

Authority for maintenance of the system: The system is established and maintained in accordance with the United States Constitution, Article II, Section 2, Executive Order of the President dated June 16, 1893, Order No. 288-62, 27 F.R. 11002, November 10, 1962, as codified in 28 CFR 1.1 through 1.9 and E.O. 11878 dated Sept. 10, 1975.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Executive clemency files are used to (a) enable the Attorney General to investigate each petition for Executive clemency, to review each petition and information developed by his investigation thereof and to advise the President whether, in his judgment, the request for clemency is of sufficient merit to warrant favorable action by the President; (b) prepare notices to the public of the name of each grantee of clemency, date of Presidential action, nature of clemency granted, nature of grantee's offense, date and place of sentencing, description of sentence imposed, and names of character affiants and interested members of Congress; (c) prepare bound and indexed volumes containing photocopies of the official warrant of clemency granted each recipient of clemency as a public and official record of Presidential action; (d) upon request of the President and members of his staff, to make available to them individual clemency files; (e) upon specific request to advise the requestor whether a named person has applied for, been granted or denied clemency, the date thereof and the nature of the clemency granted or denied; and (f) upon specific request, to make closed files available for historical research purposes when in the public interest and in conformity with Department of Justice policy.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 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 Service: A record from a system of records may be disclosed as a routine use to the National Archives and Records Service (NARS) 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: Information maintained in the system is stored in the Office of the Pardon Attorney and in Archives.

Retrievability: Information is retrieved by reference to the file number assigned to the name of each applicant for clemency.

Safeguards: Information contained in the system is safeguarded and protected in accordance with Department of Justice rules governing petitions for Executive clemency, specifically, 28 CFR 1.6. Executive clemency files are maintained in the Office of the Pardon Attorney and are not commingled with Department of Justice records.

Retention and disposal: Records are stored in the Office of the Pardon Attorney and closed cases are transferred to the Federal Archives Records Center when five years old. Except for the 'letter of advice' furnished to the President in connection with clemency applications and Presidential responses and cases designated by the Pardon Attorney as having significant public interest, records are destroyed after 25 years.

System manager(s) and address: Pardon Attorney; Office of the Pardon Attorney; Department of Justice; 654 HOLC Building; 320 First Street, N.W.; Washington, D.C. 20530.

Notification procedure: Address inquiries to the Pardon Attorney; Department of Justice; Washington, D.C. 20530.

Record access procedures: While the Attorney General has exempted Executive Clemency files from the access provisions of the Privacy Act, requests for discretionary releases of records contained in the system shall be made in writing with the envelope and the letter clearly marked 'Privacy Access Request.' Include in the

request the general subject matter of the document and the name of the clemency applicant in whose file it is contained. 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: While the Attorney General has exempted Executive Clemency files from the correction (contest and amendment) provisions of the Privacy Act, requests for the discretionary correction (contest or amendment) of records contained in this system should be directed 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: Sources of information contained in this system are the individual applicants for clemency, Federal Bureau of Investigation or other official investigatory reports, Bureau of Prison records, Selective Service System and Armed Forces Reports, probation or parole reports and reports from individuals or non-Federal organizations, both solicited and unsolicited.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsection (d) 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/OPI - 001

System name: News Release, Document and Index System.

System location: Room 5114; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington, D.C. 20530.

Categories of individuals covered by the system: A. Defendants in civil and criminal actions brought by the Department of Justice for which news releases were issued; B. Current and former employees of the Department of Justice on which news releases and biographical information were prepared.

Categories of records in the system: The system contains an index record of each news release and document issued by the Department of Justice and copies of the news release and document.

Authority for maintenance of the system: The system is established and maintained at the direction of the Attorney General pursuant to 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The index is used to retrieve news releases and documents issued by the Department upon request.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 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 Service: A record from a system of records may be disclosed as a routine use to the National Archives and Records Service (NARS) 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: Information maintained in the system is stored manually on index cards and letter- and legal-size paper.

Retrievability: Information is retrieved by using the name of the defendant, subject matter of legal action, state in which action is filed, and name of current or former employee.

Safeguards: Information contained in the system is unclassified.

Retention and disposal: The index and one copy of each news release are retained indefinitely. Additional copies are retained for one year and then destroyed.

System manager(s) and address: Director of Public Information; U.S. Department of Justice; 10th Street and Constitution Avenue, N.W.; Washington D.C. 20530.

Notification procedure: Same as the above.

Record access procedures: A request for a copy of a record from this system may be made in writing, by telephone, or in person.

Contesting record procedures: Persons 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 amendments to the information sought.

Record source categories: Sources of information contained in this system are those employees who prepared the document on which a news release is based.

Systems exempted from certain provisions of the act: None.

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System name: Docket, Scheduling and Control.

