating or prosecuting such violations, or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

D. Where there is an indication of a violation or potential violation of the immigration and nationality laws, or of a general statute within INS jurisdiction or of a regulation, rule, or order issued pursuant thereto, to a court, magistrate, or administrative tribunal in the course of presenting evidence, and to opposing counsel during discovery.

E. Where there is an indication of a violation or potential violation of the law of another nation (whether civil or criminal), to the appropriate foreign government agency charged with enforcing or implementing such laws and to international organizations engaged in the collection and dissemination of intelligence concerning criminal activity.

F. To other Federal agencies for the purpose of conducting national intelligence and security investigations.

G. To a Member of Congress or staff acting on 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.

H. To the General Services Administration and the National Archives and Records Administration 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:**

These records are stored in a data base on magnetic disks.

**RETRIEVABILITY:**

These records are retrieved by name and/or date of birth. A-file number, or by alien's Bureau of Prisons number, when applicable.

**SAFEGUARDS:**

INS offices are located in buildings under security guard, and access to premises is by official identification. Access to terminals is limited to INS employees with user identification numbers. Access to records in this system is by restricted password and is further protected by secondary passwords.

**RETENTION AND DISPOSAL:**

Deportable alien case control and detention records are marked closed and retained for statistical purposes through the end of the fiscal year. Closed cases are archived and stored in the database separate from the active cases. A retention and disposition schedule for the case summary and detention history records is currently being negotiated

and will be submitted to the Archivist of the United States for approval.

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

Assistant Commissioner, Detention and Deportation, Immigration and Naturalization Service, 425 I Street, NW., Washington, DC 20536.

**NOTIFICATION PROCEDURE:**

Address inquiries to the system manager identified above.

**RECORDS ACCESS PROCEDURE:**

Make all requests for access in writing to the Freedom of Information Act/Privacy Act (FOIA/PA) Officer at the nearest INS office, or the INS office maintaining the desired records (if known) by using the list of Principal Offices of the Immigration and Naturalization Service Appendix, JUSTICE/INS-999, published in the **Federal Register**. Clearly mark the envelope and letter "Privacy Act Request." Provide the A-file number and/or the full name and date of birth, with a notarized signature of the individual who is the subject of the record, and a return address.

**CONTESTING RECORDS PROCEDURES:**

Direct all requests to contest or amend information in the record to the FOIA/PA Officer at one of the addresses identified above. State clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment thereof. Clearly mark the envelope "Privacy Act Request." The record must be identified in the same manner as described for making a request for access.

**RECORD SOURCE CATEGORIES:**

Basic information is obtained from "The Immigration and Naturalization Service (INS) Alien File (A-File) and Central Index System, (CIS), JUSTICE/INS-001A." Information may also come from the alien, the alien's attorney/representative, INS officials, other Federal, State, local, and foreign agencies and the courts.

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

None.

**JUSTICE/INS-016**

**SYSTEM NAME:**

Secondary Verification Automated Log (SVAL).

**SYSTEM LOCATION:**

*Headquarters.* Regional, District, and other offices of the Immigration and Naturalization Service (INS) in the United States as detailed in JUSTICE/INS-999.

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

Immigrant aliens apply for Federal entitlements for whom INS receives a Form G-845, Document Verification request, which is submitted by Federal and State entitlements agencies.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Temporary paper records include Form G-845 as submitted by the entitlement agencies and contain the following data: Alien name and identifying number, name of the entitlement agency, and immigration status as reported by the alien applicant. INS will update Form G-845 with immigration status information and return it to the entitlement agency. However, identical data, together with Form G-845 disposition data, will be recorded and maintained by INS on hard and floppy disks as a record of secondary verifications made by the entitlement agencies.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

8 U.S.C. 1255a, 8 U.S.C. 1324a, 8 U.S.C. 1360 and 42 U.S.C. 1320b-7.

**PURPOSE(S):**

The SVAL JUSTICE/INS-016 system is used to maintain records of a second attempt by entitlement agencies to verify immigration status by comparing paper documents (known as the "secondary verification"). Secondary verification is conducted where eligibility for certain benefits was not or could not be confirmed through direct access to an INS automated database entitled "Alien Status Verification Index" (ASVI), JUSTICE/INS-009 (known as the "primary verification"). Specifically, INS is asked to compare the entitlement agency's paper record, Form G-845 (which contains information provided by the immigrant aliens applying for Federal entitlements), with INS paper records; complete the Form relative to immigration status; and return it to the entitlement agency. The SVAL, JUSTICE/INS-016 system is maintained to track the interim and final disposition of the second request to verify eligibility which may require referral to an INS district office.

