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77)]
[Notices]                =20
[Page 20708-20710]
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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

[DHS-2005-0053]

=20

Privacy Act of 1974; Systems of Records

AGENCY: Department of Homeland Security; United States Customs and=20
Border Protection.

ACTION: Notice of revision to and expansion of Privacy Act system of=20
records.

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SUMMARY: This notice announces a revision to and expansion of a=20
previously-established Privacy Act system of records, the Global=20
Enrollment System, to facilitate the creation of a consolidated=20
database to collect biometric and biographic data for individuals who=20
voluntarily exchange personally identifiable information in return for=20
expedited transit at U.S. border entry points. The Global Enrollment=20
System will enhance transportation security by affording United States=20
Customs and Border Protection, the system owner, the opportunity to=20
perform advanced screening on low-risk trusted travelers and to=20
expedite the security screening process of these trusted travelers as=20
their low-risk status is confirmed.

DATES: The revised System of Records will be effective May 22, 2006,=20
unless comments are received that result in a contrary determination.=20
The public is invited to comment on the proposed System of Records.

ADDRESSES: You may submit comments, identified by docket number DHS-
2005-0053 by one of the following methods:

<BULLET> Federal eRulemaking Portal: <A =

href=3D"http://frwebgate.access.gpo.gov/cgi-bin/leaving.cgi?from=3DleavingFR.html&log=3Dlinklog&to=3Dhttp://www.regulations.gov">http://frwebgate.access.gpo.gov/cgi-bin/leaving.cgi?from=3DleavingFR.html&log=3Dlinklog&to=3Dhttp://www.regulations.gov.=20

Follow the instructions for submitting comments.

<BULLET> Fax: (202) 572-8727.

<BULLET> Mail: Border Security Regulations Branch, Office of=20 Regulations and Rulings, Bureau of Customs and Border Protection, Mint=20 Annex, Washington, DC 20229; Maureen Cooney, Acting Chief Privacy=20 Officer, Department of Homeland Security, 601 S. 12th Street,=20 Arlington, VA 22202-4220.

FOR FURTHER INFORMATION CONTACT: If you have any questions about this=20 notice, please contact Laurence Castelli, Chief, Privacy Act Policy and=20 Procedures Branch, U.S. Customs and Border Protection, Washington, DC=20 20229, Phone: (202) 572-8720, Fax (202) 572-8727; or Maureen Cooney,=20 Acting Chief Privacy Officer, U.S. Department of Homeland Security,=20 Arlington, VA 22202-4220, Phone: (571) 227-3813, Fax: (571) 227-4171.

SUPPLEMENTARY INFORMATION: United States Customs and Border Protection,=20 a component agency of the Department of Homeland Security, currently=20 operates multiple programs at Ports of Entry that offer individuals an=20 expedited transit experience at United States security points in=20 exchange for providing personally identifiable information to=20 facilitate identification of the individual as a ``trusted traveler.' '=20 The personally identifiable information now collected for these=20 programs is currently maintained in the Global Enrollment System (GES),=20 a Privacy Act system of records, notice of which was last published in=20 the Federal Register on March 13, 1997, as Justice/INS-017 (62 FR=20 11919).

CBP inherited these Port of Entry expedited border-crossing=20 programs upon the creation of DHS on March 1, 2003. These local=20 programs were created by both the former Immigration and Naturalization=20 Service and the former U.S. Customs Service to facilitate the regular=20 and recurring border transit of individuals who voluntarily provide=20 information to CBP in exchange for expedited processing at the border.=20 The personally identifiable data collected for these programs is=20 maintained in a legacy GES system, notice of which was originally=20 published in the Federal Register at 62 FR 11919 on March 13, 1997 as=20 Justice/INS-017.

CBP is now consolidating these various programs, which have=20 operated locally, into a national system as a means for both expanding=20 the expedited border crossing benefit to approved participants and=20 achieving greater uniformity in the criteria for admission to these=20 programs. The information to be collected will continue to be provided=20 primarily by applicants, and will consist of biographic data sufficient=20 for program purposes and biometric data--currently envisioned to be=20 fingerprints and photographs--that will be used for identity=20 verification. In order to complete the enrollment process, the=20 information from applicants will be used to query law enforcement and=20 other databases in order for CBP to decide if an individual can be=20 accepted as a low-risk, ``trusted traveler.' ' There will be an=20 opportunity for the individual to verify the accuracy of the=20 information at enrollment. In addition, a redress program will be=20 available so that if errors are made in decisions regarding applicants,=20 a process is available to resolve these discrepancies.

