

D. 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.

E. To the General Service Administration and the National Archives and Records Administration (NARA) in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

F. To the news media and the public when there exists a legitimate public interest in the disclosure of the information or when disclosure is necessary to preserve confidence in the integrity of the Department or is necessary to demonstrate the accountability of the Department's officers, employees, or individuals covered by the system, except to the extent it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

G. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal government, when necessary to accomplish an agency function related to this system of records.

H. To a former employee of the Department for purposes of responding to an official inquiry by a Federal, State, or local government entity or professional licensing authority in accordance with applicable Department regulations, or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

I. To a Federal, State, tribal, local or foreign government agency in response to its request, in connection with the hiring or retention by such agency of an employee, the issuance of a security clearance, the reporting of an investigation of such 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.

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

STORAGE:

These records are stored in a central computer database.

RETRIEVABILITY:

These records may be searched on a variety of data elements including name, place and date of entry or departure, country of citizenship, admission number, and FINS number used to track the particular fingerprints.

SAFEGUARDS:

The system is protected through a multi-layer security approach. The protective strategies are physical, technical, administrative and environmental in nature and provide access control to sensitive data, physical access control to DHS facilities, confidentiality of communications, authentication of sending parties, and personnel screening to ensure that all personnel with access to data are screened through background investigations commensurate with the level of access required to perform their duties.

RETENTION AND DISPOSAL:

Records will be retained for 100 years. This policy proposal for retention and disposal of records in the ADIS database is pending approval by the NARA.

SYSTEM MANAGER(S) AND ADDRESS:

Program Manager, ADIS Program Management Office, 1616 North Fort Myer Drive, Arlington, VA 22209.

NOTIFICATION PROCEDURE:

Address inquiries to the system manager identified above.

RECORDS ACCESS PROCEDURE:

Since the Privacy Act applies to only U.S. citizens and legal permanent residents, this notice covers only U.S. citizens and Lawful Permanent Residents whose information is contained in this system. Make all requests for access in writing and by mail to the system manager noted above. The envelope and letter shall be clearly marked Privacy Access Request. Include a description of the general subject matter, the related file number if known, and any other identifying information which may be of assistance in locating the record. To identify a record, the requester should provide his or her full name, date and place of birth, verification of identity in accordance with 8 CFR 103.21(b). The requester shall also provide a return address for transmitting the records to be released.

CONTESTING RECORDS PROCEDURES:

The following procedures cover only U.S. citizens and Lawful Permanent Residents whose information is contained in this system. U.S. citizens and Lawful Permanent Residents who wish to contest or seek amendment of their records should direct a written request to the system manager. The request should include the requestor's full name, current address and date of birth, a copy of the record in question, and a detailed explanation of the change sought. If the matter cannot be resolved by the system manager, further appeal for resolution may be made to the DHS Privacy Office.

RECORD SOURCE CATEGORIES:

Basic information is obtained from individuals, the individuals' attorney or representative, DHS and DOS officials, and other Federal, State, and local officials.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Secretary of Homeland Security has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2), and (3), (e)(4)(G) and (H), (e)(5) and (8), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2). In addition, the Secretary of Homeland Security has exempted portions of this system from subsections (c)(3), (d), (e)(1), (e)(4)(G) and (H) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2). These exemptions apply only to the extent that records in the system are subject to exemption pursuant to 5 U.S.C. 552a(j)(2) and (k)(2).

Dated: December 8, 2003.

Nuala O'Connor Kelly,
Chief Privacy Officer.

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DEPARTMENT OF HOMELAND SECURITY

[DHS/ICE-CBP-CIS-001]

Privacy Act of 1974; System of Records

AGENCY: Department of Homeland Security (DHS).

ACTION: Notice of privacy act system of records.

SUMMARY: This notice addresses the previously established ENFORCE/IDENT system, a portion of which is the U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) program. This notice allows the ENFORCE/IDENT system to collect biometric and biographic data for US-