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[Notices]

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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

[Docket No. DHS-2014-0019]

Privacy Act of 1974; Department of Homeland Security--DHS/ALL 020

Internal Affairs System of Records

AGENCY: Privacy Office, Department of Homeland Security.

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 department-wide system of records notice titled

``Department of Homeland Security/ALL-020 Department of Homeland

Security Internal Affairs System of Records.'' This system collects and

maintains records relating to investigations, including allegations of

misconduct, resultant investigations conducted by Department of

Homeland Security (DHS) Headquarters or its components, and any of the

individuals involved in such investigations with the exception of

records of investigations conducted by the Office of the Inspector

General. This revised notice includes several changes necessitated by

the issuance of a final rule entitled Standards To Prevent, Detect, and

Respond to Sexual Abuse and Assault in Confinement Facilities (6 CFR

part 115) and to better reflect the DHS's internal affairs records

systems, including changes to: (1) The categories of individuals first,

by removing applicants for DHS employment and second, by adding any

individual who is subject to or involved in an internal integrity or

disciplinary inquiry, or an internal review, inspection, or

investigation not handled by the DHS Office of the Inspector General

(OIG); (2) the categories of records, by adding two new categories; (3)

the purpose of the system, by adding internal integrity or disciplinary

inquiries, and internal reviews, inspections, or investigations DHS

Headquarters or its components conduct, except any of the above that

the DHS OIG conducts; (4) the routine

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uses, by adding new routine uses (K), (O), (P), (Q), (R), (S), (T),

(U), and (V), and (5) the retention periods, by adding new retention

periods for review files and sexual abuse and assault files. In

addition, this notice includes non-substantive changes to simplify the

formatting and text of the previously published notice. The exemptions

claimed in this system of records notice also reflect updates necessary

for consistency with the Final Rule for Privacy Act Exemptions, 74 Fed.

Reg. 42575 (Aug. 24, 2009). This system is still included in the

Department of Homeland Security's inventory of record systems. In

addition to the changes above, this notice communicates DHS's intention

to retire a different system of records from its inventory, because the

Transportation Security Administration no longer requires the DHS/TSA

005 Internal Investigation Record System, 69 FR 71828 (Dec. 10, 2004).

DATES: Submit comments on or before May 28, 2014. This new system will

be effective May 28, 2014.

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

2013-XXXX 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 and may be read at [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, go to [http://www.regulations.gov](http://www.regulations.gov/).

FOR FURTHER INFORMATION CONTACT: For general questions and privacy

issues 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) proposes to update and reissue

the current DHS system of records titled, ``DHS/ALL-020 Department of

Homeland Security Internal Affairs System of Records,'' last published

at 73 FR 221 (Nov. 14, 2008). The existing Internal Affairs System of

Records Notice specifies that DHS collects and maintains records of

applicants, past and present employees, contractors, and contractor

applicants relating to investigations conducted by DHS Headquarters or

its components--with the exception of investigations conducted by the

OIG that are covered by DHS/OIG-002 Investigations Data Management

System of Records.

In addition, this update will provide notice that DHS intends to

retire a different system of records from its inventory because the

Transportation Security Administration (TSA) no longer requires the

system. The system DHS is retiring is DHS/TSA 005 Internal

Investigation Record System, 69 FR 71828 (Dec. 10, 2004).

To better reflect the Department's internal affairs records system

and to support the issuance of the final rule entitled Standards To

Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement

Facilities (6 CFR Part 115), 79 FR 13100 (Mar. 7, 2014), DHS is

updating the Department of Homeland Security Internal Affairs System of

Records Notice to add a new category of individuals, new categories of

records, an additional purpose for the system, new routine uses, and

new record retention periods.

DHS Standards To Prevent, Detect, and Respond to Sexual Abuse and

Assault in Confinement Facilities

Consistent with the Prison Rape Elimination Act of 2003 (PREA) (42

U.S.C. Sec. 15601 et seq.) and the Violence Against Women

Reauthorization Act of 2013 (Pub. L. 113-4), DHS issued a final rule

titled DHS Standards To Prevent, Detect, and Respond to Sexual Abuse

and Assault in Confinement Facilities, (hereinafter, DHS PREA rule).