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

Relevant information contained in this system of records may be disclosed to the following:

A. To a Federal, State, or local government agency in response to a request for information on the status and/or disposition of a document

verification request submitted by that agency.

B. 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.

C. To the General Services Administration and the National Archives and Records Administration 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:**

Until they have been processed and returned to the entitlement agency, Forms G-845 are kept in a card index file. Data extracted from the form is stored in personal computers on hard and floppy disks.

**RETRIEVABILITY:**

These records are retrieved by serial number, A-file number and/or name of immigrant applicant.

**SAFEGUARDS:**

INS offices are located in buildings under guard and access to the premises is by official identification. Access to personal computers is limited to INS employees and access to records in this system is further restricted through user identification and discrete password functions to assure that accessibility is limited.

**RETENTION AND DISPOSAL:**

Form G-845 is retained long enough to complete the verification, at which time the form is returned to the entitlement agency. Completed verifications are archived on to a storage disk monthly and destroyed five (5) years after the last month contained on the disk. Disposition authority is INS Disposition Schedule NI-85-90-3.

**SYSTEM MANAGER AND ADDRESS:**

*Assistant Commissioner, Office of Records, Office of Examinations, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536.*

**NOTIFICATION PROCEDURES:**

Address your inquiries about the system in writing to the system manager identified above.

**RECORDS ACCESS PROCEDURES:**

Make all requests for access in writing to the Freedom of Information Act/Privacy Act (FOIA/PA) Officer at the nearest INS Office, or in the INS office

maintaining the desired records (if known) by using the List of Principal Offices of the Immigration and Naturalization Service Appendix, JUSTICE/INS-999, published in the **Federal Register**. Clearly mark the envelope and letter "Privacy Act Request." Provide the A-file number and/or the full name and date of birth, with a notarized signature of the individual who is the subject of the records, and a return address.

**CONTESTING RECORD PROCEDURES:**

Direct all requests to contest or amend information in the record to the FOIA/PA Officer at one of the addresses identified above. State clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment thereof. Clearly mark the envelope and letter "Privacy Act Request." Provide the A-file number and/or the full name and date of birth, with a notarized signature of the individual who is subject of the record, and a return address.

**RECORD SOURCE CATEGORIES:**

Form G-845, Request for Document Verification (furnished by entitlement agencies) and INS immigration status records.

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

None.

**JUSTICE/INS-018****SYSTEM NAME:**

Automated Data Processing Equipment Inventory Management System (AIMS).

**SYSTEM LOCATION:**

Headquarters, Regional, District, and other offices of the Immigration and Naturalization Service (INS) in the United States as detailed in JUSTICE/INS-999.

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

INS employees who are responsible for the procurement and management of automated data processing equipment (ADPE); and, contractors who have been assigned ADPE to use in developing software programs for INS.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

An inventory reflecting (1) the ADPE procurement and management activities of INS employees and (2) the identity of contractors using such equipment to develop software programs for INS. The inventory will include information relating to the kinds and quantity of ADPE equipment procured, the disposition of such equipment and the

purpose for such disposition, and/or (where appropriate) information relating to the reassignment of responsibility for the equipment. Such reassignment may be made based upon the resignation or transfer of responsible employees, upon the expiration of the subject contracts, or otherwise upon the need to track the status or disposition of the equipment and identify the management employee responsible therefor, e.g., removal of the equipment from the inventory for repair purposes. Records will include identifying information such as INS employee or contractor name/title, social security number, office location/address and phone number, company name of the contractor, and other relevant information such as the level of responsibility assigned to the INS employee.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**  
8 U.S.C. 1103 and 40 U.S.C. 483.

**PURPOSE(S):**

To provide accountability records relating to (1) INS employee management and disposition of ADPE equipment and (2) contractor use of such equipment in developing software programs for INS. The records will be used by management to track and account for the procurement and disposition of all ADPE, and thus ensure the integrity and security of the ADPE inventory.

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

Relevant information contained in this system of records may be disclosed as follows:

A. Where there is an indication of a violation or potential violation of law (whether civil, criminal, or regulatory in nature), to the appropriate agency (whether Federal, State, local or foreign) charged with the responsibility of investigating or prosecuting such violations, or charged with enforcing or implementing the statute and/or the rule, regulation or order issued pursuant thereto.

B. 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.

C. To the General Services Administration and the National Archives and Records Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

D. To the news media and the public pursuant to 28 CFR 50.2 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.

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

**STORAGE:**

The records are stored in a data base on magnetic disk.

**RETRIEVABILITY:**

These records may be retrieved by INS employee and contractor name, *machine serial* number, company name, or office location.

**SAFEGUARDS:**

The records are accessed from mainframe computer terminals located in INS offices that are locked during non-duty hours. Access is obtained through terminals which require the use of restricted passwords and user identification numbers. Only designated *personnel* have access to AIMS for creating and updating ADPE Inventory records within their jurisdiction.