System location: Records are maintained at each of the Regional Offices for inmates incarcerated in and persons under supervision in each region, except for the National Appeals Board docket maintained in Washington. All requests for records should be made to the appropriate regional office or Headquarters at the following addresses: United States Parole Commission; Scott Plaza II; Industrial Highway; 6th Floor; Philadelphia, Pennsylvania 19113; United States Parole Commission; 3500 Greenbriar Parkway, Bldg. 300; Atlanta, Georgia 30331; United States Parole Commission; 320 First Street; Washington, D.C. 20537; ATTN: National Appeals Board; United States Parole Commission; KCI Bank Bldg; 8800 N.W. 112th Street; Kansas City, Missouri 64153. United States Parole Commission; 3883 Turtle Creek Blvd. Suite I; Dallas, Texas 75219. United States Parole Commission; 330 Primrose Drive - 5th Floor; Burlingame, Calif. 94010.

Categories of individuals covered by the system: Current and former inmates under the custody of the Attorney General who have become eligible for parole. Former inmates includes those presently under supervision as parolees or mandatory releasees and those against whom a revocation warrant has been issued.

Categories of records in the system: (a) Docket Sheets - Each region and the National Appeals Board in Washington maintain a cumulative series of Docket sheets in time sequence showing Commission Action. Principal data elements are name and register number of inmate, offense, sentence, and previous and present Action. The Appeal Docket includes the date and type of appeal in addition to much of the above data. These provide a continual running record of the basic data elements per inmate and former inmate. (b) Hearing Schedules - When inmates become eligible for parole through operation of law, their names appear on an eligibility list prepared by the Bureau of Prisons, for initial parole hearings. Inmates denied parole are 'continued' by the Commission to future dates for review hearings or record reviews. There is a legal requirement for record reviews of certain inmates at the 1/3 point of their sentences. Other types of hearings and reviews are provided for in the Code of Federal Regulations as part of parole rescission or revocation procedures. All of the different types of hearings and reviews are placed on schedules for panels of examiners to process when they visit the various institutions or hold 'local' hearings. The data elements are similar to those on the docket but indicate the number and type of hearing or review to be held instead of the result.

Authority for maintenance of the system: 18 U.S.C. 4201-4218, 5005-5041, 28 C.F.R. Part O, Subpart V, and 28 C.F.R. Part 2.

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

(a) The dockets provide the basis of answering basic inquiries, mostly from within the Parole Commission, as to when a hearing came up for an individual and what action was taken. The schedules indicate to examiners and prison staff the specific hearings and reviews to be prepared for and held.

(b) In the event that material in this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(c) A record from this system of records may be disclosed to a federal, state or local agency maintaining civil, criminal or other relevant information if necessary to obtain information relevant to an agency decision concerning parole matters.

(d) A record from this system may be disclosed 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 is relevant and necessary to the requesting agency's decision on the matter.

(e) Internal Users - Employees of the Department of Justice who have a need to know the information in the performance of their duties.

(f) External Users - As noted above, on occasion employees of federal, state and local enforcement, correctional, prosecutive, or other agencies, and courts may have access to this information.

Release of information to the news media: Information permitted to be released to the news media and the public pursuant to 28 C.F.R. 50.2 may be made available from systems of records maintained by the U.S. Parole Commission 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 U.S. Parole Commission, 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 with the consent 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 Service: A record from a system of records may be disclosed as a routine use to the National Archives and Records Service (NARS) 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: Information stored in the system is on sheets of paper, one item per line, stored in folders or binders. An experimental program to store such data on tape, disk, or microfiche using ADP technology, is in the beginning stages.

Retrievability: Name, register number, date, institution, Commission action.

Safeguards: Copies of dockets and schedules are not disseminated outside of Commission offices and Bureau of Prisons installations. They are available only to Commission and Bureau employees on a 'need to know' basis. Information therefrom may be given outside the Department as indicated in the 'Routine Uses.' If so, a letter will be written covering the item disclosed, date, and identity of the recipient. If information must be given over the phone due to urgency, the caller will be identified beforehand and details of the call recorded.

Retention and disposal: Records in this system are kept for five (5) years after the effective date of the schedule or date of the last item recorded on the docket. They are then shredded.

System manager(s) and address: Herman Levy - Attorney-Management Analyst; United States Parole Commission; 320 First Street N.W., Rm. 342; Washington, D.C. 20537.

Notification procedure: Address inquiries to Regional Director at appropriate location. For general inquiries, address System Manager. The Attorney General has exempted this system from compliance with the provisions of Subsection (d), under the provisions of Subsection (j).

Record source categories: 1) Bureau of Prisons files; 2) Parole Commission and Bureau of Prison's employees; 3) Court Records; 4) Parole Commission inmate files.

Systems exempted from certain provisions of the act: The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4)(G) and (H), (e)(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/PRC - 002

System name: Freedom of Information Act Record System.