The DHS PREA rule establishes standards to prevent, detect, and respond

to sexual abuse and assault in DHS confinement facilities. The rule

includes separate sets of standards tailored to two different types of

confinement facilities used by DHS: (1) Immigration detention

facilities, which Immigration and Customs Enforcement (ICE) oversees

and uses for longer-term detention of individuals subject to

immigration removal processes; and (2) holding facilities, which ICE

and U.S. Customs and Border Protection (CBP) use for temporary

detention of individuals pending release from custody or transfer to a

court, jail, prison, another agency, or another unit of the facility or

agency.

The DHS PREA rule addresses mechanisms for individuals in DHS

immigration detention or holding facilities to report to DHS incidents

of sexual assault and abuse committed by DHS staff or other individuals

in facilities. It also standardizes the collection and maintenance of

information about known or alleged incidents of sexual assault and

abuse. For additional information on the DHS PREA rule, see 6 CFR Part

115. The DHS/ALL-020 Internal Affairs SORN is being updated to provide

coverage for records that will be generated by DHS in fulfilling its

responsibilities under this new regulation.

Joint Integrity Case Management System

The Joint Integrity Case Management System (JICMS) is a customized

application that CBP Office of Internal Affairs (IA), CBP Labor and

Employee Relations (LER), ICE Office of Professional Responsibility

(OPR), and ICE Employee and Labor Relations (ELR) use. ICE and CBP

developed it for joint use to record misconduct, to conduct criminal

and administrative investigations, and to track disciplinary actions.

JICMS allows for a streamlined, integrated allegation and discipline

tracking system for designated users. JICMS records continue to be

included in this system of records and are covered by the DHS/ALL-020

Internal Affairs SORN.

ICE OPR Inspections

ICE's OPR inspects and reviews ICE offices, operations, and

processes to provide ICE executive management with an independent

review of the agency's organizational health, as well as an assessment

of how effectively and efficiently ICE carries out its mission. This

includes evaluating detention facilities' compliance with ICE's

detention standards. OPR conducts investigations of events in detention

facilities, such as detainee deaths, allegations involving violations

of civil rights and civil liberties, or non-compliance with detention

standards. Records of these functions are currently covered by the DHS/

ALL-020 Internal Affairs SORN to the extent information is retrieved by

name or personal identifier, but the category of records has been

revised to make this more explicit.

Changes to the Purpose Statement, Categories of Records, and Categories

of Individuals

As described above, DHS is updating this SORN to address new

records created by implementation of the DHS PREA rule and records

created by ICE OPR and CBP IA when executing their oversight

responsibilities. The purpose statement of this SORN also adds ICE OPR

inspections and reviews (described

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above) to the types of internal affairs matters covered and accordingly

is now broader to cover a range of internal affairs matters, such as

internal compliance with laws, regulations, and policies about the

overall purpose of internal affairs functions within DHS.

There are other changes in the category of records to provide

clarity and completeness, such as specifically listing Alien

Registration Numbers as a record category and revising the description

of ``investigative reports'' to the more specific ``investigative

records of a criminal, civil, or administrative nature.''

DHS is modifying the category of individuals section to provide a

more comprehensive list of the types of individuals who may be subject

to or involved in internal affairs matters. These include individuals

held by DHS in confinement or detention facilities as well as

individuals encountered, arrested, or detained by DHS or held in DHS

custody pending removal or removal proceedings under the Immigration

and Nationality Act (INA) (Pub. L. 82-414). The system also includes

the personally identifiable information (PII) of individuals who make

allegations of sexual assault and abuse in DHS confinement facilities

and individuals whose PII is provided in such allegations or over the

course of any resulting investigation, including witnesses to the

alleged incident or alleged abusers.