**RETENTION AND DISPOSAL:**

A schedule for the retention and disposal of these records is under review and development.

**SYSTEM MANAGER AND ADDRESS:**

The Servicewide system manager is the *Associate Commissioner, Information Resources Management, Immigration and Naturalization Service, 425 I Street, NW., Washington, DC 20536.*

**NOTIFICATION PROCEDURES:**

Address your inquiries to the system manager identified above.

**RECORDS ACCESS PROCEDURES:**

Make all requests for access in writing to the Freedom of Information Act/Privacy Act (FOIA/PA) Officer at the address identified above. Clearly mark the envelope and letter "Privacy Act Request." Provide the full name, social security number, user identification number, and notarized signature of the individual who is the subject of the records, and a return address.

**CONTESTING RECORD PROCEDURES:**

Direct all requests to contest or amend information to the FOIA/PA Officer at the address identified above. State clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment thereof. Clearly mark the envelope and letter "Privacy Act Request." The record must be identified

in the same manner as described for making a request for access.

**RECORD SOURCE CATEGORIES:**

The individuals covered by the system are the record sources.

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

None.

**JUSTICE/INS-019**

**SYSTEM NAME:**

Employee Assistance Program (EAP) Treatment Referral Records.

**SYSTEM LOCATION:**

EAP Coordinator records are located at Immigration and Naturalization Service (INS) headquarters and in all INS regional offices. Headquarters and regional office addresses are provided in a published appendix to INS systems identified as Justice/INS-999. EAP contract facility/provider records are located in the offices of the providers throughout the Western Region and, in part, the eastern Region (i.e., the city of Hartford, Connecticut and the States of Vermont and Maine). Addresses of these offices may be obtained by contacting the EAP Coordinators of the Western and Eastern Regional Offices.

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

Current and former INS employees who have sought counseling and/or have been referred to the INS EAP Coordinators or directly to INS EAP contract/facility provider for counseling and/or treatment. To the limited degree that counseling and treatment may be provided to family members of these employees, these individuals, too, may be covered by the system. With respect to records maintained by the EAP Coordinator (identified in item A, below), this system covers all INS employees (and family members); with respect to the clinical records (identified in item B below), it covers all INS employees (and family members) of the Western Region and, in part, the Eastern Region (i.e., the city of Hartford, Connecticut and the States of Vermont and Maine).

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Included are the EAP Coordinator records, i.e., those of INS headquarters employees and all INS regional offices; also included are the contract facility/provider records (i.e., clinical records) of only the Western Region and, in part the Eastern Region (i.e., the city of Hartford, Connecticut and the States of

Vermont and Maine).<sup>1</sup> EAP records include those maintained by the EAP Coordinators and by the EAP contract facility/providers as follows:

A. EAP Coordinator records include records which may assist in managing and monitoring the referral, attendance, and progress of the employee. Examples: Personal identification data; home addresses and/or phone numbers; insurance data; supervisors' phone numbers; notes on referrals to the contract facilities; addresses of treatment facilities or individuals providing treatment; notes regarding attendance and progress made; leave records; information on confirmed unjustified positive drug tests provided by the Drug Free Workplace Program and the Medical Review Officer under E.O. 12584; supervisory or personnel documents on workplace problems or performance; abeyance agreements (made to mitigate discipline based upon treatment); and written consent forms, together with any information which may be provided pursuant to written consent.

B. EAP contract facility records include, where appropriate, those which are maintained by the EAP Coordinator. In addition, they include any records which may assist in diagnosing, evaluating, counseling, and/or treating the employee. Examples: Pertinent psychosocial, medical, and employment histories; medical tests or screenings, including EAP drug and alcohol tests and information on confirmed unjustified positive drug tests generated by the staff of the Drug Free Workplace Program and the Medical Review Officer and provided by the EAP Coordinator or the employee's supervisor; notes and documentation on counseling; treatment and rehabilitation plans as well as behavioral improvement plans; and records of referrals by the EAP contract facility to community treatment resources. For example, employees requesting legal, financial or other assistance not related to psychological or medical health may be referred to the appropriate community resources (or subcontract providers). Where such referrals have been made, records from the subcontractor also may include relevant information related to counseling, diagnosis, prognosis, treatment, and evaluation, together with

<sup>1</sup> Clinical records of INS employees at headquarters and in the Northern and Southern Regions, and in the Eastern Region for those areas other than Hartford, Connecticut, the Boston District, and the States of Vermont, and Maine, are maintained by the Department of Health and Human Services, Public Health Service. Clinical records of INS employees in the Boston District, Eastern Region, are maintained by the Office of Personnel Management.

follow-up data. These records also include written consent forms used to manage referrals and the flow of information. Finally, records include account information such as contractor billings and INS payments.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

42 U.S.C. 290dd, *et seq.*, and 290ee, *et seq.*; 42 CFR part 2; Executive Order 12564; 5 U.S.C. 3301 and 7901; 44 U.S.C. 3101 and Pub. L. No. 100-71, Sec. 503 (July 11, 1987).

