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DEPARTMENT OF JUSTICE

[AAG/A Order No. 150-98]

Privacy Act of 1974; Altered System of Records

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), the Immigration and Naturalization Service (INS), Department of Justice, proposes to modify and publish as a separate system of records, Subsystem N. of the Immigration and Naturalization Service Index System, Justice/INS-001, which was published on October 5, 1993 (58 FR 51347). Subsystem N. was previously entitled "Property Issued to Employees." As a new and separate system of records, it is now retitled "The Asset Management Information System (AMIS), Justice/INS-004," and is otherwise modified as follows.

1. To remove, in their entirety, the exemptions applied to the INS-001 system.

2. To remove 10 routine use disclosure provisions which are inapplicable to these records.

3. Of those routine uses retained, to modify two, i.e., routine uses identified as C. and F.

4. To add one routine use, identified as routine use D.

5. To add information regarding the issuance of firearms, including qualification scores; and

6. To computerize all of the information in this system. (This effort is now in process.)

The republication of Subsystem N. as AMIS is part of a long-term INS initiative to redescribe, where appropriate, the subsystems in the INS-001 system as separate systems of records. The objective of this effort is to improve reporting accuracy and clarity, in particular with respect to applicable routine use disclosures and exemptions.

Title 5 U.S.C. 552a(e) (4) and (11) provide that the public be given a 30-day period in which to comment on proposed new routine use disclosures. The Office of Management and Budget (OMB), which has oversight responsibilities under the Act, requires a 40-day period in which to conclude its review of the proposal.

Therefore, please submit any comments by May 27, 1998. The public,

OMB, and the Congress are invited to send written comments to Patricia E. Neely, Program Analyst, Information Management and Security Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (Room 850, WCTR Building).

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and the Congress on the proposed modification.

Dated: April 8, 1998.

Stephen R. Colgate,

*Assistant Attorney General for
Administration.*

JUSTICE/INS-004

SYSTEM NAME:

The Asset Management Information System (AMIS).

SYSTEM LOCATION:

Headquarters, Regional and District offices, Administrative Centers, Border Patrol Sector Headquarters, Sub-Offices, Stations, and satellite offices of the Immigration and Naturalization Service (INS) in the United States and Foreign Countries as detailed in JUSTICE/INS-999.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of the INS, contract personnel, and temporarily detailed personnel of other Government agencies who have been assigned responsibility for government-owned or controlled property.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records contains property management records which include information on government-owned or controlled personal property (e.g., personal computers, firearms, etc.), and communications equipment (e.g., radios, radar, telephones, etc.), in the personal custody of the individuals covered by this system and used in the performance of their official duties. Information includes the name of such individual, property issued, serial number of the item, dates property issued and returned and the individual/supervisor's initials. In addition, records on firearms include a qualifications roster, and firearm qualifications scores of each officer authorized to use and carry a firearm, and an individual qualifications history.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

(1) 40 U.S.C. 486; (2) 41 CFR part 101; and (3) 41 CFR part 128.

PURPOSE:

Information in this system is used to manage assets in the custody of the INS

in compliance with statutes and regulations governing property management. The records are used to issue, track location thereof, and maintain accountability for government owned or controlled property, including firearms. The system also is used to assess and determine firearm qualifications on an ongoing basis to ensure that firearms are issued only to qualified and authorized personnel.

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 the record, either on its face or in conjunction with other information, indicates 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.

B. To a Federal, State, local or foreign government agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, loan or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

C. To a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information such as current licenses if disclosure is necessary to obtain information relevant to an INS decision concerning the retention of an employee, the issuance of a firearm and/or a security clearance, the letting of a contract or the issuance of a license or other benefit.

D. In a proceeding before a Court or adjudicative body before which INS or the Department of Justice (DOJ) 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 INS or DOJ to be arguably relevant to the litigation: The DOJ component or subdivision thereof; any DOJ employee in his/her official capacity; any DOJ employee in his/her individual capacity where the DOJ has agreed to represent the employee; or the United States where INS or the DOJ determines that the litigation is likely to affect it or any of its subdivisions.

