

VISIT, in addition to the data collected for DHS national security, law enforcement and other mission-related functions. US-VISIT has created a new business process that integrates and enhances the capabilities of existing systems including the ENFORCE/IDENT system.

DATES: Written comments must be submitted on or before January 12, 2004.

ADDRESSES: Please address your comments to the Privacy Office, U.S. Department of Homeland Security, Washington, DC 20528. You must identify the Docket Number DHS/ICE-CBP-CIS-001 at the beginning of your comments, and you should submit two copies of the comments. You may also submit comments via e-mail at privacy@dhs.gov. Please reference the Docket Number shown above in the subject line of the e-mail. If you wish to receive confirmation that DHS has received your comments, please include a self-addressed, stamped postcard with your request. DHS will make comments received available online at <http://www.dhs.gov>.

FOR FURTHER INFORMATION CONTACT: If you have any questions about this notice, please call Nuala O'Connor Kelly, Chief Privacy Officer, U.S. Department of Homeland Security, Washington, DC 20528, Phone: 202-282-8000; Fax 202-772-5036.

SUPPLEMENTARY INFORMATION: In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, the DHS is publishing this notice regarding an existing system of records known as Enforcement Operational Immigration Records (ENFORCE/IDENT). This notice allows ENFORCE/IDENT to collect biometric and biographic data in support of US-VISIT. The purpose of the amended system is to support US-VISIT to record information pertinent to the arrival and departure of immigrants and nonimmigrants to and from the United States, in addition to the data collected for DHS national security, law enforcement and other mission-related functions.

DHS/ICE-CBP-CIS-001-03

SYSTEM NAME:

Enforcement Operational Immigration Records (ENFORCE/IDENT).

SYSTEM LOCATIONS:

Department of Homeland Security (DHS) field offices for the U.S. Immigration and Customs Enforcement (ICE), Bureau of Customs and Border Protection (CBP), and the U.S. Citizenship and Immigration Services (USCIS); Service Centers; Border Patrol

Sectors (including all offices under their jurisdiction); Ports of Entry; Asylum offices and other offices as detailed in DHS-DS-999, last published in the **Federal Register** on October 17, 2002 (67 FR 64136) and on the Web page of each bureau (*i.e.*, www.bice.immigration.gov, www.bcbp.gov, and www.uscis.immigration.gov); Office of National Risk Assessment (ONRA).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Categories of individuals covered by this notice may include:

A. Individuals or entities who relate in any manner to investigations, inspections, apprehensions, detentions, patrols, removals, examinations, naturalizations, intelligence production, legal proceedings or other operations that implement and enforce the Immigration and Nationality Act (INA) (8 U.S.C. 1101 *et seq.*) and related treaties, statutes, orders and regulations. Individuals who are respondents, representatives, or witnesses in administrative, civil penalty, or forfeiture proceedings, or defendants, representatives or witnesses in criminal prosecution or extradition proceedings.

B. Individuals who are obligors or representatives of obligors of bonds posted.

C. Individuals in distress who are located during search and rescue operations, and other immigration operations.

D. Individuals wanted by other law enforcement agencies, including Federal, State, local, tribal, foreign and international or individuals who are the subject of inquiries, lookouts, or notices by another agency or a foreign government.

E. Individuals who apply for immigration benefits.

F. Non-U.S. citizens and Non-Lawful Permanent Residents who present themselves for entry into and/or exit from the United States including individuals subject to the requirements and processes of US-VISIT. Individuals covered under US-VISIT include those who are not U.S. citizens or Lawful Permanent Residents at the time of entry or exit or who are U.S. citizens or Lawful Permanent Residents who have not identified themselves as such at the time of entry or exit.

G. Nationals of countries that threaten to wage war, or are or were at war with the United States, and individuals required to register as agents of foreign governments in the United States.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records may be paper, electronic and/or other record material

(*e.g.*, video or audio tapes) and includes biographical data, including but not limited to name, aliases, date of birth, phone numbers, addresses, nationality; personal descriptive data; biometric identifiers, including but not limited to fingerprints and photographs; any materials, information or data related to the subject individual's case, including but not limited to immigration history, alien registration and other identification or record numbers, criminal history, employment history, leads, witness statements, identity documents, evidence, seized property and contraband; investigative and operational reports, and intelligence summaries.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

8 U.S.C. 1103; 8 U.S.C. 1225(d)(3); 8 U.S.C. 1324(b)(3); 8 U.S.C. 1357(a); and 8 U.S.C. 1360(b).

PURPOSE(S):

This system of records is established and maintained to enable DHS to carry out its assigned national security, law enforcement, immigration control, and other mission-related functions and to provide associated management reporting, planning and analysis. Specifically, this system of records assists in identifying, investigating, apprehending, and/or removing aliens unlawfully entering or present in the United States; preventing the entry of inadmissible aliens into the United States; facilitating the legal entry of individuals into the United States; recording the departure of individuals leaving the United States; maintaining immigration control; preventing aliens from obtaining benefits to which they are not entitled; analyzing information gathered for the purpose of this and other DHS programs; or identifying, investigating, apprehending and prosecuting, or imposing sanctions, fines or civil penalties against individuals or entities who are in violation of the Immigration and Nationality Act (INA), or other governing orders, treaties or regulations and assisting other Federal agencies to protect national security and carry out other Federal missions.

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, within established confidentiality guidelines (*e.g.*, asylum) as follows:

A. To the appropriate agency/organization/task force, regardless of whether it is Federal, State, local, foreign, or tribal, charged with the