**PURPOSE:**

The EAP is a voluntary program designed to assist the recovery of employees who are experiencing one or more of a variety of personal or behavioral problems (e.g., marital, financial, substance abuse). Records are maintained to document referral and participation in the EAP program; the nature and effects of the employee's personal or behavioral problem(s); efforts to counsel, treat, and rehabilitate the employee; and progress made in attaining his/her full recovery. Records may be used also to track compliance with agreements made to mitigate discipline based upon treatment (abeyance agreements).

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

In addition to those disclosures permitted by the Privacy Act itself,<sup>2</sup> 5 U.S.C. 552a(b), permissive disclosures without individual consent, are as follows:

1. Where an employee has volunteered to participate in the EAP, and to the extent that it is appropriate, relevant, and necessary to enable the contractor to perform his counseling, treatment, rehabilitation, and evaluation responsibilities, INS will provide those records (identified in A, above as INS EAP Coordinator records, and which are primarily administrative in nature) to the contract facilities/providers who, on behalf of INS, operate that part of this system of records which covers the clinical records (identified in B. above).

2. Contract facilities/providers may disclose:

a. To appropriate State or local authorities to report, under State law, incidents of suspected child abuse or neglect.

b. To any person or entity to the extent necessary to prevent an imminent and potential crime which directly threatens loss of life or serious bodily injury.

<sup>2</sup> To the extent that release of alcohol and drug abuse records is more restricted than other records subject to the Privacy Act, INS will follow such restrictions. See 42 U.S.C. 290dd and 290ee.

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

**STORAGE:**

Records are stored in locked file cabinets and a computerized environment.

**RETRIEVABILITY:**

Records are retrieved by a case number which is cross referenced to a name by the computer.

**SAFEGUARDS:**

In accordance with the requirements of 42 CFR 2.16, records are stored in a secure environment. Paper records of the EAP Coordinator are stored in a locked file cabinet in a locked room and in a personal computer which is password protected. Paper records of the EAP contract facility/provider are stored in locked files also and in computers which are password protected. In addition, all paper records, e.g., case files, billings and payment vouchers, are identified by case number only and cannot be identified by a name until they are cross-referenced by the computer system to a name.

Only the EAP Administrator, Coordinator or a designated staff member may access or disclose the records of the EAP Coordinator. Only a designated member of the EAP contract facility/provider may access and disclose records maintained by the facility/provider. Information maintained by the facility/provider will be disclosed to the EAP Administrator, Coordinator, the INS manager and/or supervisor only upon written consent of the individual. Further, no information in this system of records, whether maintained by the EAP Coordinator or by the EAP contract facility/provider, will be disclosed otherwise except with the written consent of the individual or as indicated under the routine use disclosure outlined in this notice.

**RETENTION AND DISPOSAL:**

Records are retained for three years after the individual ceases contact with the counselor unless a longer retention period is necessary because of pending administrative or judicial proceedings. In such cases, the records are retained for six months after the case is closed. Records are destroyed by shredding or burning (General Records Schedules 26 and 36).

**SYSTEM MANAGER AND ADDRESS:**

Assistant Commissioner, *Human Resources and Development, Immigration and Naturalization Service*, 425 I Street, NW., Washington, DC 20536.

**NOTIFICATION PROCEDURE:**

Same as record access procedures.

**RECORDS ACCESS PROCEDURES:**

Address all requests for access to EAP coordinator records to the system manager identified above. Address all requests for records maintained by the facility/provider of contract counseling services to that facility/provider. Addresses of these offices may be obtained by contacting the EAP Coordinators of the Western and Eastern Regional Offices. Clearly mark the envelope and letter "Privacy Act Request." Provide the full name and notarized signature of the individual who is the subject of the record, the dates during which the individual was in counseling, any other information which may assist in identifying and locating the record, and a return address.

**CONTESTING RECORDS PROCEDURES:**

Direct all requests to contest or amend information in accordance with procedures outlined under Record Access Procedures. State clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment thereof. Clearly mark the envelope "Privacy Act Amendment Request."

**RECORD SOURCE CATEGORIES:**

Records are generated by the employee who is the subject of the record; EAP Coordinators and EAP contract facilities/providers; the personnel office; and the employee's supervisor. In the case of drug abuse counseling, records may also be generated by the staff of the Drug Free Workplace Program and the Medical Review Officer.