Changes to Routine Uses

DHS is revising the routine uses to improve clarity, and adding

several new routine uses, including routine use U, which authorizes DHS

to notify a victim following an investigation into an allegation of

sexual abuse or assault of the result of the investigation, in

accordance with the DHS PREA rule. Below is a general summary of all

new routine uses and their corresponding letters. The actual routine

uses appear in the notice.

K. To an authorized appeal or grievance examiner, formal complaints

examiner, equal employment opportunity investigator, arbitrator, or

other duly authorized official engaged in investigation or settlement

of a grievance, complaint, or appeal filed against DHS, its employees,

contractors, offices, or Components.

O. To federal, state, local, tribal, territorial, foreign, or

international agencies concerning the hiring or retention of an

individual, or issuance of a security clearance, license, contract,

grant, or other benefit when failure to disclose the information is

likely to create a risk to public safety or to other specified

interests;

P. To the Office of Personnel Management (OPM) to refer an

individual who has applied for federal employment when there is

falsification, deception, or fraud in the application process; or when

suitability evaluation indicates a government-wide debarment should be

imposed pursuant to 5 CFR Part 731;

Q. To a former employee of DHS for purposes of responding to an

official inquiry or facilitating communications with a former employee

that may be relevant for personnel-related or other official purposes;

R. To federal, state, local, tribal, territorial, international, or

foreign government agencies to assist in making a determination

regarding a complaint or other form of redress; to verify the identity

of an individual seeking redress; or to verify the accuracy of

information submitted by an individual on behalf of another individual;

S. To third parties, but only that information relevant and

necessary, to effectuate or to carry out a particular redress result by

that third party; and

T. To notify a victim, pursuant to 6 CFR Section 115.73, following

an investigation into an allegation of sexual abuse or assault, of the

result of the investigation and of any responsive actions taken.

U. To notify or provide a victim or complainant of the progress or

results of an investigation relating to an integrity, disciplinary

inquiry, review, or inspection complaint relating to an integrity,

disciplinary inquiry, review, or inspection complaint.

V. To federal, state, local, tribal, territorial, foreign,

international agencies or transportation operators, when relevant or

necessary to: (1) Ensure safety and security; (2) enforce safety and

security-related regulations and requirements to assess and distribute

intelligence or law enforcement information related to security; (3)

assess and respond to threats; (4) oversee the implementation and

ensure the adequacy of security measures at facilities; (5) plan and

coordinate any actions or activities that may affect safety, security,

or the operations of facilities; or (6) issue, maintain, or review a

license, certificate, contract, grant, or other benefit.

Information stored in the DHS/ALL-020 Internal Affairs system of

records may be shared with 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, consistent with DHS's information sharing mission,

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.

Changes to Record Retention

Changes to the retention period for the Department's internal

affairs record systems are pending review and approval. DHS proposes

that investigative, inspection, and allegation-related files be

maintained for five years after the related case is closed. Records

would then be transferred to the Federal Records Center (FRC) and

destroyed 25 years after the date of closure for investigative files

and 10 years after the date of closure for inspection and allegation-

related files. Review files would be maintained for 10 years after the

related case is closed, and then be transferred to the FRC and retained

permanently. Sexual abuse and assault files and reports would be

maintained in a secure location for 10 years after the end of the

fiscal year in which the related case closed. Records then would be

transferred to the FRC and destroyed 20 years after the end of the

fiscal year in which the case closed.

During the course of adjudicating a complaint, records or

information from other systems of records may become part of, merged

with, or recompiled within this system. This system may contain records

or information compiled from or based on information contained in other

systems of records that are exempt from certain provisions of the

Privacy Act. To the extent this occurs, DHS will claim the same

exemptions as were claimed for the original systems from which the

recompiled records, material, or information were obtained. Such exempt

records or information are likely to include law enforcement or

investigation records, law enforcement encounter records, or possibly

intelligence-related information or terrorist screening records. These

could come from various DHS systems, such as TECS (DHS/CBP-011--U.S.