An enterprise-wide Global Enrollment System (GES) will centralize=20 the application and enrollment functions for these programs in a way=20 that is efficient, integrated and scalable. The proposed revisions to=20 GES are expected to be part of the process by which CBP and the entire=20 Department of Homeland Security, acting in concert with the Department=20 of State and our international partners, adopts 21st century technology=20 to improve the security of our borders while facilitating travel by=20

United States citizens and foreign visitors.

The Privacy Act (5 U.S.C. 552a) embodies fair information=20 principles in a statutory framework governing the means by which the=20 United States Government collects, maintains, uses and disseminates=20 personally identifiable information. The Act applies to information=20 that is maintained in a ``system of records.'' A ``system of records''=20 is a group of any records under the control of an agency from which=20 information is retrieved by the name of the individual or by some=20 identifying number, symbol, or other identifying particular assigned to=20 the individual.

The Privacy Act requires each agency to publish in the Federal=20 Register a description of the type and character of each system of=20 records that the agency maintains, and the routine uses for which such=20 information may be disseminated and the purpose for which the system is=20 maintained. The revised and consolidated Global Enrollment System is=20 described below.

In accordance with 5 U.S.C. 552a(r), a report of this revised=20 system of records has been provided to the Office of Management and=20 Budget (OMB) and to the Congress.
DHS/CBP-002

System Name:

Global Enrollment System (GES).

System Location:

This computer database is located at U.S. Customs and Border=20 Protection (CBP) National Data Center in Washington, DC. Computer=20 terminals are located at border ports of entry and airport and seaport=20 inspection facilities under the jurisdiction of the Department of=20 Homeland Security (DHS).

Categories of Individuals Covered by the System:

Individuals who apply to use any form of automated or other=20 expedited inspection for verifying eligibility to cross the borders=20 into the United States.

Categories of Records in the System:

The system contains application data such as full name, including=20 nickname or other names used, place and date of birth, gender, current=20 and former addresses, telephone numbers, country of citizenship, alien=20 registration number (if applicable), employment history, biometric=20 data, driver's license number and issuing state or province, the make,=20 model, color, year, license number and license issuing state or=20 province of the applicant's vehicle, the flag and home port (where the=20 vessel is foreign flagged), name, registration number and registration=20 issuing state or province of the applicant's vessel, the name and=20 address of the vehicle's or vessel's registered owners if different=20 from the applicant, and the amount of fee paid. The application may=20 also include such

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information as the frequency of border crossings or travel, and the=20 most frequent reason for crossing the border or travel, information=20 supplied by the applicant as to whether he or she has been arrested or=20 convicted of any violations of law, and information obtained from=20 checks of other law enforcement databases that would confirm or refute=20 this information.

Authority for Maintenance of the System:

8 U.S.C. 1101, 1103, 1201, 1304, and 1356.

Purpose(s):

Information in this system is used to adjudicate applications to=20

enter the United States by any available form of automated or other=20 expedited inspection, including that offered to travelers arriving in=20 the United States via dedicated commuter lanes, to pedestrians and=20 vehicles arriving at ports of entry, to pedestrians and vehicles=20 arriving at other lands borders, and to air and sea travelers.

Routine Uses of Records Maintained in the System, Including Categories=20 of Users and the Purposes of Such Uses:

In addition to those disclosures generally permitted under 5 U.S.C.=20 552a(b) of the Privacy Act, all or a portion of the records or=20 information contained in this system may be disclosed outside DHS as a=20 routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

A. To Federal, State, local, foreign, international or tribal=20 government agencies or organizations during the course of processing=20 applications to elicit information necessary to make decisions on these=20 applications.

B. To appropriate Federal, State, local, foreign, international or=20 tribal government agencies or organizations that are lawfully engaged=20 in collecting intelligence or law enforcement information (whether=20 civil, criminal or administrative) and/or charged with investigating,=20 prosecuting, enforcing or implementing civil and/or criminal laws,=20 related rules, regulations or orders, to enable these entities to carry=20 out their law enforcement and intelligence responsibilities.