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

None.

**JUSTICE/INS-999****SYSTEM NAME:**

INS Appendix: List of principal offices of the Immigration and Naturalization Service.

*Headquarters:* Immigration and Naturalization Service; 425 "I" Street NW., Washington, DC 20536.

*Regional Offices:* Eastern Regional Office, 70 Kimball Avenue South, Burlington, VT 05403-6813.

*Central Regional Office, Fort Snelling Fed. Bld., Room 400, Twin Cities, MN 55111-4007.*

*Western Regional Office, 24000 Avila Road, Laguna Niguel, CA 92607-0080.*

*Regional Service Centers:* Eastern Service Center, 75 Lower Welden Street, St. Albans, VT 05479-0001.

Northern Service Center, 850 S Street.

Lincoln, NE 68508-1619.

Southern Service Center, P.O. Box 152122, Irving, TX 75015-0212.

Western Service Center, Post Office Box 30040, Laguna Niguel, CA 92607-0040.

*Administrative Center: Eastern Administrative Center, 70 Kimball Avenue, Burlington, VT 05403-6813.*

*Southern Administrative Center, 7701 North Stemmons Freeway, Dallas, TX 75247-998.*

*Northern Administrative Center, Fort Snelling Fed. Bldg., Room 480, Twin Cities, MN 55111.*

*Western Administrative Center, 24000 Avila Road Laguna Niguel, CA 92677-8080.*

*District Offices in the United States:*

Anchorage District Office, Michaelis Building, 1st Floor, 620 East 10th Avenue, Anchorage, AK 99501-7581.

Atlanta District Office, 77 Forsyth Street, SW, Room G-85, Atlanta, GA 30303.

Baltimore District Office, Equitable Bank Center, 12th Floor, Tower One, 100 South Charles Street, Baltimore, MD 21210.

Boston District Office, JFK Federal Building, Government Center, Boston, MA 02203.

Buffalo District Office, 68 Court Street, Buffalo, NY 14202.

Chicago District Office, 10 West Jackson Boulevard, Second Floor, Chicago IL 60604.

Cleveland District Office, Anthony J. Celebrezze, Federal Office Building, 1240 East 9th Street, Room 1917, Cleveland, OH 44199.

Dallas District Office, 8101 North Stemmons Freeway, Dallas, TX 75247.

Denver District Office, 4730 Paris Street, Albrook Center, Denver, CO 80239-2804.

Detroit District Office Federal Building, 333 Mt. Elliott St., Detroit, MI 48207.

El Paso District Office, 700 E. San Antonio, El Paso, TX 79901.

Harlingen District Office, 2102 Teege Road, Harlingen, TX 78550.

Helene District Office Federal Building, Room 512, 301 South Park, Drawer 10036, Helene, MT 59626.

Honolulu District Office, 595 Ala Moana Boulevard, Honolulu, HI 96813.

Houston District Office, 509 North Belt, Houston, TX 77060.

Kansas District Office, 9747 N. Connant Avenue, Kansas City, MO.

Los Angeles District Office, 300 North Los Angeles Street, Los Angeles, CA 90012.

Miami District Office, 7880 Biscayne Boulevard, Miami, FL 33138.

Newark District Office Federal Building, 970 Broad Street, Newark, NJ 07102.

New Orleans District Office Postal Services Bldg., Room T-8005, 701 Loyola Ave., New Orleans, LA 70113.

New York District Office, 26 Federal Plaza, New York, NY 10278.

Omaha District Office, 3736 South 132nd Street, Omaha, NE 68144.

Philadelphia District Office, 1600 Callowhill Street, Philadelphia, PA 19130.

Phoenix District Office, 2035 North Central Avenue, Phoenix, AZ 85004.

Portland Maine District Office, 739 Warren Avenue, Portland, ME 04103.

Portland Oregon District Office, Federal Office Building, 511 NW., Broadway, Portland, OR 97209.

San Antonio District Office, U.S. Federal Building, 727 E. Durango, Suite A301, San Antonio, TX 78206.

San Diego District Office, 880 Front Street, San Ysidro, CA 92188.

San Francisco District Office, 630 Sansome Street, Appraisers Building, San Francisco, CA 94111.

San Juan District Office, P.O. Box 365068, San Juan, PR 00936-5068.

Seattle District Office, 815 Airport Way South, Seattle, WA 98134.

St. Paul District Office, 2901 Metro Drive, Suite 100 Bloomington, MN 55425.

Washington, DC District Office, 4420 North Fairfax Drive, Arlington, VA 22203.

*Suboffices (Files Control Offices) in the United States:*

Agana Office, 801 Pacific News Building, 238 O'Hara Street, Agana, GU 96910.

