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[Notices]

[Pages 74747-74749]

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[FR Doc No: 2014-29354]

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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

[Docket No. DHS-2014-0072]

Privacy Act of 1974; Department of Homeland Security/United

States Coast Guard--060 Homeport System of Records

AGENCY: Department of Homeland Security, Privacy Office.

ACTION: Notice of Privacy Act System of Records.

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

Homeland Security proposes to update and reissue a current Department

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

Security/United States Coast Guard Homeport System of Records.'' This

system of records allows the Department of Homeland Security/United

States Coast Guard to validate the suitability and identify the

eligibility of those who request permission and/or have access to the

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

manager and address category has been updated. Additionally, this

notice includes non-substantive changes to simplify the formatting and

text of the previously published notice. This updated system will be

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

systems.

DATES: Submit comments on or before January 15, 2015. This updated

system will be effective January 15, 2015.

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

2014-0072 by one of the following methods:

 Federal e-Rulemaking Portal: [http://www.regulations.gov](http://www.regulations.gov/).

Follow the instructions for submitting comments.

 Fax: 202-343-4010.

 Mail: Karen L. Neuman, 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. All comments received will be

posted without change to [http://www.regulations.gov](http://www.regulations.gov/), including any

personal information provided.

 Docket: For access to the docket to read background documents or

comments received, please visit [http://www.regulations.gov](http://www.regulations.gov/).

FOR FURTHER INFORMATION CONTACT: For general questions, please contact:

Marilyn Scott-Perez (202) 475-3515, Privacy Officer, Commandant (CG-

61), United States Coast Guard, Mail Stop 7710, Washington, DC 20593.

For privacy questions, please contact: Karen L. Neuman, (202) 343-1717,

Chief Privacy Officer, Privacy Office, Department of Homeland Security,

Washington, DC 20528.

SUPPLEMENTARY INFORMATION:

I. Background

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

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

proposes to update and reissue a current DHS system of records titled,

``DHS/United States Coast Guard-060 Homeport System of Records. The

collection and maintenance of this information will assist DHS/USCG in

meeting its maritime security requirements under the Maritime

Transportation Security Act (MTSA) of 2002. As a result of a biennial

review of the system, the system manager and address category has been

updated to include the new office symbol, and mail stop.

 Consistent with DHS's information-sharing mission, information

stored in the DHS/USCG-060 Homeport System of Records may be shared

with other DHS components that have a need to know the information to

carry out their national security, law enforcement, immigration,

intelligence, or other homeland security functions. In addition,

information may be shared with appropriate federal, state, local,

tribal, territorial, foreign, or international government agencies

consistent with the routine uses set forth in this system of records

notice. This updated system will be included in DHS's inventory of

record systems.

II. Privacy Act

 The Privacy Act embodies fair information practice principles in a

statutory framework governing the means by which Federal Government

agencies collect, maintain, use, and disseminate 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 from 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 when systems of records

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

visitors.

 Below is the description of the DHS/USCG-060 Homeport System of

Records.

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

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

Congress.

System of Records

Department of Homeland Security (DHS)/USCG -060

System name:

 DHS/USCG-060 Homeport System of Records.

[[Page 74748]]

Security classification:

 Classified, sensitive, and unclassified

System location:

 Records are maintained at the United States Coast Guard

Headquarters in Washington, DC, the USCG Operations Systems Center, 600

Coast Guard Drive, Kearneysville, WV, and field offices. Homeport is

the information technology (IT) system in which records associated with

this function are maintained.

Categories of individuals covered by the system:

 Categories of individuals covered by this system include:

 Representatives of the maritime industry, such as: Members of Area

Maritime Security Committees (AMSC); National Harbor Safety Committees

and Environmental Committees (NHSCEC); and other entities regulated

under the Maritime Transportation Security Act (MTSA).

 Federal, State and local government agency members involved in

maritime safety, security, and environmental protection missions. These

persons may complete on-line forms and/or request an account to provide

the information required by the USCG, access sensitive but unclassified

information, and participate in collaboration communities.

 Individuals for whom background screening will be conducted for the

purpose of facilitating the establishment of AMSC membership and to

inform owners, operators, and security officers of MTSA regulated

entities of the names of persons who have passed the background

screening including, but not limited to Owners and Operators and their

employees, and non-employees who require regular access privileges to

such regulated vessels and facilities, as well as many credentialed

merchant mariners.

Categories of records in the system:

 To participate in the Homeport portal for information dissemination

and collection, the following information may be included in this

record system:

 Full name;

 Complete address;

 Country;

 Company or organization name;

 Work phone;

 Mobile phone;

 24 hour contact phone;

 Fax;

 Pager;

 Email address;

 Alternate email address; and

 Referral full name/work and cell phone/email address.

