[Federal Register Volume 76, Number 96 (Wednesday, May 18, 2011)]

[Notices]

[Pages 28795-28798]

From the Federal Register Online via the Government Printing Office [[www.gpo.gov](http://www.gpo.gov)]

[FR Doc No: 2011-12029]

=======================================================================

-----------------------------------------------------------------------

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

[Docket No. DHS-2011-0035]

Privacy Act of 1974; Department of Homeland Security United

States Coast Guard-024 Auxiliary Database System of Records

AGENCY: Privacy Office, DHS.

ACTION: Notice of Privacy Act system of records.

-----------------------------------------------------------------------

SUMMARY: In accordance with the Privacy Act of 1974, the Department of

Homeland Security proposes to update and reissue an existing Department

of Homeland Security system of records titled, ``Department of Homeland

Security/United States Coast Guard-024 Auxiliary Database (AUXDATA)

System of Records.'' This system of records will allow the Department

of Homeland Security/United States Coast Guard to track and report

contact, activity, performance, and achievement information about the

members of its volunteer workforce element, the United States Coast

Guard Auxiliary. As a result of the biennial review of this system,

records have been updated in the ``Retention and Disposal'' category to

reflect the specific retention schedules for personal information,

Auxiliary qualifications information, Auxiliary activities information,

information on facilities, and Auxiliarists. This updated system will

be included in the Department of Homeland Security's inventory of

record system.

DATES: Submit comments on or before June 17, 2011. This system will be

effective

ADDRESSES: You may submit comments, identified by docket number DHS-

2011-0035 by one of the following methods:

Federal e-Rulemaking Portal: <http://www.regulations.gov>.

Follow the instructions for submitting comments.

Fax: 703-483-2999.

Mail: Mary Ellen Callahan, Chief Privacy Officer, Privacy

Office, Department of Homeland Security, Washington, DC 20528.

Instructions: All submissions received must include the

agency name and docket number for this rulemaking.

[[Page 28796]]

All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket, to read background

documents, or comments received, go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For general questions please contact:

Eileen Yenikaliotis (202-475-3515), Privacy Officer, United States

Coast Guard, 2100 2nd Street, SW., Washington, DC 20593. For privacy

issues please contact: Mary Ellen Callahan (703-235-0780), Chief

Privacy Officer, Privacy Office, U.S. Department of Homeland Security,

Washington, DC 20528.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with the Privacy Act of 1974, 5 U.S.C.Sec. 552a the

Department of Homeland Security (DHS) United States Coast Guard (USCG)

proposes to update and reissue an existing DHS system of records

titled, ``DHS/USCG-024 Auxiliary Database (AUXDATA) System of

Records.''

The AUXDATA system is the USCG's information system that tracks and

reports contact, activity, performance, and achievement information

about the members of its volunteer workforce element, the USCG

Auxiliary. To become an Auxiliarist, an individual must be at least 17

years of age, be a U.S. citizen, and successfully complete an

enrollment process that includes a background check conducted through

the Coast Guard Security Center (SECCEN) and the Office of Personnel

Management (OPM). Vessel ownership, aircraft ownership, radio station

ownership, or special skills are desirable, but not mandatory. When an

applicant's Auxiliary enrollment package is forwarded to the Coast

Guard District Director of Auxiliary office, the information about the

applicant is entered into the AUXDATA system. This places the applicant

in an Auxiliary membership status of ``Approval Pending'' until the

completion of the required background check. During this time, the

applicant is issued an Employee Identification number and identified as

an Auxiliarist with a membership status prior to the completion of the

background check. The applicant can begin participating in training,

Auxiliary activities, and get limited credit for the participation

until the completion of the background check. The majority of

applicants ultimately receive favorable background check results and

their membership status is changed to ``Initially Qualified'' or

``Basically Qualified'' in AUXDATA depending upon their personal

training history. If an applicant receives an unfavorable background

check, the individual is disenrolled from the Auxiliary. The handling

and retention of applicant information in AUXDATA is the same

regardless of the duration of the membership and is archived until the

record is destroyed/deleted 30 years after disenrollment.

