Privacy Act of 1974; of New System of Records

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Department of Justice, Office of Legal Policy, publishes a system of records entitled “General Files System of the Office of Legal Policy (JUSTICE/OLP-003).”

5 U.S.C. 552a(e) (4) and (11) provide that the public be given a 30-day period in which to comment; the Office of Management and Budget (OMB), which has oversight responsibility under the Act, requires a 60-day period in which to review the system. Therefore, the Department invites the public, OMB, and the Congress to submit written comments on this system. Please submit any comments to J. Michael Clark, Acting Assistant Director, General Services Staff, Justice Management Division, United States Department of Justice, Room 7317, 10th and Constitution Avenue, NW., Washington, D.C. 20530 by November 12, 1985.

In accordance with Privacy Act requirements, the Department has provided a report on this system to the Director, OMB, to the President of the Senate and to the Speaker of the House of Representatives.

Harry H. Flickinger,
Acting Assistant Attorney General for Administration.

JUSTICE/OLP-003

SYSTEM NAME:
General Files System of the Office of Legal Policy.

SYSTEM LOCATION:
Office of the Assistant Attorney General, Office of Legal Policy, United States Department of Justice, 10th and Constitution Avenue, NW., Washington, D.C. 20530.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:
The system encompasses individuals who relate to official Federal investigations, policy decisions, and administrative matters of such significance that the Assistant Attorney General maintains information indexed to the name of that individual, including, but not limited to, subjects of litigation, targets of investigations, Members and staff members of Congress, upper echelon government officials, and individuals of national prominence or notoriety.

CATEGORIES OF RECORDS IN THE SYSTEM:
Records may include case files, litigation materials, exhibits, internal memoranda and reports, or other records on a given subject or individual. Records vary in number and kind according to the breath of the Assistant Attorney General’s responsibilities (28 CFR 0.23). Records include those of such significance that the Assistant Attorney General has policy or administrative interest, and those which cover investigative or law enforcement cases for which the Assistant Attorney General is asked to provide an analysis and establish future policy direction. A computerized index record containing the subject title and/or individual’s name is also maintained.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:
These records are maintained pursuant to 5 U.S.C. 301.

ROUTINE USE OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:
These records may be disclosed 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 privacy.

These records may be disclosed to a Member of Congress or staff acting on the Member’s behalf when the Member or staff requests the information for investigative or policymaking purposes or to provide constituent assistance.

These records may be disclosed to members of the judicial branch of the Federal Government in response to a specific request where disclosure appears relevant to the authorized function of the recipient judicial office or court system.

These records may be disclosed to any civil or criminal law enforcement authorities, whether Federal, State, local, or foreign, which requires information relevant to a civil or criminal investigation.

These records may be disclosed to officials and employees of the White House or any Federal agency which requires information relevant to an agency decision concerning the hiring, appointment, or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation, the classifying of a job, or the issuance of a grant or benefit.

These records may be disclosed to Federal, State, and local licensing agencies or associations which require information concerning the eligibility or suitability of an individual for a license or permit.

These records may be disclosed in a proceeding before a court or adjudicative body before which the Office of Legal Policy is authorized to appear when (a) the Office of Legal Policy, or any subdivision thereof, or (b) any employee of the Office of Legal Policy in his or her official capacity, or (c) any employee of the Office of Legal Policy in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States, where the Office of Legal Policy 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 Office of Legal Policy to be arguably relevant to the litigation.

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

STORAGE:
Records are stored in paper folders and on index cards. As of August 1982,
SAFEGUARDS:

RETRIEVABILITY:
Records may be retrieved by subject title or individual's name.

SAFEGUARDS:
Records are maintained in cabinets stored in a locked room or, in the case of those records that are classified, in safes or vaults. The computer is also maintained in a locked room. The computer has a key lock and may be accessed only by persons with a Top Secret clearance by use of a code.

RETENTION AND DISPOSAL:
Records are kept indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:
Deputy Director, Office of Information and Privacy, Office of Legal Policy, United States Department of Justice, 10th and Constitution Avenue, NW, Washington, DC 20530.

NOTIFICATION PROCEDURE:
Address all inquiries to the system manager: These records will be exempted from subsections (c)(3) and (4); (d); (e)(1), (2) and (3); (e)(4)(G) and (H); (e)(5); and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2), (k)(1), (k)(2) or (k)(5).

RECORD ACCESS PROCEDURES:
Make requests for access to records from this system in writing to the system manager, and clearly mark both the letter and the envelope "Privacy Act Request."

CONTESTING RECORD PROCEDURES:
Make all requests to contest or amend information maintained in the system in writing to the system manager. State clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

RECORD SOURCE CATEGORIES:
Sources of information contained in this system include individuals, local, state and foreign government agencies as appropriate, the executive and legislative branches of the Federal Government, and interested third parties.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:
The Attorney General has exempted this system from subsections (c)(3) and (4); (d); (e)(1), (2) and (3); (e)(4)(G) and (H); (e)(5); and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2), (k)(1), (k)(2) and (k)(5). 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. These exemptions apply only to the extent that information in a record pertaining to a particular individual relates to official Federal investigations and law enforcement matters. Those files indexed under an individual's name and which concern policy formulation or administrative matters are not being exempted pursuant to 5 U.S.C. 552a(j)(2), (k)(1), (k)(2) or (k)(5).

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(Notice 85-59)
Agency Report Forms Under OMB Review

AGENCY: National Aeronautics and Space Administration.


SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 33), agencies are required to submit proposed information collection requests to OMB for review and approval, and to publish a notice in the Federal Register notifying the public that the agency has made the submission.

Copies of the proposed forms, the requests for clearance (S.F. 83's), supporting statements, instructions, transmittal letters and other documents submitted to OMB for review, may be obtained from the Agency Clearance Officer. Comments on the items listed should be submitted to the Agency Clearance Officer and the OMB Reviewer.

DATE: Comments must be received in writing by September 23, 1985. If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the OMB Reviewer and the Agency Clearance Officer of your intent as early as possible.


FOR FURTHER INFORMATION CONTACT:
Carl Steinmetz, NASA Agency Clearance Officer, (202) 453-2841.