 For USCG active duty and civilian personnel, the following fields

are pre-populated using data from the Direct Access system, the USCG's

enterprise human resource system:

 Employee ID;

 Billet control number;

 Government Service Grade or Military Rate/Rank; and

 Position number.

 For purposes of establishing AMSC membership, the following

information will be included in accordance with 33 CFR 103.305

``Composition of an Area Maritime Security (AMS) Committee:''

 Full name;

 Date of birth; and

 Alien identification number (if applicable).

 For purposes of establishing Transportation Worker Identification

Credential (TWIC) New Hire query, the following information will be

included in accordance with Navigation and Vessel Inspection Circulars

(NVIC) 03-07:

 Full name; and

 Social Security number (last 4 digits only) should it be

provided (not required).

Authority for maintenance of the system:

 46 U.S.C. 3717; 46 U.S.C. 12501; 44 U.S.C. 3507; 33 U.S.C. 1223; 50

U.S.C. 191; 14 U.S.C. 93(a)(6); and 33 CFR part 125.

Purpose(s):

 The Homeport system is an enterprise tool that facilitates

compliance with the requirements set forth in the Maritime

Transportation Security Act (MTSA) of 2002, by providing secure

information dissemination, advanced collaboration, electronic

submission and approval for vessel and facility security plans, and

complex electronic and telecommunication notification capabilities. The

collection of personally identifiable information concerning those with

access to the Homeport system allows the USCG to validate the

suitability and identify the eligibility of those who request

permission and/or have access to the system.

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 or

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 (DOJ), including Offices of the

United States Attorneys, or other federal agency conducting litigation

or in proceedings before any court, adjudicative, or administrative

body, when it is relevant or 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 or former employee of DHS in his/her official

capacity;

 3. Any employee or former employee of DHS in his/her individual

capacity when DOJ or DHS has agreed to represent the employee; or

 4. The United States or any agency thereof.

 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 (NARA) or

General Services Administration pursuant to records management

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

2906.

 D. To an agency or organization 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. DHS has determined that as a result of the suspected or

confirmed compromise, there is a risk of identity theft or fraud, harm

to economic or property interests, harm to an individual, or harm to

the security or integrity of this system or other systems or programs

(whether maintained by DHS or another agency or entity) that rely 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.

[[Page 74749]]

 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, when 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.

 H. To the news media and the public, with the approval of the Chief

Privacy Officer in consultation with counsel, 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 DHS

or is necessary to demonstrate the accountability of DHS'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.

Disclosure to consumer reporting agencies:

 None.

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

and disposing of records in the system:

Storage:

 USCG stores Homeport information electronically or on paper in

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

may be stored on magnetic disc, tape, or digital media.

Retrievability:

 USCG retrieves homeport records by first name, last name, city,

state, Captain of the Port Zone, vessel role, facility role, committee

membership, vessel association, case identification number, or facility

association.

Safeguards:

 USCG safeguards Homeport records in accordance with applicable

rules and policies, including all applicable DHS automated systems

security and access policies. USCG imposes strict safeguards to

minimize the risk of compromising the information stored in Homeport.

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:

 In accordance with NARA disposition Authority Number N1-026-06-06,

records of registration information are destroyed upon account

termination. Maritime personnel screening data is destroyed after two

years. Response-associated information, such as personal data needed

for search and rescue purposes, is destroyed 120 days following

completion of response operations.

System Manager and address:

 Commandant (CG-633), United States Coast Guard, Mail Stop 7710,

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 the Commandant (CG-611), United

States Coast Guard, Mail Stop 7710, Washington, DC 20593. If an

individual believes more than one component maintains Privacy Act

records concerning him or her, the individual may submit the request to

the Chief Privacy Officer and Chief Freedom of Information Act Officer,

Department of Homeland Security, 245 Murray Drive SW., Building 410,

STOP-0655, Washington, DC 20528.

 When seeking records about yourself from this system of records or

any other Departmental 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 Chief Privacy

Officer and Chief Freedom of Information Act Officer, <http://www.dhs.gov/foia> or 1-866-431-0486. In addition, you should:

 Explain why you believe the Department would have

information on you;

 Identify which component(s) of the Department you believe

may have the information about you;

 Specify when you believe the records would have been

created; and

 Provide any other information that will help the FOIA

staff determine which DHS component agency may have responsive records;

and

 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 the above information, the component(s) 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 by registered users; the general public (if

completing an on-line form during marine casualty incidents or natural

disasters); individuals who are authorized to have access to maritime

facilities; government agencies; and USCG personnel.

Exemptions claimed for the system:

 None.

 Dated: November 18, 2014.

Karen L. Neuman,

Chief Privacy Officer, Department of Homeland Security.

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