Customs and Border Protection TECS, 73 FR 77778 (Dec. 19, 2008)) or

from other agency systems. Such records adhere to the protections

described in the underlying system and are safeguarded accordingly. The

originating agency consults with OPR prior to further disclosure of any

such information.

II. Privacy Act

The Privacy Act embodies fair information principles in a statutory

framework governing the means by which the United States Government

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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 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 United States citizens and legal

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. Individuals may request access to their own records that are

maintained in a system of records in the possession or under the

control of DHS by complying with DHS Privacy Act regulations, 6 CFR

Part 5.

The Privacy Act requires each agency to publish in the Federal

Register a description denoting the type and character of each system

of records that the agency maintains, and the routine uses contained in

each system in order to make agency recordkeeping practices

transparent, to notify individuals regarding the uses of their records,

and to assist individuals to more easily find such files within the

agency. Below is the description of the DHS Internal Affairs 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 (OMB)

and to Congress.

SYSTEM OF RECORDS

DHS/ALL-020.

System name:

DHS/ALL-020 Department of Homeland Security Internal Affairs.

Security classification:

Unclassified.

System location:

Records are maintained at several Headquarters locations and in

component offices of the Department of Homeland Security (DHS), in both

Washington, DC, and field locations.

Categories of individuals covered by the system:

Any individual who is subject to or involved in an internal

integrity or disciplinary inquiry, or an internal review, inspection,

or investigation not handled by the DHS Office of the Inspector General

(OIG). These individuals may be current or former DHS employees and

contractors; contractor applicants; individuals serving in an advisory

role; individuals held by DHS in confinement or detention facilities;

individuals encountered, arrested, or detained by DHS or held in DHS

custody pending removal or removal proceedings under the Immigration

and Nationality Act (INA); individuals whose information is relevant to

the investigation of alleged misconduct, including complainants,

witnesses, or alleged perpetrators of sexual abuse or assault; or any

other persons subject to or involved with the internal inquiries,

reviews, inspections, or investigations described above.

Categories of records in the system:

Categories of records in this system include:

Individual identifying data, which may include some or all

of the following: full name, date of birth, Social Security number,

Alien Registration number, addresses, contact information, duty

station, grade, job series, and entrance on duty date;

Allegations received and method received;

Relevant information from background investigations;

Relevant information from inspections, reviews, and

inquiries, including records collected in response to an allegation of

sexual abuse and assault;

Integrity investigations records;

Investigative records of a criminal, civil, or

administrative nature;

Incident location;

Case agent/officer or supervisor;

Case/prosecution status;

Photographic images, videotapes, voiceprints, DVDs;

Letters, emails, memoranda and reports;

Exhibits, evidence, statements, and affidavits; and

Any other information gathered in the course of or

relating to an integrity or disciplinary inquiry, review, inspection,

or investigation of a criminal, civil, or administrative nature,

including reports generated on incidents of sexual abuse and assault.

Authority for maintenance of the system:

5 U.S.C. Sec. 301; the Federal Records Act, 44 U.S.C. Sec. 3101;

Executive Order 9397, as amended by Executive Order 13478.

Purpose(s):

The purpose of this system is to collect and maintain records

concerning internal affairs matters, specifically internal integrity or

disciplinary inquiries, as well as internal reviews, inspections, or

investigations conducted by DHS Headquarters or its components, except

those conducted by OIG. This SORN is intended to support and protect

the integrity of Departmental operations; to ensure compliance with

applicable laws, regulations, and policies; and to ensure the integrity

of DHS employees' conduct and those acting on behalf of DHS.

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.

Sec. 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 (DOJ) (including Office of the

United States Attorneys) 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 when DOJ or

DHS has agreed to represent the employee; or

4. The United States Government 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), the

General Services Administration (GSA), or any other federal 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. 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

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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.

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

international agencies if the information is relevant and necessary to

a requesting agency's decision concerning the hiring or retention of an

individual, or the issuance, grant, renewal, suspension, or revocation

of a security clearance, license, contract, grant, or other benefit; or

if the information is relevant and necessary to a DHS decision

concerning the hiring or retention of an employee, the issuance of a

security clearance, the reporting of an investigation of an employee,

the letting of a contract, or the issuance of a license, grant, or

other benefit.

