

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system encompasses all applicants for Assistant United States Attorney positions.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records consists of records folders which may contain up to a total of four sections. The personnel section contains records such as resumes, letters of recommendation, law school grade transcripts, completed Civil Service forms, and related personnel matters. The character section contains completed or portions of ongoing background investigations and matters related thereto. The Congressional section contains Congressional and other political type recommendations regarding appointment. The protest section contains correspondence, if any exists, protesting the appointment of applicants. Rarely does a personnel folder contain more than the personnel and character sections.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

These records are maintained pursuant to 5 U.S.C. 301.

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

These records are used only by Department of Justice personnel for recruitment purposes. However, the fact that the applicant was being considered would be made known to the references supplied by the applicant and others contacted. Information about the applicant, as then known, might be supplied to contacted individuals as necessary to verify already obtained information or to seek elaboration of that information.

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.

Information 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.

A record may be disclosed as a routine use to the *General Services Administration and the National Archives and Records Administration* in records management inspections

conducted under the authority of 44 U.S.C. 2904 and 2906.

Information may be disclosed to any civil or criminal law enforcement agency, whether Federal, State, local, or foreign, which requires information relevant to a civil or criminal investigation.

Information may be disclosed to officials and employees of the White House or any Federal agency which requires information relevant to an agency decision concerning the hiring, appointment, or retention of an employee; the issuance of a security clearance; the execution of a security or suitability investigation; the classification of a job; or the issuance of a grant or benefit.

Information may be disclosed to Federal, State, and local licensing agencies or association which require information concerning the suitability or eligibility of an individual for a license or permit.

Information may be disclosed in a proceeding before a court or adjudicative body before which the *United States Attorney's Office (USAO) or Executive Office for United States Attorneys (EOUSA)* is authorized to appear when (a) *USAO or EOUSA*, or any subdivision thereof or (b) any employee of *USAO or EOUSA* in his or her official capacity, or (c) any employee of *USAO or EOUSA* in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States, where *USAO or EOUSA* determines that the litigation is likely to affect it or any of its subdivisions, is a party to litigation or has an interest in litigation and such records are determined by *USAO or EOUSA* to be arguably relevant to the litigation.

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

These records are stored in paper folders.

RETRIEVABILITY:

Information is retrieved by use of the applicant's name, as the folders are filed alphabetically by name.

SAFEGUARDS:

These records are maintained in cabinets stored in a locked room.

RETENTION AND DISPOSAL:

These records are retained, in the case of applicants who are not offered positions, for two years and then destroyed. If the applicant is offered a position and accepts it, his folder is

transferred to the Appointed Assistant United States Attorney Personnel System and retained as specified therein.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Executive Office for United States Attorneys: United States Department of Justice; 10th and Constitution Avenue, NW., Washington, DC 20530.

NOTIFICATION PROCEDURE:

Address all inquiries to the System Manager. These records will be exempted from subsections (d)(1) and (e)(1) of section 552a, Title 5, United States Code, by the Attorney General under the authority of 5 U.S.C. 552a(k)(5) to the extent therein permitted.

RECORD ACCESS PROCEDURES:

A request for access to non-exempt portions of records from this system should clearly be directed orally or in writing to the *Director, Executive Office for United States Attorneys*. When requests are in writing, the envelope and letter should be marked "Privacy Access Request."

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their request to the *Director, Executive Office for United States Attorneys*, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

RECORD SOURCE CATEGORIES:

Non-exempt sources of information contained in this system include the individual, government agencies as appropriate, and interested third parties.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 558 (b), (c) and (e) and have been published in the *Federal Register*.

JUSTICE/USA-017**SYSTEM NAME:**

Appointed Assistant United States Attorneys Personnel System.

SYSTEM LOCATION:

Executive Office for United States Attorneys, United States Department of Justice; 10th and Constitution Avenue NW., Washington D.C. 20530.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system encompasses all Assistant United States Attorneys.

