

96. Katherine Ptak, Urbana, Illinois, Court of Federal Claims Number 08-0661V
97. Drew McLaughlin, Boston, Massachusetts, Court of Federal Claims Number 08-0662V
98. Eric Greenfield, Bay Pines, Florida, Court of Federal Claims Number 08-0668V
99. Michelle Taylor Grassie on behalf of Amelia Rose Hanson, Olathe, Kansas, Court of Federal Claims Number 08-0672V
100. Jimmy Leviner, Raleigh, North Carolina, Court of Federal Claims Number 08-0673V
101. Heidi Jagoe on behalf of Michael Jagoe, Madison, Wisconsin, Court of Federal Claims Number 08-0678V
102. Nicole and Larry Bayless on behalf of Spencer Bayless, Manhattan Beach, California, Court of Federal Claims Number 08-0679V
103. Levene Bridges, Baltimore, Maryland, Court of Federal Claims Number 08-0683V
104. Bridgette and Michael Selvaggio on behalf of Michael Selvaggio, Orchard Park, New York, Court of Federal Claims Number 08-0684V
105. Dhana Lakshmi Kelam on behalf of Shoumik Suda, Dublin, Ohio, Court of Federal Claims Number 08-0685V
106. Michael Nicolino, Akron, Ohio, Court of Federal Claims Number 08-0695V
107. Eileen Callahan, Champaign, Illinois, Court of Federal Claims Number 08-0696V

Dated: April 28, 2009.

Mary K. Wakefield,
Administrator.

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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

[Docket No. DHS-2009-0029]

DHS Data Privacy and Integrity Advisory Committee

AGENCY: Privacy Office, DHS.

ACTION: Committee Management; Request for Applicants for Appointment to the DHS Data Privacy and Integrity Advisory Committee.

SUMMARY: The Department of Homeland Security Privacy Office is seeking applicants for appointment to the DHS Data Privacy and Integrity Advisory Committee.

DATES: Applications for membership must reach the Department of Homeland

Security Privacy Office at the address below on or before June 8, 2009.

ADDRESSES: If you wish to apply for membership, please submit the documents described below to Martha K. Landesberg, Executive Director, DHS Data Privacy and Integrity Advisory Committee, by *either* of the following methods:

- *E-mail:* PrivacyCommittee@dhs.gov.
- *Fax:* (703) 235-0442.

FOR FURTHER INFORMATION CONTACT:

Martha K. Landesberg, Executive Director, DHS Data Privacy and Integrity Advisory Committee, Department of Homeland Security, Washington, DC 20528, by telephone (703) 235-0780, by fax (703) 235-0442, or by e-mail to PrivacyCommittee@dhs.gov.

SUPPLEMENTARY INFORMATION: The DHS Data Privacy and Integrity Advisory Committee is an advisory committee established in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. (Pub. L. 92-463). The Committee provides advice at the request of the Secretary of DHS and the DHS Chief Privacy Officer on programmatic, policy, operational, administrative, and technological issues within DHS that relate to personally identifiable information (PII), as well as data integrity and other privacy-related matters. The duties of the Committee are solely advisory in nature. In developing its advice and recommendations, the Committee may, consistent with the requirements of the FACA, conduct studies, inquiries, workshops and seminars in consultation with individuals and groups in the privacy sector and/or other governmental entities. The Committee typically meets four times in a calendar year.

Committee Membership: The DHS Privacy Office is seeking applicants for terms to expire in January 2012, and January 2013, respectively. Members are appointed by and serve at the pleasure of the Secretary of the Department of Homeland Security, and must be specially qualified to serve on the Committee by virtue of their education, training, and experience in the fields of data protection, privacy, and/or emerging technologies. Pursuant to the FACA, the Committee's Charter requires that Committee membership be balanced among individuals in the following fields:

1. Individuals who are currently working in the areas of higher education or research in public (except Federal) or not-for-profit institutions;
2. Individuals currently working in non-governmental industry or commercial interests, including at least

one who shall be familiar with the data concerns of small to medium enterprises; and

3. Other individuals, as determined appropriate by the Secretary.

Committee members serve as Special Government Employees (SGE) as defined in section 202(a) of title 18 United States Code and must submit Confidential Financial Disclosure Reports (OGE Form 450) annually for review and approval by Department ethics officials. DHS may not release these reports or the information in them to the public except under an order issued by a Federal court or as otherwise provided under the Privacy Act (5 U.S.C. 552a). Committee members are also required to have an appropriate security clearance as a condition of their appointment. Members are not compensated for their service on the Committee; however, while attending meetings or otherwise engaged in Committee business, members may receive travel expenses and *per diem* in accordance with Federal regulations.

Committee History and Activities: All individuals interested in applying for Committee membership should review the history of the Committee's work. The Committee's charter and current membership, transcripts of Committee meetings, and all of the Committee's reports and recommendations to the Department are posted on the Committee's Web page on the DHS Privacy Office Web site (<http://www.dhs.gov/privacy>).