I. To a court, magistrate, or administrative tribunal in the course

of presenting evidence, including disclosures to opposing counsel or

witnesses in the course of civil discovery, litigation, or settlement

negotiations in response to a subpoena from a court of competent

jurisdiction.

J. To third parties during the course of a law enforcement

investigation to the extent necessary to obtain information pertinent

to the investigation, provided disclosure is appropriate to the proper

performance of the official duties of the officer making the

disclosure.

K. To an authorized appeal or grievance examiner, formal complaints

examiner, equal employment opportunity investigator, arbitrator, or

other duly authorized official engaged in investigation or settlement

of a grievance, complaint, or appeal filed against DHS, its employees,

contractors, offices, or components.

L. To provide information to unions recognized as exclusive

bargaining representatives under the Civil Service Reform Act of 1978,

5 U.S.C. 7111 and 7114, and in circumstances when union officials

represent employees in investigations and personnel actions.

M. To a court, prosecutor, and/or defense attorney in satisfaction

of the agency's obligations under the Jencks Act (18 U.S. 3500); Giglio

v. United States, 405 U.S. 150 (1972); or Brady v. Maryland, 373 U.S.

83 (1963) decisions.

N. To management officials at federal, state, local, tribal,

territorial, foreign, or international agencies who may be in a

position to take disciplinary or other corrective action, and to boards

and panels who may be charged with making recommendations or proposals

regarding remedial action.

O. To federal, state, local, tribal, territorial, foreign, or

international agencies if DHS determines: (1) The information is

relevant and necessary to that agency's decision concerning the hiring

or retention of an individual, or issuance of a security clearance,

license, contract, grant, or other benefit, and (2) failure to disclose

the information is likely to create a risk to government facilities,

equipment, or personnel; sensitive information; critical

infrastructure; or the public safety.

P. To the Office of Personnel Management (OPM) to refer an

individual who has applied for federal employment in cases when there

is material, intentional falsification, deception, or fraud in the

initial application or examination process; or when suitability

evaluation indicates a government-wide debarment should be imposed

pursuant to 5 CFR Part 731.

Q. To a former employee of DHS for purposes of responding to an

official inquiry by federal, state, local, tribal, or territorial

government agencies or professional licensing authorities; or

facilitating communications with a former employee that may be relevant

and necessary for personnel-related or other official purposes when DHS

requires information or consultation assistance from the former

employee regarding a matter within that person's former area of

responsibility.

R. To federal, state, local, tribal, territorial, foreign or

international government agencies, or entities for the purpose of

consulting with that agency or entity: (1) To assist in making a

determination regarding a complaint or other form of redress for an

individual in connection with the operations of DHS employees,

contractors, components, or programs; (2) to verify the identity of an

individual seeking redress in connection with the operations of a DHS

component or program; or (3) to verify the accuracy of information

submitted by an individual who has requested such redress on behalf of

another individual.

S. To third parties lawfully authorized in connection with a

federal government program, which is authorized by law, regulation, or

rule, but only the information necessary and relevant to effectuate or

to carry out a particular redress result for an individual and

disclosure is appropriate to enable these third parties to carry out

their responsibilities related to the federal government program.

T. To notify a victim, pursuant to 6 CFR Section 115.73, following

an investigation into an allegation of sexual abuse or assault, of the

result of the investigation and of any responsive actions taken.

U. To notify or provide a victim or complainant of information

gathered on the progress or results of an investigation relating to an

integrity, disciplinary inquiry, review, or inspection complaint.

V. To federal, state, local, tribal, territorial, foreign,

international agencies, or transportation operators, when relevant or

necessary to: (1) Ensure safety and security; (2) enforce safety and

security-related regulations and requirements to assess and distribute

intelligence or law enforcement information related to security; (3)

assess and respond to threats; (4) oversee the implementation and

ensure the adequacy of security measures at facilities; (5) plan and

coordinate any actions or activities that may affect safety, security,

or the operations of facilities; or (6) issue, maintain, or review a

license, certificate, contract, grant, or other benefit.

