

STATE-53

System name :

Records of the Inspector General and Automated Individual Cross-Reference System.

Security classification:

Classified.

System location:

Department of State, 2201 C Street, NW, Washington, DC 20520, and Department annexes.

Categories of individuals covered by the system:

Present and former employees of the Department of State (including foreign nationals); individuals (or firms) doing business with State, including contractors, grantees or others funded by the Department; individuals who have purchased USG employees' property overseas; members of the foreign affairs community who come under the direction, coordination and supervision of chiefs of missions; other individuals whose association with the Department relates to the alleged violations of the Department's rules of conduct, the Civil Service merit system, or to any other criminal or civil misconduct which affects the integrity or facilities of the Department of State; witnesses, complainants, confidential or nonconfidential informants, suspected defendants; or parties who have been identified by the Office of the Inspector General or by other agencies, constituent units of State, and members of the general public in connection with the authorized functions of the Inspector General.

Authority for maintenance of the system:

The Foreign Service Act of 1980 (22 U.S.C. 3901) in accordance with the Department of State Authorization Act for Fiscal year 1986; and the Inspector General Act of 1978 (5 U.S.C. Appendix 3).

Categories of records in the system:

Investigatory material. The Automated Individual Cross-Reference System summarizes results of investigations, inspections, audits, or other inquiries conducted by the Office of the Inspector General and its recommendations as they pertain to individuals, as well as Inspectors' Evaluation Reports. Reports of investigations conducted by other Departmental, Federal, State and local investigative agencies under the direction of, or on behalf of, the Inspector General. Inspectors' Evaluation Reports on chiefs of missions, deputy chiefs of missions, principal officers at posts, assistant secretaries, and deputy assistant secretaries.

Routine uses of records maintained in this system, including categories of users and the purposes of such uses :

The information contained in the Records of the Inspector General and the Automated Individual Cross-Reference System is collected and maintained in the administration of the Department of State, Federal Criminal Statutes, Uniform Code of Military Justice, Executive Orders, and the Code of Federal Regulations to oversee and enforce Federal laws and regulations. Material gathered is used in the enforcement of the aforementioned laws and regulations. These records may be disseminated, depending on jurisdiction to Department on jurisdiction to the following:

- (1) Department of State officials in the administration of their responsibilities;
- (2) Appropriate committees of the Congress in furtherance of their respective oversight functions;
- (3) Private international or other organizations having any source from which information is requested in the course of investigation to the extent necessary to identify the individual or individuals, to inform the source of the nature and purpose of the investigation, and to identify the type of information requested;
- (4) A Federal, State, local, or foreign agency or other public authority that investigates or prosecutes or assists in investigation or prosecution of such violation, or enforces or implements or assists in enforcement or implementation of the statute, rule, regulation or order;
- (5) A Federal, State, local or foreign agency or other public authority, or professional organization, maintaining civil, criminal, or other relevant enforcement records or other pertinent records, such as current licenses, or to a consumer reporting agency, in order to obtain information relevant to an agency investigation, audit, or other inquiry, or relevant to a decision concerning the hiring or retention of an employee or other personnel action, the issuance of a security clearance, the establishment of a claim, or the initiation of administrative, civil, or criminal action;
- (6) A Federal, State, local, or foreign agency or other public authority, or professional organization, if relevant to the recipient's hiring or retention of an employee or other personnel action, the issuance of a security clearance, the letting of a contract, the issuance of a license, grant or other benefit, the establishment of a claim, or the initiation of administrative, civil,

or criminal action;

(7) Any private or public source, witness, or subject from which information is requested in the course of a legitimate agency investigation, audit, or other inquiry to the extent necessary: To identify an individual; to inform the source, witness, or subject of the nature and purpose of the investigation, audit or other inquiry; and to identify the information requested;

(8) An attorney or other designated representative of any source, witness, or subject described in paragraph 7 only to the extent that the information would be provided to that category of individuals themselves in the course of an investigation, audit, or other inquiry;

(9) The Department of Justice when the Department of State or any component thereof, or any employee of the Department in his or her official capacity, or any employee of the Department in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, where the Department of State determines that litigation is likely to affect the Department or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Department of State to be relevant and necessary to the litigation;

(10) In a proceeding before a court or adjudicative body, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation;