As a result of the biennial review of this system, the ``Retention

and disposal'' category has been amended as follows:

Information collected by AUXDATA is stored for a minimum of five

years after the record is created, then retained and destroyed in

accordance with USCG Commandant Instruction M5212.12 (series),

Information and Life Cycle Management Manual, approved by the National

Archives and Records Administration (NARA).

Personal information (name, employee identification

number, address, birth date, phone number) is destroyed/deleted 30

years after disenrollment or death of a member. (AUTH: N1-26-05-10)

Item 2a Information on facilities (boats, radio stations

or aircraft owned by Auxiliarists as well as facility identification

numbers (e.g. boat license number) destroy/delete data 5 years after

facility becomes inactive or is withdrawn from service. (AUTH: N1-26-

05-10) Item 2c(1)

Item 2b Auxiliary qualifications information (formal

designations in program disciplines that result from successful

completion of training regimens, for example: Class instructor, vessel

examiner, boat coxswain, and certifications and licenses); Training

Management Tool destroy/delete data 30 years after disenrollment or

death of a member. (AUTH: N1-26-05-10)

Item 2d Auxiliary activities information (patrols

conducted, classes taught); destroy/delete data when no longer needed

for administrative use or 5 years after final action is completed.

(AUTH: N1-26-05-10)

Consistent with DHS' information sharing mission, information

stored in the DHS/USCG Auxiliary Database (AUXDATA) System of Records

may be shared with other DHS components, as well as appropriate

federal, state, local, tribal, territorial foreign, or international

government agencies. This sharing will only occur after DHS determines

that the receiving component or agency has a need to know the

information to carry out national security, law enforcement,

immigration, intelligence, or other functions consistent with the

routine uses set forth in this system of records notice. This updated

system will be included in DHS' inventory of record systems.

II. Privacy Act

The Privacy Act embodies fair information practice principles in a

statutory framework governing the means by which the U.S. Government

collects, maintains, uses, and disseminates individuals' records. The

Privacy Act applies to information that is maintained in a ``system of

records.'' A ``system of records'' is a group of any records under the

control of an agency for which information is retrieved by the name of

an individual or by some identifying number, symbol, or other

identifying particular assigned to the individual. In the Privacy Act,

an individual is defined to encompass U.S. citizens and lawful

permanent residents. As a matter of policy, DHS extends administrative

Privacy Act protections to all individuals where systems of records

maintain information on U.S. citizens, lawful permanent residents, and

visitors. Below is the description of the DHS/USCG-024 Auxiliary

Database System of Records.

In accordance with 5 U.S.C. 552a(r), DHS has provided a report of

this new system of records to the Office of Management and Budget and

to Congress.

System of Records

DHS/USCG-024

System name:

United States Coast Guard Auxiliary Database (AUXDATA).

Security classification:

Unclassified.

System location:

Records are maintained at the USCG Headquarters in Washington, DC,

the USCG Operations Systems Center in Martinsburg, WV, and field

offices.

Categories of individuals covered by the system:

As of January 2011, the Auxiliary had approximately 30,400 members

in active status and approximately 7,000 members in retired status

(i.e., members who have 15 years of recorded Auxiliary membership but

no longer desire to engage in Auxiliary activities). Categories of

individuals covered by this system include all current and former USCG

Auxiliarists, the volunteer workforce element of the USCG. This

includes applicants who have submitted requisite information to the

USCG as part of the enrollment process. The enrollment process entails

submission of this information, verification of

[[Page 28797]]

proper age and U.S. citizenship, and completion of a background check

conducted through the Coast Guard Security Center (SECCEN) and the

Office of Personnel Management (OPM). Auxiliary enrollment ends upon

disenrollment, retirement, or death. An Auxiliarist's AUXDATA records

are archived upon the end of their enrollment.