W. To a federal agency or entity that furnished a record or

information for the purpose of permitting that agency or entity to make

a decision regarding access to or correction of the record or

information.

X. To a federal agency or entity that has information relevant to

an allegation or investigation for purposes of obtaining guidance,

additional information, or advice from such federal

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agency or entity regarding the handling of this investigation, or to a

federal agency or entity that was consulted during the processing of

the allegation or investigation but that did not ultimately have

relevant information.

Y. 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:

Records in this system are stored electronically or on paper in

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

may be stored on magnetic disc, tape, digital media, and CD-ROM.

Retrievability:

Records may be retrieved by the individual's name, date of birth,

Alien Registration Number, Social Security number, or other unique

identifier.

Safeguards:

DHS safeguards records in this system in accordance with applicable

rules and policies, including all applicable DHS automated systems

security and access policies. DHS imposes strict controls to minimize

the risk of compromising the information that is being stored. DHS

limits access to the records in this system 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:

DHS is drafting a proposed records retention schedule for its

internal affairs records. DHS proposes that investigative, inspection,

and allegation-related files be maintained for five years after the

related case is closed. Records would then be transferred to the

Federal Records Center (FRC) and destroyed 25 years after the date of

closure for investigative files and ten years after the date of closure

for inspection and allegation-related files. Review files will be

maintained for ten years after the related case is closed. Records

would then be transferred to the FRC and retained permanently. Sexual

abuse and assault files and reports would be maintained in a secure

location for ten years after the end of the fiscal year in which the

related case is closed. Records then would be transferred to the FRC

and destroyed 20 years after the end of the fiscal year in which the

case was closed.

System Manager and address:

For Headquarters, the System Manager is the Chief Security Officer,

Department of Homeland Security, Washington, DC 20528. For Components

of DHS, the Chief Security Officer or component equivalent can be found

at <http://www.dhs.gov/department-components>.

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 Headquarters or Component's FOIA

Officer, whose contact information can be found at <http://www.dhs.gov/foia> under ``Contacts.'' 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 Lane SW., Building 410, Mail 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. Sec. 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 provide the

following:

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;

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 this bulleted 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 from individuals who are the subject of the

investigation or inquiry, employers, law enforcement organizations,

detention facilities, members of the public, witnesses, educational

institutions, government agencies, nongovernmental organizations,

credit bureaus, references, neighborhood checks, confidential sources,

medical service providers, personal interviews, photographic images,

military, financial institutions, citizenship, and the personnel

history and application forms of agency applicants, employees or

contractors.

Exemptions claimed for the system:

The Secretary of Homeland Security has exempted this system from

the following provisions of the Privacy Act, subject to the limitations

set forth in 5 U.S.C. 552a(c)(3) and (4); (d); (e)(1), (e)(2), (e)(3),

(e)(4)(G), (e)(4)(H), (e)(4)(I), (e)(5) and (e)(8); (f), and (g)

pursuant to 5 U.S.C. 552a(j)(2). Additionally, the Secretary of

Homeland Security has exempted this system from the following

provisions of the Privacy Act, subject to the limitations set forth in

5 U.S.C. 552a(c)(3); (d); (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I); and

(f) pursuant to 5 U.S.C. 552a(k)(1), (k)(2), (k)(3), and (k)(5).

During the course of adjudicating a complaint, records or

information from other systems of records may become part of, merged

with, or recompiled within this system. This system may contain records

or information compiled from or based on information contained

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in other systems of records that are exempt from certain provisions of

the Privacy Act. To the extent this occurs, DHS will claim the same

exemptions as were claimed in the original systems from which the

recompiled records, material, or information were obtained.

Dated: April 2, 2014.

Karen L. Neuman,

Chief Privacy Officer, Department of Homeland Security.

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