

D. To a member of Congress or staff acting on the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

E. To the General Service Administration and the National Archives and Records Administration (NARA) in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

F. To the news media and the public 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 the Department or is necessary to demonstrate the accountability of the Department'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.

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

H. To a former employee of the Department for purposes of responding to an official inquiry by a Federal, State, or local government entity or professional licensing authority in accordance with applicable Department regulations, or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

I. To a Federal, State, tribal, local or foreign government agency in response to its request, in connection with the hiring or retention by such agency of an employee, the issuance of a security clearance, the reporting of an investigation of such an employee, the letting of a contract, or the issuance of a license, grant, loan or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM**

**STORAGE:**

These records are stored in a central computer database.

**RETRIEVABILITY:**

These records may be searched on a variety of data elements including name, place and date of entry or departure, country of citizenship, admission number, and FINS number used to track the particular fingerprints.

**SAFEGUARDS:**

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

**RETENTION AND DISPOSAL:**

Records will be retained for 100 years. This policy proposal for retention and disposal of records in the ADIS database is pending approval by the NARA.

**SYSTEM MANAGER(S) AND ADDRESS:**

Program Manager, ADIS Program Management Office, 1616 North Fort Myer Drive, Arlington, VA 22209.

**NOTIFICATION PROCEDURE:**

Address inquiries to the system manager identified above.

**RECORDS ACCESS PROCEDURE:**

Since the Privacy Act applies to only U.S. citizens and legal permanent residents, this notice covers only U.S. citizens and Lawful Permanent Residents whose information is contained in this system. Make all requests for access in writing and by mail to the system manager noted above. The envelope and letter shall be clearly marked Privacy Access Request. Include a description of the general subject matter, the related file number if known, and any other identifying information which may be of assistance in locating the record. To identify a record, the requester should provide his or her full name, date and place of birth, verification of identity in accordance with 8 CFR 103.21(b). The requester shall also provide a return address for transmitting the records to be released.

**CONTESTING RECORDS PROCEDURES:**

The following procedures cover only U.S. citizens and Lawful Permanent Residents whose information is contained in this system. U.S. citizens and Lawful Permanent Residents who wish to contest or seek amendment of their records should direct a written request to the system manager. The request should include the requestor's full name, current address and date of birth, a copy of the record in question, and a detailed explanation of the change sought. If the matter cannot be resolved by the system manager, further appeal for resolution may be made to the DHS Privacy Office.

**RECORD SOURCE CATEGORIES:**

Basic information is obtained from individuals, the individuals' attorney or representative, DHS and DOS officials, and other Federal, State, and local officials.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

The Secretary of Homeland Security has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2), and (3), (e)(4)(G) and (H), (e)(5) and (8), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2). In addition, the Secretary of Homeland Security has exempted portions of this system from subsections (c)(3), (d), (e)(1), (e)(4)(G) and (H) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2). These exemptions apply only to the extent that records in the system are subject to exemption pursuant to 5 U.S.C. 552a(j)(2) and (k)(2).

Dated: December 8, 2003.

**Nuala O'Connor Kelly,**  
*Chief Privacy Officer.*

[FR Doc. 03-30761 Filed 12-9-03; 12:02 pm]

**BILLING CODE 4410-10-P**

**DEPARTMENT OF HOMELAND SECURITY**

**[DHS/ICE-CBP-CIS-001]**

**Privacy Act of 1974; System of Records**

**AGENCY:** Department of Homeland Security (DHS).

**ACTION:** Notice of privacy act system of records.

**SUMMARY:** This notice addresses the previously established ENFORCE/IDENT system, a portion of which is the U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) program. This notice allows the ENFORCE/IDENT system to collect biometric and biographic data for US-

VISIT, in addition to the data collected for DHS national security, law enforcement and other mission-related functions. US-VISIT has created a new business process that integrates and enhances the capabilities of existing systems including the ENFORCE/IDENT system.

**DATES:** Written comments must be submitted on or before January 12, 2004.

**ADDRESSES:** Please address your comments to the Privacy Office, U.S. Department of Homeland Security, Washington, DC 20528. You must identify the Docket Number DHS/ICE-CBP-CIS-001 at the beginning of your comments, and you should submit two copies of the comments. You may also submit comments via e-mail at [privacy@dhs.gov](mailto:privacy@dhs.gov). Please reference the Docket Number shown above in the subject line of the e-mail. If you wish to receive confirmation that DHS has received your comments, please include a self-addressed, stamped postcard with your request. DHS will make comments received available online at <http://www.dhs.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have any questions about this notice, please call Nuala O'Connor Kelly, Chief Privacy Officer, U.S. Department of Homeland Security, Washington, DC 20528, Phone: 202-282-8000; Fax 202-772-5036.