Categories of records in the system:

Categories of records in this system include:

Personal information (name, employee identification

number, address, birth date, phone number);

Auxiliary qualifications information (formal designations

in program disciplines that result from successful completion of

training regimens, for example: class instructor, vessel examiner, boat

coxswain, and certifications and licenses);

Auxiliary activities information (patrols conducted,

classes taught); and

Information on facilities (boats, radio stations or

aircraft-owned by Auxiliarists as well as facility identification

numbers (e.g. boat license number).

Authority for maintenance of the system:

5 U.S.C. 301; The Federal Records Act, 44 U.S.C. 3101; 14 U.S.C.

632, 830, and 831; COMDTINST M16790.1 (series).

Purpose(s):

This system is the primary information management tool for the USCG

Auxiliary program. As the repository for personal and activity data for

Auxiliarists and the units they comprise, AUXDATA is routinely used at

local, regional, and national USCG levels to measure and monitor the

levels of support that the Auxiliary provides to USCG missions and to

recognize Auxiliarists for their service. It also provides an inventory

of Auxiliary surface, air, and radio facilities that are offered to and

accepted for use by the USCG.

Routine uses of records maintained in the system, including categories

of users and the purposes of such uses:

In addition to those disclosures generally permitted under 5 U.S.C.

552a(b) of the Privacy Act, all or a portion of the records of

information contained in this system may be disclosed outside DHS as a

routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To the Department of Justice (including United States Attorney

Offices) or other Federal agency conducting litigation or in

proceedings before any court, adjudicative or administrative body when

it is necessary to the litigation and one of the following is a party

to the litigation or has an interest in such litigation:

1. DHS or any component thereof;

2. Any employee of DHS in his/her official capacity;

3. Any employee of DHS in his/her individual capacity where DOJ or

DHS has agreed to represent the employee; or

4. The United States or any agency thereof is a party to the

litigation or has an interest in such litigation, and DHS determines

that the records are both relevant and necessary to the litigation and

the use of such records is compatible with the purpose for which DHS

collected the records.

B. To a congressional office from the record of an individual in

response to an inquiry from that congressional office made at the

request of the individual to whom the record pertains.

C. To the National Archives and Records Administration or other

Federal government agencies pursuant to records management inspections

being conducted under the authority of 44 U.S.C. 2904 and 2906.

D. To an agency, organization, or individual for the purpose of

performing audit or oversight operations as authorized by law, but only

such information as is necessary and relevant to such audit or

oversight function.

E. To appropriate agencies, entities, and persons when:

1. DHS suspects or has confirmed that the security or

confidentiality of information in the system of records has been

compromised;

2. The Department has determined that as a result of the suspected

or confirmed compromise there is a risk of harm to economic or property

interests, identity theft or fraud, or harm to the security or

integrity of this system or other systems or programs (whether

maintained by DHS or another agency or entity) or harm to the

individual who relies upon the compromised information; and

3. The disclosure made to such agencies, entities, and persons is

reasonably necessary to assist in connection with DHS's efforts to

respond to the suspected or confirmed compromise and prevent, minimize,

or remedy such harm.

F. To contractors and their agents, grantees, experts, consultants,

and others performing or working on a contract, service, grant,

cooperative agreement, or other assignment for DHS, when necessary to

accomplish an agency function related to this system of records.

Individuals provided information under this routine use are subject to

the same Privacy Act requirements and limitations on disclosure as are

applicable to DHS officers and employees.

G. To an appropriate Federal, State, tribal, local, international,

or foreign law enforcement agency or other appropriate authority

charged with investigating or prosecuting a violation or enforcing or

implementing a law, rule, regulation, or order, where a record, either

on its face or in conjunction with other information, indicates a

violation or potential violation of law, which includes criminal,

civil, or regulatory violations and such disclosure is proper and

consistent with the official duties of the person making the

disclosure.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining,

and disposing of records in the system:

Storage:

Records in this system are stored electronically or on paper in

secure facilities in a locked drawer behind a locked door. The records

are stored on tape at the USCG Operations Systems Center in

Martinsburg, WV.