CATEGORIES OF RECORDS IN THE SYSTEM

This system of records consists of records folders which may contain up to a total of five sections. The personnel section contains personnel records such as completed Civil Service forms, letters of recommendation, law school grade transcripts, appointment letters, appointment affidavits, bar affidavits, locator forms and personnel action forms. The character section contains completed or portions of ongoing background investigations and matters related thereto. The Congressional section contains Congressional and other political type recommendations regarding appointment. The protest section contains correspondence, if any exists, protesting the appointment of applicants. The complaint section contains correspondence from individuals or groups complaining about office holders. Rarely does a personnel folder contain more than the personnel and character sections.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

These records are maintained pursuant to 5 U.S.C. 301.

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

These records are used only by Department of Justice personnel. Information contained in a folder may be used as the basis for answering future inquiries from other government agencies about a former assistant's qualifications. The personnel section may be made available to other federal agencies, at their request, upon the transfer of the assistant to such an agency.

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.

Information not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to Member of Congress of 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.

A record may be disclosed as a routine use to the *General Services Administration and the National*

Archives and Records Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

Information may be disclosed to any civil or criminal law enforcement agency, whether Federal, State, or local, or foreign, which requires information relevant to a civil or criminal investigation.

Information may be disclosed to officials and employees of the White House or any Federal agency which requires information relevant to an agency decision concerning the hiring, appointment, or retention of an employee; the issuance of a security clearance; the execution of a security or suitability investigation; the classification of a job; or the issuance of a grant or benefit.

Information may be disclosed to Federal, State, and local licensing agencies or associations which require information concerning the suitability or eligibility of an individual for a license or permit.

Information may be disclosed in a proceeding before a court or adjudicative body before which the *United States Attorney's Office (USAO) or The Executive Office for United States Attorneys (EOUSA)* is authorized to appear when (a) *USAO or EOUSA*, or any subdivision thereof, or (b) any employee of *USAO or EOUSA* in his or her official capacity, or (c) any employee of *USAO or EOUSA* in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States, where *USAO or EOUSA* determines that the litigation is likely to affect it or any of its subdivisions, is a party to litigation or has an interest in litigation and such records are determined by *USAO or EOUSA* to be arguably relevant to the litigation.

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

These records are stored in paper folders.

RETRIEVABILITY:

Information is retrieved by use of the assistant's name as the folders are filed alphabetically by name.

SAFEGUARDS:

These records are maintained in cabinets stored in a locked room.

RETENTION AND DISPOSAL:

These records are retained until the subjects of the files resign or otherwise leave their offices for non-federal

government employment. In that instance, the personnel section is sent to the St. Louis Records Center for an indefinite period. If the assistance transfers to another agency of the federal government, the personnel section is sent to the gaining agency. All other sections of the folder are destroyed six months after the assistant leaves office.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Executive Office for United States Attorneys, United States Department of Justice; 10th and Constitution Avenue, NW.; Washington, DC 20530.

NOTIFICATION PROCEDURE:

Address all inquiries to the System Manager. These records will be exempted from subsections (d)(1) and (e)(1) of section 552a, Title 5, United States Code, by the Attorney General under the authority of 5 U.S.C. 552a(k)(5) to the extent therein permitted.

RECORD ACCESS PROCEDURES:

A request for access to non-exempt portions of records from this system should be directed orally or in writing to the System Manager. When requests are in writing, the envelope and letter should clearly be marked 'Privacy Access Request.'

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their request to the System Manager, stating clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment(s) to the information.

RECORD SOURCE CATEGORIES:

Sources of information contained in this system include the individuals, government agencies as appropriate, and interested third parties.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has exempted this system from subsections (d)(1) and (e)(1) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(5). 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/USA-999**SYSTEM NAME:**

Appendix of United States Attorneys' office locations: [Written requests for access to records in any of the following U.S. Attorneys' offices except the