**SUPPLEMENTARY INFORMATION:** In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, the DHS is publishing this notice regarding an existing system of records known as Enforcement Operational Immigration Records (ENFORCE/IDENT). This notice allows ENFORCE/IDENT to collect biometric and biographic data in support of US-VISIT. The purpose of the amended system is to support US-VISIT to record information pertinent to the arrival and departure of immigrants and nonimmigrants to and from the United States, in addition to the data collected for DHS national security, law enforcement and other mission-related functions.

**DHS/ICE-CBP-CIS-001-03**

**SYSTEM NAME:**

Enforcement Operational Immigration Records (ENFORCE/IDENT).

**SYSTEM LOCATIONS:**

Department of Homeland Security (DHS) field offices for the U.S. Immigration and Customs Enforcement (ICE), Bureau of Customs and Border Protection (CBP), and the U.S. Citizenship and Immigration Services (USCIS); Service Centers; Border Patrol

Sectors (including all offices under their jurisdiction); Ports of Entry; Asylum offices and other offices as detailed in DHS-DS-999, last published in the **Federal Register** on October 17, 2002 (67 FR 64136) and on the Web page of each bureau (*i.e.*, [www.bice.immigration.gov](http://www.bice.immigration.gov), [www.bcbp.gov](http://www.bcbp.gov), and [www.uscis.immigration.gov](http://www.uscis.immigration.gov)); Office of National Risk Assessment (ONRA).

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Categories of individuals covered by this notice may include:

A. Individuals or entities who relate in any manner to investigations, inspections, apprehensions, detentions, patrols, removals, examinations, naturalizations, intelligence production, legal proceedings or other operations that implement and enforce the Immigration and Nationality Act (INA) (8 U.S.C. 1101 *et seq.*) and related treaties, statutes, orders and regulations. Individuals who are respondents, representatives, or witnesses in administrative, civil penalty, or forfeiture proceedings, or defendants, representatives or witnesses in criminal prosecution or extradition proceedings.

B. Individuals who are obligors or representatives of obligors of bonds posted.

C. Individuals in distress who are located during search and rescue operations, and other immigration operations.

D. Individuals wanted by other law enforcement agencies, including Federal, State, local, tribal, foreign and international or individuals who are the subject of inquiries, lookouts, or notices by another agency or a foreign government.

E. Individuals who apply for immigration benefits.

F. Non-U.S. citizens and Non-Lawful Permanent Residents who present themselves for entry into and/or exit from the United States including individuals subject to the requirements and processes of US-VISIT. Individuals covered under US-VISIT include those who are not U.S. citizens or Lawful Permanent Residents at the time of entry or exit or who are U.S. citizens or Lawful Permanent Residents who have not identified themselves as such at the time of entry or exit.

G. Nationals of countries that threaten to wage war, or are or were at war with the United States, and individuals required to register as agents of foreign governments in the United States.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

These records may be paper, electronic and/or other record material

(*e.g.*, video or audio tapes) and includes biographical data, including but not limited to name, aliases, date of birth, phone numbers, addresses, nationality; personal descriptive data; biometric identifiers, including but not limited to fingerprints and photographs; any materials, information or data related to the subject individual's case, including but not limited to immigration history, alien registration and other identification or record numbers, criminal history, employment history, leads, witness statements, identity documents, evidence, seized property and contraband; investigative and operational reports, and intelligence summaries.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

8 U.S.C. 1103; 8 U.S.C. 1225(d)(3); 8 U.S.C. 1324(b)(3); 8 U.S.C. 1357(a); and 8 U.S.C. 1360(b).

**PURPOSE(S):**

This system of records is established and maintained to enable DHS to carry out its assigned national security, law enforcement, immigration control, and other mission-related functions and to provide associated management reporting, planning and analysis. Specifically, this system of records assists in identifying, investigating, apprehending, and/or removing aliens unlawfully entering or present in the United States; preventing the entry of inadmissible aliens into the United States; facilitating the legal entry of individuals into the United States; recording the departure of individuals leaving the United States; maintaining immigration control; preventing aliens from obtaining benefits to which they are not entitled; analyzing information gathered for the purpose of this and other DHS programs; or identifying, investigating, apprehending and prosecuting, or imposing sanctions, fines or civil penalties against individuals or entities who are in violation of the Immigration and Nationality Act (INA), or other governing orders, treaties or regulations and assisting other Federal agencies to protect national security and carry out other Federal missions.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