Retrievability:

Information may be retrieved by an individual's name and employee

identification number (EMPLID).

Safeguards:

Records in this system are safeguarded in accordance with

applicable rules and policies, including all applicable DHS automated

systems security and access policies. Strict controls have been imposed

to minimize the risk of compromising the information that is being

stored. Access to the computer system containing the records in this

system is limited to those individuals who have a need to know the

information for the performance of their official duties and who have

appropriate clearances or permissions.

Retention and disposal:

Information collected by AUXDATA is stored for a minimum of five

years after the record is created, then retained and destroyed in

accordance with Coast Guard Commandant Instruction M5212.12 (series),

Information and Life Cycle Management Manual, approved by the National

Archives and Records Administration (NARA).

Personal information (name, employee identification

number, address, birth date, phone number) is destroyed/deleted 30

years after

[[Page 28798]]

disenrollment or death of a member. (AUTH: N1-26-05-10)

Item 2a Information on facilities (boats, radio stations

or aircraft-owned by Auxiliarists as well as facility identification

numbers (e.g. boat license number) destroy/delete data 5 years after

facility becomes inactive or is withdrawn from service. (AUTH: N1-26-

05-10) Item 2c(1)

Item 2b Auxiliary qualifications information (formal

designations in program disciplines that result from successful

completion of training regimens, for example: Class instructor, vessel

examiner, boat coxswain, and certifications and licenses); Training

Management Tool Destroy/Delete data 30 years after disenrollment or

death of a member. (AUTH: N1-26-05-10)

Item 2d Auxiliary activities information (patrols

conducted, classes taught); Destroy/Delete data when no longer needed

for administrative use or 5 years after final action is completed.

(AUTH: N1-26-05-10)

System Manager and address:

United States Coast Guard, Office of Command, Control,

Communications, Computers, and Sensors Capabilities (CG-761), United

States Coast Guard, 2100 2nd Street, SW., Washington, DC 20593-0001.

United States Coast Guard, Office of Auxiliary and Boating Safety (CG-

542), United States Coast Guard, 2100 2nd Street, SW., Washington, DC

20593-0001.

Notification procedure:

Individuals seeking notification of and access to any record

contained in this system of records, or seeking to contest its content,

may submit a request in writing to United States Coast Guard, Office of

Command, Control, Communications, Computers, and Sensors Capabilities

(CG-761), United States Coast Guard, 2100 2nd Street, SW., Washington,

DC 20593-0001. United States Coast Guard, Office of Auxiliary and

Boating Safety (CG-542), United States Coast Guard, 2100 2nd Street,

SW., Washington, DC 20593-0001.

When seeking records about yourself from this system of records or

any other USCG system of records your request must conform with the

Privacy Act regulations set forth in 6 CFR Part 5. You must first

verify your identity, meaning that you must provide your full name,

current address and date and place of birth. You must sign your

request, and your signature must either be notarized or submitted under

28 U.S.C. 1746, a law that permits statements to be made under penalty

of perjury as a substitute for notarization. While no specific form is

required, you may obtain forms for this purpose from the Director,

Disclosure and FOIA, <http://www.dhs.gov> or 1-866-431-0486. In addition

you should provide the following:

An explanation of why you believe the Department would

have information on you,

Specify when you believe the records would have been

created,

If your request is seeking records pertaining to another

living individual, you must include a statement from that individual

certifying his/her agreement for you to access his/her records.

Without this bulleted information the USCG may not be able to

conduct an effective search, and your request may be denied due to lack

of specificity or lack of compliance with applicable regulations.

Record access procedures:

See ``Notification procedure'' above.

Contesting record procedures:

See ``Notification procedure'' above.

Record source categories:

Records are obtained from forms completed by USCG Auxiliary

members.

Exemptions claimed for the system:

None.

Dated: April 19, 2011.

Mary Ellen Callahan,

Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2011-12029 Filed 5-17-11; 8:45 am]

BILLING CODE 9110-04-P