

or information which may be of assistance in locating the record, the name of the case or matter involved, if known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above.

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

RECORD SOURCE CATEGORIES:

Department officers and employees, and other federal, state, local, and foreign law enforcement and non-law enforcement agencies, private persons, witnesses, and informants.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has exempted this system from subsections (c) (3) and (4), (d), (e)(1), (2) and (e)(4), (G), (H) and (I), (e)(5) and (8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the *Federal Register*.

JUSTICE/CRM-002

SYSTEM NAME:

Criminal Division Witness Security File.

SYSTEM LOCATION:

U.S. Department of Justice, Criminal Division, 10th Street and Constitution Avenue, N.W., Washington, D.C. 20530. In addition, some of the records contained in this system may be located at one or more of the Organized Crime and Racketeering Sections Field Offices listed in the appendix to the Criminal Division Systems of Records.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who are potential or actual witnesses and/or informants, relatives, and associates of those individuals.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system consists of the Witness Security Program files on all persons who are considered for admission or who have been admitted into the program. The files contain information concerning the individuals, the source and degree of danger to which they are exposed, the cases in which they are

expected to testify, relocation information and documentation, job assistance, sponsoring office, requirements for reimbursement and administration of the program, and protection techniques. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM-001.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

This system is authorized pursuant to sections 501 through 504 of Pub. L. 91-452.

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

A record maintained in this system of records may be disseminated as a routine use of such record as follows: 1. Dissemination of a record may be made to a federal, state, local, or foreign agency to acquire information concerning the individual, or those associated with him, relating to the protection of the subject or to a criminal investigation; 2. in any case in which there is an indication of a violation or *potential violation of law, whether civil, criminal, or regulatory in nature*, the record in question may be disseminated to the appropriate federal, state, local, or foreign agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law; 3. in the course of investigating the potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, a record may be disseminated to a federal, state, local, or foreign agency, or to an individual or organization if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant; 4. a record relating to a case or matter may be disseminated in an appropriate federal, state, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice; 5. a record relating to a case or matter may be disseminated to a federal, state, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing; 6. a record relating to a case or matter may be disseminated to an actual or potential party or his attorney for the purpose of negotiation or

discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings; 7. a record relating to an individual in a matter that has been referred for either consideration or investigation by an agency may be disseminated to the referring agency to notify such agency of the status of the case or matter or of any decision or determination that has been made; 8. a record relating to an individual held in custody pending arraignment, trial, or sentence, or extradition proceedings, or after conviction or after extradition proceedings, may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation, or release of such a person; 9. a record may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement; 10. a record may be disseminated to a federal, state, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency; 11. a record may be disseminated to a federal agency, in response to its request, in connection with 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 by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; 12. a record may be disseminated to a non-governmental entity or individual in the acquisition of employment or other services in behalf of the witnesses.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available 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.

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

Release of information to the National Archives and Records Administration (NARA), and to the General Services Administration (GSA): A record from a system of records may be disclosed as a routine use to NARA and GSA in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

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

STORAGE:

A record contained in this system is kept on index cards and in files stored in safe type filing cabinets.

RETRIEVABILITY:

A record is retrieved by name of the individual.

SAFEGUARDS:

The records are maintained in safes with additional physical safeguards as well as limited access by Departmental personnel.

RETENTION AND DISPOSAL:

Currently there are no provisions for the disposal of the records in the system.

SYSTEM MANAGER(S) AND ADDRESS:

Assistant Attorney General; Criminal Division; U.S. Department of Justice; 10th Street and Constitution Avenue, NW., Washington, D.C. 20530.

NOTIFICATION PROCEDURE:

Inquiry concerning the system should be addressed to the System Manager listed above.

RECORD ACCESS PROCEDURES:

The major part of this system is exempted from this requirement under 5 U.S.C. 552a (j)(2), (k)(1), or (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 exemption shall be made at the time a request for access is received. A request for access to a record contained in this system shall be made in writing, with the envelope and the letter clearly marked 'Privacy Access Request'. Include in the request the name of the individual involved, his birth date and place, or any other identifying number or information which may be of assistance in locating the record, the name of the case or matter involved, if

known, and the name of the judicial district involved, if known. The requestor will also provide a return address for transmitting the information. Access requests will be directed to the system manager listed above.

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager listed above, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

RECORD SOURCE CATEGORIES:

1. Federal, state, local, or foreign government agencies concerned with the administration of criminal justice; 2. Members of the public; 3. Government agency employees; 4. Published material; 5. Persons considered for admission or admitted to the program.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(1), (2) and (3), (e)(4)(G), (H) and (I), (e)(5) and (8), (f), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and have been published in the Federal Register.

JUSTICE/CRM-003

SYSTEM NAME:

File of Names Checked to Determine If Those Individuals Have Been the Subject of An Electronic Surveillance.

SYSTEM LOCATION:

U.S. Department of Justice; Criminal Division; Bond Building, 1400 New York Avenue NW., Washington, DC 20530.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Grand jury witnesses, defendants and potential defendants in criminal cases and their attorneys.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains the names of those persons submitted by federal prosecutors to inquire whether such persons have been the subject of electronic surveillances. The file consists of the names, the inquiries made to federal investigatory agencies, the replies received from such agencies, and the reply submitted to the prosecutor. Records concerning subject matters described in this system may also be contained in JUSTICE/CRM-001.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

This system is established and maintained pursuant to 44 U.S.C. 3101. The system is also maintained to implement the provisions of 18 U.S.C. 3504.

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

A record maintained in this system of records may be disseminated as a routine use of such record as follows: 1. In the appropriate federal court proceeding in accordance with established constitutional, substantive, or procedural law or practice; 2. to an actual or potential party or his attorney in the case or matter in which the request was made.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress. Information contained in systems of records maintained by the Department of Justice, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available 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 to the record.

Release of information to the National Archives and Records Administration (NARA), and to the General Services Administration (GSA): A record from a system of records may be disclosed as a routine use to NARA and GSA in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

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

STORAGE:

A record contained in this system is stored manually in file jackets.

RETRIEVABILITY:

A record is retrieved by the name of the individual checked.

SAFEGUARDS:

The records are safeguarded and protected in accordance with applicable Departmental rules.