Relevant information contained in this system of records may be disclosed, within established confidentiality guidelines (*e.g.*, asylum) as follows:

A. To the appropriate agency/organization/task force, regardless of whether it is Federal, State, local, foreign, or tribal, charged with the

enforcement (e.g., investigation and prosecution) of a law (criminal or civil), regulation, or treaty, of any record contained in this system of records which indicates either on its face, or in conjunction with other information, a violation or potential violation of that law, regulation, or treaty.

B. To other Federal, State, tribal, and local government law enforcement and regulatory agencies and foreign governments, and individuals and organizations during the course of an investigation or the processing of a matter, or during a proceeding within the purview of the immigration and nationality laws, to elicit information required by DHS to carry out its functions and statutory mandates.

C. To an appropriate Federal, State, local, tribal, international government agency in response to its request, in connection with the hiring or retention by such an agency of an employee, the issuance of a security clearance, the reporting of an investigation of such an employee, the letting a contract, or the issuance of a license, grant, loan, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

D. To an actual or potential party or to his or her attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, or discovery proceedings.

E. To a Federal, State, tribal or local government agency to assist such agencies in collecting the repayment or recovery of loans, benefits, grants, fines, bonds, civil penalties, judgments or other debts owed to them or to the United States Government, and/or to obtain information that may assist DHS in collecting debts owed to the United States government.

F. To the news media and the public 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 the Department or is necessary to demonstrate the accountability of the Department'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.

G. To a Member of Congress, or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record.

H. To the General Services Administration (GSA) and National Archives and Records Administration (NARA) in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

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

J. To a former employee of the Department for purposes of: responding to an official inquiry by a federal, state, or local government entity or professional licensing authority, in accordance with applicable department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Information can be stored in case file folders, cabinets, safes, or a variety of electronic or computer databases and storage media.

**RETRIEVABILITY:**

Records may be retrieved by name; identification numbers (including but not limited to alien number, fingerprint identification number, etc.); case related data and/or combination of other personal identifiers such as date of birth, nationality, etc.

**SAFEGUARDS:**

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

**RETENTION AND DISPOSAL:**

The following proposal for retention and disposal is pending approval with NARA:

Records that are stored in an individual's file will be purged according to the retention and disposition guidelines that relate to the individuals file (DHS/ICE/BCIS-001A). Electronic records for which the statute of limitations has expired for all criminal violations and that are older than 75 years will be purged. Fingerprint cards, created for the purpose of entering records in the database, will be destroyed after data entry. The I-877, and copies of supporting documentation, which are created for the purpose of special alien registration back-up procedures, will be destroyed after data entry. Work Measurement Reports and Statistical Reports will be maintained within the guidelines set forth in NCI-95-78-5/2 and NCI-85-78-1/2 respectively. Finally, user manuals are retained for the life of the system or until changes are made to the system, which ever comes first, and then destroyed.

**SYSTEM MANAGER AND ADDRESS:**

Program Manager, ENFORCE/IDENT Program Management Office, 1616 North Fort Myer Drive, Arlington, VA 22209.

**NOTIFICATION PROCEDURE:**

Inquiries should be addressed to the FOIA/PA officer at the office where the record is maintained or to the Chief, Information Disclosure Mission Support, Office of Investigations at 425 I Street, NW, Washington, DC 20536.

**COMMENT TO DEPARTMENT'S PRIVACY OFFICE PROCEDURE:**

Comments to the Department's Privacy Office should include the notice number as the subject line of email or letter and be addressed to [privacy@dhs.gov](mailto:privacy@dhs.gov) or Privacy Office, DHS, Washington, DC 20528.