Albany Office, James T. Foley Federal Courthouse, 445 Broadway, Room 220, Albany, NY 12207.

Charlotte Office, 6 Woodlawn Green, Suite 138, Charlotte, NC 28217.

Charlotte Amalie Office, Federal District Court Bldg. PO Box 610, Charlotte Amalie, St. Thomas, VI 00801.

Cincinnati Office, J.W. Peck Federal Building, 550 Main Street, Room 8525, Cincinnati, OH 45202.

El Paso Intelligence Center, SSG Sims Street, Building 11339, El Paso, TX 79918-5100.

Hartford Office, Ribicoff Building, 450 Main Street, Hartford, CT 06103-3060.

Indianapolis Office, Gateway Plaza, 950 North Meridian, Suite 400, Indianapolis, IN 46204.

Las Vegas Office, Federal Building, U.S. Courthouse, 300 South Las Vegas Boulevard, Room 1430, Las Vegas, NV 89101.

Memphis Office, 245 Wagner Place, Suite 250, Memphis, TN 38103-3800.

Milwaukee Office, Federal Building, Room 186, 517 East Wisconsin Avenue, Milwaukee, WI 53202.

Norfolk Office, Norfolk Federal Building, 200 Granby Mall, Room 439, Norfolk, VA 23510.

Pittsburgh Office, 314 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

Providence Office, Federal Building U.S. Post Office, Exchange Terrace, Providence, RI 02903.

Reno Office, 1351 Corporate Blvd., Reno, NV 89502.

St. Albans Office, PO Box 328, St. Albans, VT 05478.

St. Louis Office, R.A. Young Federal Building, 1222 Spruce Street, Room 1.100, St. Louis, MO 63101-2815.

Salt Lake City Office, 230 West 400 South Street, Salt Lake City, UT 84101.

Spokane Office, U.S. Courthouse Building, Room 691, Spokane, WA 99201.

*Border Patrol Sector Headquarters:*

Blaine Sector Headquarters, 1590 "H" Street, PO Drawer V, Blaine, WA 98230.

Buffalo Sector Headquarters, 231 Grand Island Boulevard, Tonawanda, NY 14150.

Del Rio Sector Headquarters, Qualia Drive, PO Box 2020, Del Rio, TX 78840.

Detroit Sector Headquarters, PO Box 32639, Detroit, MI 48232.

El Centro Sector Headquarters, 1111 North Imperial Avenue, El Centro, CA 92243.

El Paso Sector Headquarters, PO Box 9578, El Paso, TX 79986.

Grand Forks Sector Headquarters, 2320 South Washington Street, Grand Forks, ND 58201.

Harve Sector Headquarters, 2605 5th Avenue, SE, Harve, MT 59501.

Houlton Sector Headquarters, Rt. 1 Calais Rd., PO Box 706, Houlton, ME 04730.

Laredo Sector Headquarters, 207 W. Del Mar Boulevard, Laredo, TX 78041.

Livermore Sector Headquarters, 6102 9th St., Dublin, CA 94268.

Marfa Sector Headquarters, 300 Madrid Street, Marfa, TX 79843.

Mayaguez Sector Headquarters, Box 467, Ramey, PR 00604.

McAllan Sector Headquarters, 2301 South Main Street, McAllen, TX 78503.

Miami Sector Headquarters, 7201

Pembroke Rd., Pembroke Pines, FL 33023.

New Orleans Sector Headquarters, 3819

Patterson Drive, New Orleans, LA 70114.

San Diego Sector Headquarters 3752 Beyer Blvd., San Ysidro, CA 92073.

Spokane Sector Headquarters, North 10710 Newport Highway, Spokane, WA 99218.

Swanton Sector Headquarters, Grand Avenue, Swanton, VT 05488.

Tucson Sector Headquarters, 1970 West Ajo Way, Tucson, AZ 85713.

Yuma Sector Headquarters, 350 First Street, Yuma, AZ 85364.

*Border Patrol Academy:*

DOJ/INS (FLETC) Artesia, 1300 West Richey Avenue, Artesia, NM 88210.

Officer Development and Training Facility, Building 64 FLETC Glynco, GA 31524.

*District Offices in Foreign Countries:*

Bangkok District Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Box 12, APO San Francisco, CA 96346.

Mexico District Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Room 118, PO Box 3087, Laredo, TX 78044.

Rome District Office, U.S. Immigration and Naturalization Service, c/o American Embassy, APO New York, NY 09794.

*Suboffices (Files Control Offices) in Foreign Countries:*

Athens Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Athens, Greece, PSC 108 Box 25 APO AE 09842.

Frankfurt Office, U.S. Immigration and Naturalization Service, American Consulate General, Frankfurt, Unit 25401 APO AE 09213.

