

be submitted to the Superintendent at the address above. Minutes of the meeting will be available at Park Headquarters for public inspection approximately 4 weeks after the meeting.

Dated: September 27, 1995.

W. Thomas Brown,

*Acting Field Director, Southeast Field Area.*

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## DEPARTMENT OF JUSTICE

[AAG/A Order No. 109-95]

### Privacy Act of 1974; New System of Records

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), notice is given that the Federal Bureau of Prisons ("Bureau") proposes to establish a new system of records entitled, "Access Control Entry/Exit System" (JUSTICE/BOP-010).

Title 5 U.S.C. 552a(e)(4) and (11) provide that the public be provided a 30-day period in which to comment on the routine uses of a new system. The Office of Management and Budget (OMB), which has oversight responsibilities under the Privacy Act, requires that it be given a 40-day period in which to review the system.

Therefore, please submit any comments by November 3, 1995. The public, OMB, and the Congress are invited to send written comments to Patricia E. Neely, Program Analyst, Systems Policy Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (Room 850, WCTR).

A description of the system of records is provided below. In addition, the Department has provided a report to OMB and the Congress in accordance with 5 U.S.C. 552a(r).

Dated: September 22, 1995.

Stephen R. Colgate,

*Assistant Attorney General for Administration.*

#### Justice/BOP-010

##### SYSTEM NAME:

Access Control Entry/Exit System.

##### SYSTEM LOCATION:

Records may be retained at the Central Office, Regional Offices, and at any of the Bureau of Prison (Bureau) facilities. A list of these system locations may be found at 28 CFR part 503.

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former staff, inmates now or formerly under the custody of the Attorney General or the Bureau, and all visitors to Bureau facilities, including law enforcement personnel, contractors, volunteers, and inmate visitors.

##### CATEGORIES OF RECORDS IN THE SYSTEM:

Information retrieved and stored by the system may include any information relative to providing safe and secure prison facilities, to protecting the prison population and/or the general public, and/or, where appropriate, to otherwise promoting the interests of effective law enforcement. Examples include:

(a) Identification data (much of which is collected from the individual) such as the person's name, current residence, social security number, employer, place and date of birth, age, height, weight, digital image, biometric identifier information, alien registration number, driver's license number, telephone number, passport number, system-generated number, hair color, eye color, sex, race, escort of visitor into institution, and system classification of individual;

(b) Other data collected from the visitor and/or from law enforcement to enable prison officials to determine the suitability/acceptability of a visitor such as: The purpose of the visit, relationship to the inmate and information indicating whether the visitor is under investigation by law enforcement and/or has ever been convicted of a crime, probation and/or parole status, name of supervising probation/parole officer, etc.;

(c) Records generated by the system to report entry/exit activity e.g., date and time of entry/exit, entry/exit locations used; and location data, including location in the institution visited and/or movement within the institution;

(d) Any related law enforcement or investigatory data, provided by third parties such as inmates, courts, and other Federal, State, local, and foreign law enforcement agencies, e.g., criminal history and/or investigatory data relating to potential visitors; investigatory data otherwise developed by Bureau officials regarding any activity, or suspicious activity, which may threaten the safe and secure operation of Federal correctional facilities, e.g., remarks describing a possible introduction of contraband; and any other information that may enable the Bureau to pursue an internal investigation on a record subject.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

This system is established and maintained under the authority of 18 U.S.C. 3621, 4003, 4042, 4082.

##### PURPOSE OF THE SYSTEM:

The records in this system are maintained to better ensure the safety, security and good order of Bureau facilities; to improve staff ability to quickly account for all persons (inmates, visitors, and staff) within an institution in the event of an emergency, such as an institution disturbance or a natural disaster; to identify and, where appropriate, determine the suitability of visitors with respect to entering prison facilities; and, to more effectively prevent violation of institution policy and/or criminal activities such as inmate escapes and the introduction of contraband. Where these efforts fail to prevent such violations, and/or where otherwise appropriate, records may be collected and used by the Bureau for internal investigations.

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

Relevant data from this system will be disclosed as follows:

(a) To Federal, State, local and foreign law enforcement agencies who have a need for the information to perform their duties, e.g., in the course of apprehensions, investigations, possible criminal prosecutions, civil court actions, regulatory proceedings, inmate disciplinary hearings, parole hearings, responding to emergencies, or other law enforcement activity;

(b) To Federal, State, local and foreign law enforcement agencies in order to solicit or obtain data needed by prison officials for law enforcement purposes, e.g., to determine whether a visitor may be under investigation, have a criminal record, or otherwise be unsuitable to visit; or to obtain any information that may enable the Bureau to pursue an internal investigation pertaining to any record subject based on information developed by the Bureau;

(c) To the news media and the public pursuant to 28 CFR § 50.2 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;

(d) 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;