E. 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.

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

G. 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 a personal privacy.

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

STORAGE:

A. Paper records and cards are stored in manually-operated index machines, file drawers and boxes; other information is stored manually as paper records in file folders.

B. Electronic records are stored in a database on magnetic disk.

RETRIEVABILITY:

These records are retrieved by last name and social security number of the record subject.

SAFEGUARDS:

INS offices are located in buildings under security guard, and access to the premises is by official identification. All records are stored in a space which is locked outside of normal office hours. In addition, paper records are stored in locked cabinets or machines. Access to the automated system is controlled by restricted password for use at remote terminals in secured areas.

RETENTION AND DISPOSAL:

General property management records are maintained in accordance with General Records Schedules 3 and 4. The following INS proposal for retention and disposal of records on firearms is pending approval by the Archivist of the United States. Records on returned firearms will be maintained for three years, archived to the Department of Justice Data Center (DOJDC), Dallas, Texas, and then destroyed when seven years old. Records on lost/stolen firearms will be maintained for three years, archived to the DOJDC and destroyed when 20 years old. (Paper records will be destroyed as they are computerized.)

SYSTEM MANAGERS AND ADDRESS:

Chief, Property Section; Logistics Policy, Planning and Evaluation Branch; 425 I Street NW, Room 2214, Washington, DC 20536.

NOTIFICATION PROCEDURES:

Inquiries should be addressed to the Freedom of Information and Privacy Act (FOIA/PA) Officer at the INS office where the record is maintained or to the FOIA/PA Officer at 425 I Street NW, Washington, DC 20536.

RECORD ACCESS PROCEDURES:

Requests for access to records in this system shall be in writing and should be addressed to the appropriate FOIA/PA Officer as indicated above. Such request may be submitted either by mail or in person. If a request for access is made by mail, clearly mark the envelope and letter "Privacy Access Request." To identify a record relating to an individual, a requester should provide full name, date of birth, verification of identity (in accordance with 8 CFR 103.21(b)), a description of the general subject matter and, if known, the related Property Control Number. The requester shall also provide a return address for transmitting the records to be released.

CONTESTING RECORD PROCEDURES:

An individual desiring to contest or amend information maintained in the system should direct his or her request to the appropriate FOIA/PA officer as indicated above. The request should state clearly what information is being contested, the reasons for contesting and the proposed amendment to the information.

RECORD SOURCES CATEGORIES:

Records are generated from property purchase orders; acquisition, transfer and disposal data; and employee locator documentation, or otherwise from the record subject.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

[Document Identifier: HCFA-R-142]

Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with the requirement of section 3506(c)(2)(A) of the

Paperwork Reduction Act of 1995, the Health Care Financing Administration (HCFA), Department of Health and Human Services, is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Type of Information Collection Request: Extension of a currently approved collection; *Title of Information Collection:* ICR's contained in BPD-339, Examination and Treatment for Emergency Medical Conditions and Women in Labor, 42 CFR 488.18, 489.20, and 489.24; *Form No.:* HCFA-R-142, OMB # 0938-0667; *Use:* The information collection requirements contained in BPD-393, Examination and treatment for Emergency Medical Conditions and Women in Labor contains requirements for hospitals to prevent them from inappropriately transferring individuals with emergency medical conditions, as mandated by Congress. HCFA will use this information to help assure compliance with this mandate and protect the public. This information is not contained elsewhere in regulations; *Frequency:* On occasion; *Affected Public:* Business or other for-profit, Individuals or Households, not-for-profit institutions, Federal Government, and State, Local or Tribal Government; *Number of Respondents:* 7,000; *Total Annual Responses:* 7,000; *Total Annual Hours:* 1.

To obtain copies of the supporting statement for the proposed paperwork collections referenced above, E-mail your request, including your address and phone number, to Paperwork@hcf.gov, or call the Reports Clearance Office on (410) 786-1326. Written comments and recommendations for the proposed information collections must be mailed within 60 days of this notice directly to the HCFA Paperwork Clearance Officer designated at the following address:

HCFA, Office of Information Services, Information Technology Investment Management Group, Division of HCFA Enterprise Standards, Attention: John