Guadalajara Office, U.S. Immigration and Naturalization Service, Box 3088, Guadalajara Laredo, TX 70844-3088.

Hong Kong Office, U.S. Immigration and Naturalization Service, c/o American Consulate General, Hong Kong, PSC 464, Box 30, FPO AP 96522-0002.

London Office, U.S. Immigration and Naturalization Service, c/o American Embassy, London, England, PSC 801, Box 06, FPO AE 09498-4006.

Mexico Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Mexico City, Mexico, PO Box 3087, Room 118, Laredo, TX 78044.

Monterrey Office, U.S. Immigration and Naturalization Service, c/o American

Consulate, PO Box 3098, Laredo, TX 78044-3098.

Moscow Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Moscow, USSR, PSC 77, APO AE 09721.

Nairobi Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Nairobi, Kenya Unit 64100, Box 21, APO AE 09831-4100.

New Delhi Office, U.S. Immigration and Naturalization Service, c/o American Embassy, New Delhi, India, Department of State, Washington, DC 20521-9000.

Rome Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Rome, Italy, PSC 59, APO AE 09624.

Seoul, Korea Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Seoul, Korea Unit 15550, APO AP 96205-0001.

Shannon Office, U.S. Immigration and Naturalization Service, c/o AER-RIANTA, Attn: Port Director, Shannon Airport, Shannon, Co., Clare, Ireland.

Singapore Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Singapore, FPO AP 96534.

Tijuana Office, U.S. Immigration and Naturalization Service, c/o American Consulate General, Tijuana, PO Box 439039, San Diego, CA 92143-9039.

Vienna Office, U.S. Immigration and Naturalization Service, c/o American Embassy, Vienna, Austria Unit 27937, Box 21, APO AE 09222.

#### JUSTICE/JMD-018

##### SYSTEM NAME:

Delegations of Procurement Authority, Justice/JMD-018.

##### SYSTEM LOCATION:

Management and Planning Staff, Department of Justice, *National Place Building, Room 1400, 1331 Pennsylvania Avenue, NW., Washington, DC 20530.*

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

All Department of Justice procurement personnel in the GS/GM 1102 and other series who are actively engaged in the acquisition process and who are or will be designated as contracting officers, or are authorized to obligate the Government contractually.

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

Individual delegations of procurement authority files will contain information on the employees grade/series, job title, employing bureau location, education, procurement experience and procurement-training, type of delegation, level of signatory authority, effective date of entry into the program and experience code *and any related correspondence.*

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

28 U.S.C. 507, 509 and 510; 41 U.S.C. 257; 5 U.S.C. 301; 28 CFR 0.75(d) and 0.75(j); and Executive Order 12352.

##### PURPOSES:

Individual delegations of procurement authority files will be used to support a newly established Contracting Officer Standards Program which will serve as a basis to establish Department-wide training and experience standards for issuing contracting officer delegations and to ensure the standards are met. In addition, the files will be used by the Procurement Executive to manage and enhance career development of the Department's procurement work force.

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

(1) Records or information may be disclosed as a routine use in a proceeding before a court or adjudicative body before which the Department is authorized to appear when any of the following is a party to litigation or has an interest in litigation and such records are determined by the Department to be arguably relevant to the litigation: The Department, or any of the Department's components or its subdivisions; any Department employee in his or her official capacity, or in his or her individual capacity where the Department of Justice agrees to represent the employee; or the United States where the Department determines that the litigation is likely to affect it or any of the Department's components or its subdivisions.

(2) Records or information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available 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.

(3) Records or information may be disclosed as is necessary to respond to congressional inquiries on behalf of constituents.

(4) Records may be disclosed to the National Archives and Records Administration and to the General Services Administration in records management inspections conducted under the authority of title 44 U.S.C. 2904 and 2906.

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

##### STORAGE:

Originals of paper records are kept in standard file cabinets. Duplicates of original paper records will be stored

electronically in the Department's main frame computer.

**RETRIEVABILITY:**

Records are retrieved by name of employee.

**SAFEGUARDS:**

Paper records are stored in metal filing cabinets and electronic records are stored on the Department's main frame computer. *Offices in the National Place Building are occupied during the day and are electronically secured at night.* Access to records is restricted to authorized personnel with official and electronic identification.

**RETENTION AND DISPOSAL:**

Files are maintained until the employee leaves the Department at which time paper records are destroyed and electronic records erased.

**SYSTEM MANAGERS AND ADDRESS:**

The system manager is the *Director, Management and Planning Staff*, Justice Management Division, Department of Justice, *National Place Building*, Room 1400, 1331 Pennsylvania Avenue, NW., Washington, D.C. 20530.

