

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has examined this system of records from subsections (c)(3), (d), (e)(4) (G) and (H), and (f) of the Privacy Act. This system is exempted pursuant to 5 U.S.C. 552a(k)(2) to the extent that the records contained in the system reflect Antitrust Division law enforcement and investigative information. 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/ATR-014**SYSTEM NAME:**

Civil Investigative Demand (CID) Tracking System, (JUSTICE/ATR-014).

SYSTEM LOCATION:

Information Systems Support Group, Antitrust Division, Department of Justice, Judiciary Center Building, 555 4th Street, NW., Washington, DC 20001.

CATEGORIES OF INDIVIDUALS COVERED:

Recipients of Antitrust Division (ATD) CID's in connection with certain ATD civil investigations.

CATEGORIES OF RECORDS IN THE SYSTEM:

The CID number, the name of the CID recipient, the name of the company that employs the CID recipient, the date of CID, the type of CID (documentary interrogatory or oral), the Department of Justice file number for the investigation and/or the title or subject of the previous investigation for which the CID was issued, and a reference indicating whether a matter was litigated as a result of information obtained by CID.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The system is maintained pursuant to 28 U.S.C. 522, 44 U.S.C. 3101, and 28 CFR 0.40(a).

PURPOSE OF THE SYSTEM:

The proposed system contains information relating to the issuance of CID's (CID's require the production of documents and/or answers to written interrogatories, or oral testimony in connection with certain ATD civil investigations.) The system will be used by ATD to determine whether a party has been the recipient of a CID during a previous investigation(s), to identify the title (or nature) of that investigation(s), and to determine whether that individual should be issued a CID in an ongoing investigation(s).

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

Where ATD has reason to believe that information from this system of records, e.g., names of individuals who are potential sources of information, may assist another agency (whether Federal State, local or foreign) in the conduct of its investigation(s) the information may be disclosed to such agency to provide that agency with or to assist the agency in identifying essential investigative leads.

Records or information may be disclosed as a routine use in a proceeding before a court or adjudicative body before which the Department is authorized to appear when any of the following is a party to litigation or has an interest in litigation and such records are determined by the Department to be arguably relevant to the litigation: The Department or any of the Department's components or its subdivisions; any Department employee in his or her official capacity or in his or her individual capacity where the Department of Justice agrees to represent the employee; or the United States where the Department determines that the litigation is likely to affect it or any of the Department's components or its subdivisions.

Records or information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available 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.

Records or information may be disclosed as is necessary to respond to congressional inquiries on behalf of constituents

Records may be disclosed to the National Archives and Records Administration (NARA) and to the General Services Administration in records management inspections conducted under the authority of title 44 U.S.C. 2904 and 2906.

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

The records in this system are stored in a computer database.

RETRIEVABILITY:

Records are retrieved by the name of the individual who has been issued a CID.

SAFEGUARDS:

The information stored on the computer database is password-

protected. Passwords and user ID's are issued to authorized ATD employees only on a need-to-know basis.

RETENTION AND DISPOSAL.

Proposed plans for the retention and disposal of these records are being reviewed by the Department. Upon submission to and approved by the NARA, this system notice will be revised to identify the appropriate General Records Schedule that will govern the disposition of these records.

SYSTEM MANAGER(S) AND ADDRESS:

The system manager is the Chief, Information Systems Support Group, Antitrust Division, Department of Justice, Judiciary Center Building, room 11852, 555 4th Street, NW Washington, DC 20001.

NOTIFICATION PROCEDURE:

Inquiries should be addressed to the Freedom of Information Act/Privacy Act (FOIA/PA) Officer, Antitrust Division, Department of Justice *Liberty Place, Suite 200* Washington, DC 20530. Clearly mark the letter and envelop "FOIA/PA Request."

RECORD ACCESS PROCEDURES:

Make all requests for access in writing and clearly mark the letter and envelope "FOIA/PA Request." Clearly indicate the name of the requester, name of the individual for which information is sought and provide the required verification of identity (28 CFR 16.41(d)). Direct all requests to the FOIA/PA Officer listed above and provide a return address for transmitting the information.

CONTESTING RECORD PROCEDURES:

Direct all requests to contest or amend information to the FOIA/PA Officer listed above. State clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment to the information sought. Clearly mark the letter and envelop "FOIA/PA Request."

RECORD SOURCE CATEGORIES:

Employers of CID recipients, or other investigative sources, who may provide the names of potential CID recipients; the individuals covered by the system; and records generated by virtue of the issuance of CID's.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

JUSTICE/EOIR-001**SYSTEM NAME:**

Records and Management Information System (JUSTICE/EOIR-001).