Applying for Membership

If you are interested in applying for membership on the DHS Data Privacy and Integrity Advisory Committee, please submit the following documents to Martha K. Landesberg, Executive Director, at the address provided below by June 8, 2009:

1. A letter explaining your qualifications for service on the Committee; and
2. A resume that includes a detailed description of your experience that it is relevant to the Committee's work.

Please send your documents to Martha K. Landesberg, Executive Director, DHS Data Privacy and Integrity Advisory Committee, by *either* of the following methods:

- *E-mail:* PrivacyCommittee@dhs.gov.
- *Fax:* (703) 235-0442.

In support of the Department of Homeland Security's policy on gender and ethnic diversity, qualified women and minorities are encouraged to apply for membership.

Dated: April 28, 2009.

Mary Ellen Callahan,

Chief Privacy Officer, Department of Homeland Security.

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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

[Docket No. DHS-2009-0031]

Privacy Act of 1974; United States Immigration and Customs Enforcement-011 Removable Alien Records System of Records

AGENCY: Privacy Office; DHS.

ACTION: Notice of amended Privacy Act system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the Department of Homeland Security proposes to amend DHS/ICE-011 Removable Alien Records System to add two new routine uses. These routine uses would allow U.S. Immigration and Customs Enforcement to share information about individuals in ICE detention with entities that seek to provide legal educational and orientation programs. DHS is seeking public comment on these proposed routine uses.

DATES: Written comments must be submitted on or before June 4, 2009. This new system will be effective June 4, 2009.

ADDRESSES: You may submit comments, identified by docket number DHS-2009-0031 by one of the following methods:

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 703-483-2999.

- *Mail:* Mary Ellen Callahan, Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528.

- *Instructions:* All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change and may be read at <http://www.regulations.gov>, including any personal information provided.

- *Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For general questions please contact: Lyn Rahilly (202-732-3300), United States Immigration and Customs Enforcement Privacy Officer, United States

Immigration and Customs Enforcement. For privacy issues please contact: Mary Ellen Callahan (703-235-0780), Chief Privacy Officer, Privacy Office, U.S. Department of Homeland Security, Washington, DC 20528.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with the Privacy Act of 1974, the Department of Homeland Security proposes to amend a U.S. Immigration and Customs Enforcement (ICE) system of records known as the DHS/ICE-011 Removable Alien Records System (RARS) (74 FR 5665, Jan. 30, 2009) to add two new routine uses. RARS contains information about individual aliens who have been removed or are alleged to be removable from the United States by DHS/ICE under Federal immigration laws. These new routine uses would allow ICE to share information about aliens who are in ICE detention during removal proceedings with entities that seek to provide legal educational and orientation programs to persons in ICE detention.

Specifically, proposed Routine Use Q would permit ICE to share information about aliens in removal proceedings with the U.S. Department of Justice's Executive Office of Immigration Review (EOIR) or their contractors, consultants, or others performing or working on a contract for EOIR, so that EOIR may arrange for the provision of educational services to those aliens under EOIR's Legal Orientation Program. New Routine Use R would allow the sharing of the same information with attorneys or legal representatives for the purpose of facilitating group presentations to aliens in detention that will provide the aliens with information about their rights under U.S. immigration law and procedures. Routine Use R would support know-your-rights educational programs that are sponsored by private sector law firms and public interest legal organizations, but are not associated with the EOIR Legal Orientation Program.

II. Privacy Act

The Privacy Act embodies fair information principles in a statutory framework governing the means by which the United States Government collects, maintains, uses, and disseminates individuals' records. The Privacy Act applies to information that is maintained in a "system of records." A "system of records" is a group of any records under the control of an agency for which information is retrieved by the name of an individual or by some identifying number, symbol, or other

identifying particular assigned to the individual. In the Privacy Act, an individual is defined to encompass United States citizens and lawful permanent residents. As a matter of policy, DHS extends administrative Privacy Act protections to all individuals where systems of records maintain information on U.S. citizens, lawful permanent residents, and visitors. Individuals may request access to their own records that are maintained in a system of records in the possession or under the control of DHS by complying with DHS Privacy Act regulations, 6 CFR Part 5.

The Privacy Act requires each agency to publish in the **Federal Register** a description denoting the type and character of each system of records that the agency maintains, and the routine uses that are contained in each system in order to make agency record keeping practices transparent, to notify individuals regarding the uses of their records, and to assist individuals to more easily find such files within the agency. Below is the description of the DHS/ICE Removable Alien Records System.

In accordance with 5 U.S.C. 552a(r), DHS has provided a report of this system of records to the Office of Management and Budget (OMB) and to Congress.

SYSTEM OF RECORDS

DHS/ICE-011

SYSTEM NAME:

Removable Alien Records System (RARS).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records are maintained at the United States Immigration and Customs Enforcement Headquarters in Washington, DC and in field offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Categories of individuals covered by this system include aliens removed and alleged to be removable by DHS/ICE.

CATEGORIES OF RECORDS IN THE SYSTEM:

Categories of records in this system may include:

- Alien's name;
- Alien file number;
- Date of birth;
- Country of birth;
- United States addresses;
- Foreign addresses;
- ICE case file number;
- Subject ID and Person ID;
- Fingerprint Identification (FINS) number;