**NOTIFICATION PROCEDURES:**

Direct inquires to the system manager identified above, Attention: FOI/PA Officer. Clearly mark the letter and envelope "Freedom of Information/Privacy Act Request."

**RECORD ACCESS PROCEDURES:**

Make all requests for access in writing and clearly mark the letter and envelope "Freedom of Information/Privacy Act Request." Clearly indicate the name of the requester, nature of the record sought, approximate date(s) of the record(s); and, provide the required verification of identity (28 CFR 16.41(d)). Direct all requests to the system manager identified above, attention FOI/PA Officer, and, provide a return address for transmitting the information.

**CONTESTING RECORDS PROCEDURES:**

Direct all requests to contest or amend information to the system manager listed above. State clearly and concisely the information being contested, the reasons for contesting it, and the proposed amendment to the information sought. Clearly mark the letter and envelope "Freedom of Information/Privacy Act Request."

**RECORD SOURCE CATEGORIES:**

Information contained in the system is collected from the individual training personnel, and general personnel records.

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

None.

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**Drug Enforcement Administration**

[Docket No. 94-2]

**Herman E. Walker, Jr., M.D.;  
Revocation of Registration**

On September 16, 1993, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Herman E. Walker, Jr., M.D., (Respondent) of Houma, Louisiana, notifying him of his opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AW3369697, and should not deny any pending application for renewal of his registration, under 21 U.S.C. 823(f) and 824(a)(4), as being inconsistent with the public interest. Specifically, the Order to Show Cause alleged that: (1) On two occasions in the fall of 1986, the Respondent prescribed Schedule II controlled substances to an undercover police officer for no legitimate medical reason; (2) between October 1986 and September 1988, the Respondent maintained 52 patients on prolonged and continuous regimens of Schedule III controlled substances ("anorectics"); (3) on or about January 19, 1989, an Administrative Complaint was filed against the Respondent by the Louisiana State Board of Medical Examiners (Board) charging him with prescribing, dispensing or administering legally controlled substances or any dependency-inducing medication without legitimate medical justification; (4) on September 27, 1989, the Board suspended his license to practice medicine for five years, and he was ordered by the Board to surrender his Schedule II controlled substance privileges permanently. On November 21, 1989, Louisiana's Fourth Circuit Court of Appeals stayed the Board's decision suspending his license, but upheld its decision regarding the surrender of his Schedule II controlled substances privileges. The Order to Show Cause noted that the Respondent was, therefore, without state authorization to handle controlled substances in Schedule II, citing 21 U.S.C. 824(a)(3).

By letter dated October 14, 1993, the Respondent, through counsel, timely filed a request for a hearing on the

issues raised by the Order to Show Cause, and the matter was docketed before Administrative Law Judge Mary Ellen Bittner. Following prehearing procedures, a hearing was held in New Orleans, Louisiana, on April 13, 1994, where both parties called witnesses to testify and introduced documentary evidence. On September 19, 1994, the Respondent filed Proposed Findings of Fact and Conclusions of Law and Argument, and on September 20, 1994, the Government filed its Proposed Finding of Fact, Conclusions of Law and Argument.

On November 30, 1994, Judge Bittner issued her Opinion and Recommended Ruling, Finding of Fact, Conclusions of Law and Decision of the Administrative Law Judge, recommending that Respondent's DEA registration be revoked, and that any pending applications be denied. The Respondent filed exceptions to Judge Bittner's decision on January 5, 1995. On January 12, 1995, Judge Bittner transmitted the record of these proceedings, including the Respondent's exceptions, to the Deputy Administrator.

The Deputy Administrator has considered the record in its entirety, to include the Respondent's exceptions, and pursuant to 21 C.F.R. 1316.67, hereby issues his final order based upon findings of fact and conclusions of law as hereinafter set forth. The Deputy Administrator adopts, in full, the Opinion and Recommended Ruling, Findings of Fact, Conclusions of Law and Decision of the Administrative Law Judge, and his adoption is in no manner diminished by any recitation of facts, issues and conclusions herein, or of any failure to mention a matter of fact or law.

The Deputy Administrator finds that in 1986, as a result of an anonymous complaint against the Respondent, the Louisiana State Police Department initiated an investigation of Respondent. As part of this investigation, on October 30, 1986, a State Police Officer, posing as a patient, visited the Respondent complaining that he worked long hours, was not sleeping at night, and that he wanted something "to perk him up." He did not complain of any other medical or mental condition or problem. The Officer received a prescription from the Respondent for 30 dosage units of Ritalin. Ritalin is the brand name of a product containing methylphenidate, a Schedule II controlled substance. On November 24, 1986, the State Police Officer returned to the Respondent's office, did not complain of any medical or mental condition requiring treatment, and told Respondent that he had lost or