(e) To the National Archives and Records Administration and the General

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

(f) To a court or adjudicative body before which the Department of Justice or the Bureau 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 Bureau to be arguably relevant to the litigation: (1) The Bureau, or any subdivision thereof, or (2) any Department or Bureau employee in his or her official capacity, or (3) any Department or Bureau employee in his or her individual capacity where the Department has agreed to provide representation for the employee, or (4) the United States, where the Bureau determines that the litigation is likely to affect it or any of its subdivisions;

(g) To an administrative forum which may or may not include an Administrative Law Judge, or which may or may not convene public hearings/proceedings, or to other established adjudicatory or regulatory agencies, professional licensing and disciplinary boards and commissions, or other appropriate entities with similar or related responsibilities, statutory or otherwise, to assist in the adjudication of decisions affecting individuals who are the subject of Bureau investigations, including decisions to effect any necessary remedial actions, e.g., disciplinary and/or other appropriate personnel actions, and/or other law enforcement related actions, where appropriate; (To protect the privacy of the individual, information provided will be sanitized as warranted and/or a protective order may be requested to prevent further dissemination.)

(h) To contractors and subcontractors to the extent necessary to perform administrative tasks and/or technical installation and/or maintenance operations or other similar contractual duties; and

(i) To any person or entity to the extent necessary to prevent immediate loss of life or serious bodily injury.

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

**STORAGE:**

Information maintained in the system is stored in electronic media in Bureau facilities via a configuration of personal computer, client/server, and mainframe systems architecture. Computerized records are maintained on hard disk, floppy diskettes, magnetic tape and/or optical disks. Documentary records are maintained in manual file folders and/or on index card files.

**RETRIEVABILITY:**

Records are retrievable by identifying data, including last name, inmate register number, system classification category, Social Security number, alien registration number, system-generated identification number, passport number, employee badge number and/or miscellaneous identification number as provided by the visitor and/or other law enforcement agencies.

**SAFEGUARDS:**

Information is safeguarded in accordance with Bureau rules and policy governing automated information systems security and access. These safeguards include the maintenance of records and technical equipment in restricted areas, and the required use of proper passwords and user identification codes to access the system. Similarly, paper records are stored in secured areas to prevent unauthorized access. Only those Bureau personnel who require access to perform their official duties may access the records described in this system of records.

**RETENTION AND DISPOSAL:**

Records generated by the system to report entry/exit and internal movement activities are retained in accordance with General Records Schedule (GRS) 19, All other records in the system of records are retained until such time as the records no longer serve the purpose described by this system of records. At such time, these records (including investigatory records and/or records relating to disciplinary hearings and/or other appropriate personnel actions) may be incorporated into an appropriate, published system of records with an approved retention schedule, or otherwise destroyed. Computerized records are destroyed by shredding, degaussing, etc., and documentary records are destroyed by shredding.

**SYSTEM MANAGER AND ADDRESS:**

Assistant Director, Information, Policy, and Public Affairs Division, Federal Bureau of Prisons, 320 First Street NW., Washington, DC 20534.

**NOTIFICATION PROCEDURE:**

Inquiries concerning this system should be directed to the System Manager listed above.

**RECORD ACCESS PROCEDURES:**

All requests for records may be made by writing to the Director, Federal Bureau of Prisons, 320 First Street NW., Washington, DC 20534, and should be clearly marked "Privacy Act Request." This system is exempt, under 5 U.S.C.

552a(j)(2) and (k)(2), from some access. A determination as to exemption shall be made at the time a request for access is received.

**CONTESTING RECORD PROCEDURES:**

Same as above.

**RECORD SOURCE CATEGORIES:**

Individuals covered by the system; and Federal, State, local and foreign law enforcement agencies, and Federal and State probation and judicial offices.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

Pursuant to 5 U.S.C. 552a(j)(2), the Attorney General has exempted this system from subsections (c) (3) and (4), (d), (e)(1), (e)(2), (e)(3), (e) (5), and (8), and (g) of the Privacy Act. In addition, pursuant to 5 U.S.C. 552a(k)(2), the Attorney General has exempted this system from subsections (c)(3), (d), and (e)(1). 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.

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**Antitrust Division**

**United States v. HealthCare Partners, Inc., et al.; Proposed Final Judgment and Competitive Impact Statement**

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), that a proposed Final Judgment, Stipulation, and a Competitive Impact Statement have been filed with the United States District Court for the District of Connecticut in *United States v. Healthcare Partners, Inc., et al.*, Civil No. 395-CV-01946-RNC as to HealthCare Partners, Inc., Danbury Area IPA, Inc., and Danbury Health Systems, Inc.

The Complaint alleges that defendants entered into an agreement with the purpose and effect of restraining competition unreasonably among physicians in the Danbury, Connecticut area, in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1. The Complaint also alleges that Danbury Health Systems, Inc. willfully maintained its monopoly in general acute inpatient services in the Danbury, Connecticut area, in violation of Section 2 of the Sherman Act, 15 U.S.C. § 2.

The proposed Final Judgment eliminates the continuance or recurrence of defendants' unlawful agreement and of the additional acts of Danbury Health Systems, Inc. that gave rise to the violation of Section 2.