C. To a Congressional office response to an inquiry from that=20 Congressional office made at the request of the individual to whom the=20 record pertains.

D. To the National Archives and Records Administration or other=20 federal government agencies pursuant to records management inspections=20 being conducted under the authority of 44 U.S.C. 2904 and 2906.

E. To the Department of Justice or other federal agency conducting=20 litigation or proceedings before any court, adjudicative or=20 administrative body, when: (a) DHS, or (b) any employee of DHS in his/ her official capacity, or (c) any employee of DHS in his/her individual=20 capacity where DOJ or DHS has agreed to represent the employee, or (d)=20 the United States or any agency thereof, is a party to the litigation=20 or has an interest in such litigation.

F. To contractors, grantees, experts, consultants, volunteers, and=20 others performing or working on a contract, service, grant, cooperative=20 agreement, or other assignment for the Federal government, when=20 necessary to accomplish an agency function related to this system of=20 records.

G. To an agency, organization, or individual for the purposes of=20 performing authorized audit or oversight operations.

Policies and Practices for Storing, Retrieving, Accessing, Retaining,=20 and Disposing of Records in the System:
Storage:

Application information is maintained in paper form and in an=20 automated database in electronic format.

Retrievability:

These records are retrieved by name, address, vehicle license=20 number or other personal identifier.

Safeguards:

The system is protected through a multi-layer security approach.=20 The protective strategies are physical, technical, administrative and=20 environmental in nature and provide access control to sensitive data,=20 physical access control to DHS facilities, confidentiality of=20 communications, authentication of sending parties, and personnel=20 screening to ensure that all personnel with access to data are screened=20 through background investigations commensurate with the level of access=20 required to perform their duties.

Retention and Disposal:

The legacy GES system provides that records will be destroyed three=20 years after the denial of an application as a ``trusted traveler'' or=20 after an issued permit expires. In light of the changes to the program=20 that are envisioned, CBP will work with its Records personnel to=20 develop an appropriate retention schedule that accounts for both=20 operational and privacy concerns.

System Manager and Address:

Director, Passenger Systems Program Office, Office of Information=20 and Technology, 1300 Pennsylvania Ave., NW., Washington, DC 20229.

Notification Procedures:

To determine whether this system contains records relating to you,=20 write to the CBP Customer Satisfaction Unit, Office of Field=20 Operations, U.S. Customs and Border Protection, 1300 Pennsylvania=20 Avenue, NW. (Room 5.5C), Washington, DC 20229.

Records Access Procedures:

Requests for access must be in writing and should be addressed to=20 CBP Customer Satisfaction Unit in the Office of Field Operations, or=20 the DHS Director for Departmental Disclosure and FOIA. Requests should=20 conform to the requirements of 6 CFR part 5, subpart B, which provides=20 the rules for requesting access to Privacy Act records maintained by=20 DHS. The envelope and letter should be clearly marked ``Privacy Act=20 Access Request.'' The request should include a general description of=20 the records sought and must include the requester's full name, current=20 address, and date and place of birth. The request must be signed and=20 either notarized or submitted under penalty of perjury.

Contesting Records Procedures:

Same as Records Access Procedures above. State clearly and=20 concisely the information being contested, the reasons for contesting=20 it, and the proposed amendment to the information sought.

Record Source Categories:

The primary source of information is the application. Other law=20 enforcement records systems may be used as part of adjudicating the=20 applications.

Exemptions Claimed for the System:

Records and information in this system obtained from checks of=20 other law enforcement databases are exempt from 5 U.S.C. 552a(c)(3),=20 (c)(4), (d)(1), (d)(2), (d)(3), (d)(4), (e)(1), (e)(2), (e)(3),=20 (e)(4)(G), (H), and (I), (5) and (8), (f), and (g) of the Privacy Act=20 pursuant to 5 U.S.C. 552a(j)(2) and (k)(2). No exemptions are claimed=20 for information obtained from an application or otherwise submitted by=20 an applicant.

Dated: April 13, 2006.

Maureen Cooney,

Acting Chief Privacy Officer.

[FR Doc. E6-5968 Filed 4-20-06; 8:45 am]

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