(11) To a member of Congress at the sole discretion of the Inspector General upon a determination of the propriety of such a disclosure and only for such purposes as authorized by the statutory mandate of the Inspector General;

(12) The Department of Justice for the purpose of obtaining its advice;

(13) The Office of Management and Budget for the purpose of obtaining its advice regarding agency obligations under the Privacy Act, or in connection with the review of private relief legislation;

(14) In response to a subpoena issued by a Federal agency having the power to subpoena records of other Federal agencies;

(15) A grand jury agent pursuant either to a Federal or State grand jury subpoena, or to a prosecution request that such record be released for the purpose of its introduction to a grand jury;

(16) A Federal agency responsible for considering suspension or debarment action where such record would be relevant to such action;

(17) An entity or person, public or private, where disclosure of the record is needed to enable the recipient of the record to take action to recover money or property of the United States Department of State, where such recovery will accrue to the benefit of the United States, or where disclosure of the record is needed to enable the recipient of the record to take appropriate disciplinary action to maintain the integrity of the program or operations of the Department of State;

(18) A Federal, State, local, or foreign agency, or other public authority, for use in computer matching programs to prevent and detect fraud and abuse in benefit programs administered by any agency, to support civil and criminal law enforcement activities of any agency and its components, and to collect debts and overpayments owed to any agency and its components;

(19) A public or professional licensing organization when such record indicates, either by itself or in combination with other information, a violation or potential violation of professional standards, or reflects on the moral, educational, or professional qualifications of an individual who is licensed or who is seeking to become licensed and,

(20) Debt collection contractors for the purpose of collecting delinquent debts as authorized by law. Also see the "Routine Uses" paragraph of the Prefatory Statement published in the Federal Register (42 FR 49699, September 27, 1977).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Hard copy, electronic media.

Retrievability:

Investigatory case files and Inspectors' Evaluation Reports are retrievable by an individual's name.

Safeguards :

All employees of the Department of State have undergone a thorough background security investigation. Access to the Department of State and its annexes is controlled by security guards, and admission is limited to those individuals possessing a valid identification card or individuals under proper escort. All records containing personal information are maintained in secure file cabinets or in restricted areas, access to which is limited to authorized personnel. Access to computerized files is password protected and under the direct supervision of the system manager. The system manager has the capability of printing audit trails of access from the computer media, thereby permitting regular ad hoc monitoring of computer usage. Inspector General reports and investigative files are disseminated only by the Inspector General and only to the Department of Justice, Congressional oversight committees, and/or the immediate Department principals or offices with a clear need-to-know the matter being reported. No secondary distribution is permitted without the expressed written permission of the Inspector General.

Retention and disposal:

Retention of these records varies depending upon the specific kind of record involved in accordance with published schedules of the Department of State. More specified information may be obtained by writing to the Director, Office of Freedom of Information, Privacy, and Classification Review, Room 1239, Department of State, 2201 C Street, NW, Washington, DC 20520.

System manager(s) and address:

The Inspector General, Office of the Inspector General, Room 6817, Department of State, 2201 C Street, NW, Washington, DC 20520.

Notification procedure:

Individuals who have reason to believe that the Records of the Inspector General and Automated Individual Cross-Reference System might have information pertaining to them, should write to the Director, Office of Freedom of Information, Privacy, and Classification Review, Room 1239, Department of State, 2201 C Street, NW, Washington, DC 20520. The individual must specify that he/she wishes the Records of the Inspector General and Automated Individual Cross-Reference System to be checked. At a minimum, the individual should include: Name, date and place of birth, current mailing address and zip code, and signature.

Record access procedures:

Individuals who wish to gain access to or amend records pertaining to themselves should write to the Director, Office of Freedom of Information, Privacy, and Classification Review (address above).

Record source categories:

These records contain information obtained from interviews, review of records, and authorized investigative techniques.

Systems exempted from certain provisions of the act:

Certain records contained within this system of records may be exempted from the requirements of any part of the Act except subsections (b), (c) (1) and (2), (e)(4) (A) through (F), (e)(6), (7), (9), (10), and (11), and (i) to the extent necessary to protect properly classified information and to assure the effective completion of the investigative and judicial processes. See 22 CFR 171.32.