**RECORD ACCESS PROCEDURE:**

The major part of this system is exempted from this requirement pursuant to 5 U.S.C. 552a (j)(2) and (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access. A determination as to the granting or denial of access shall be made at the time a request is received. Requests for access to records in this system must be in writing, and should be addressed to the System Manager noted above or to the appropriate FOIA/PA Officer. Such request may be submitted either by mail or in person. The envelope and letter shall be clearly marked "Privacy Access Request." To identify a record, the record subject should provide his or her full name, date and place of birth; if appropriate, the date and place of entry into or

departure from the United States; verification of identity (in accordance with 8 CFR 103.21(b) and/or pursuant to 28 U.S.C. 1746, make a dated statement under penalty of perjury as a substitute for notarization), and any other identifying information that may be of assistance in locating the record. He or she shall also provide a return address for transmitting the records to be released.

#### CONTESTING RECORD PROCEDURES:

The major part of this system is exempted from this requirement pursuant to 5 U.S.C. 552a (j)(2) and (k)(2). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to the granting or denial of a request shall be made at the time a request is received. An individual desiring to request amendment of records maintained in this system should direct his or her request to the System Manager of the appropriate office that maintains the record or (if unknown) to the appropriate FOIA/PA Officer at each bureau. The request should state clearly what information is being contested, the reasons for contesting it, and the proposed amendment to the information.

#### RECORD SOURCE CATEGORIES:

Basic information contained in this system is supplied by individuals covered by this system, and other Federal, state, local, tribal, or foreign governments; private citizens, public and private organizations.

#### SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Secretary of Homeland Security has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2), and (3), (e)(4)(G) and (H), (e)(5) and (8), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a (j)(2). In addition, the Secretary of Homeland Security has exempted portions of this system from subsections (c)(3), (d), (e)(1), (e)(4)(G) and (H) of the Privacy Act pursuant to 5 U.S.C. 552a (k)(2). These exemptions apply only to the extent that records in the system are subject to exemption pursuant to 5 U.S.C. 552a (j)(2) and (k)(2).

Dated: December 8, 2003.

**Nuala O'Connor Kelly,**  
Chief Privacy Officer.

[FR Doc. 03-30762 Filed 12-9-03; 12:02 pm]

BILLING CODE 4410-10-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, U.S. Department of Homeland Security.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Federal Emergency Management Agency has submitted the following proposed information collection to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

*Title:* Hazard Mitigation Grant Program Application and Reporting.

*Type of Information Collection:* Extension of a currently approved collection.

*OMB Number:* 1660-0076.

*Abstract:* Grantees administer the Hazard Mitigation Grant Program, which is a post-disaster program that contributes funds toward the cost of hazard mitigation activities in order to reduce the risk of future damage, hardship, loss or suffering in any area affected by a major disaster. FEMA uses applications to provide financial assistance in the form of grant awards and, through grantee quarterly reporting, monitors grantee project activities and expenditure of funds.

*Affected Public:* State, local, tribal governments, and not-for-profit institutions.

*Number of Respondents:* 1,815.

*Estimated Total Annual Burden Hours:* 52,199.

*Estimated Cost:* \$1,246,503.00. The total annual estimated costs to States and Indian tribal governments for information collections associated with the HMGP are \$1,246,503. This calculation is based on the number of burden hours for the information collections and the estimated wage rates for those individuals responsible for collecting the information or completing the forms. States may use existing systems for submitting grant applications and reporting.

*Frequency of Response:* One-time.

*Comments:* Interested persons are invited to submit written comments on the proposed information collection to the OMB Desk Officer for the Federal Emergency Management Agency at e-

mail address

*Edward H. Clarke@omb.eop.gov.* or facsimile number (202) 395-7285 within 30 days of the date of this notice.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection should be made to Muriel B. Anderson, Chief, Records Management Branch, Information Resources Management Division, Information Technology Services Directorate, Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security, 500 C Street, SW., Room 316, Washington, DC 20472, or facsimile number (202) 646-3347, or e-mail address *InformationCollections@fema.gov.*

**Edward W. Kernan,**

*Division Director, Information Resources Management Division, Information Technology Services Directorate.*

[FR Doc. 03-30770 Filed 12-11-03; 8:45 am]

BILLING CODE 9110-13-P

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4809-N-50]

### Federal Property Suitable as Facilities to Assist the Homeless

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

#### FOR FURTHER INFORMATION CONTACT:

Mark Johnston, room 7266, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1 (800)-927-7588.

**SUPPLEMENTARY INFORMATION:** In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled