

SYSTEM NAME: National Counterintelligence System of Records

SYSTEM LOCATION: National Counterintelligence Center, 3 WO1 NHB, Washington, DC 20505

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM: A. Individuals who are of foreign intelligence or foreign counterintelligence interest and relate in any manner to foreign intelligence threats to US national and economic security. B. Applicants for, and current and former personnel of NACIC. C. Individuals associated with NACIC administrative operations or services including pertinent functions such as training, contractors and pertinent persons related thereto.

CATEGORIES OF RECORDS IN THE SYSTEM: 1. Director's Correspondence: Correspondence whose contents relates to NACIC's mission, policies, or programs; and correspondence whose contents relates to routine, administrative, or facilitative matters. 2. NACIC Chronological Files: Copies of outgoing correspondence, memoranda, and other records signed by the Director, the Deputy Director, and NACIC Office Chiefs. 3. Public Relations Files: Speeches or public statements made by the Director and Deputy Director. 4. NACIC Staff Meeting Records, agendas, minutes, and staff meeting highlights. 5. Progress Reports: six month progress reports submitted to the National Counterintelligence Policy Board outlining activities and accomplishments of the NACIC. 6. Compromised Names Database. The purpose of the database is to notify US intelligence community personnel whose names were potentially compromised as a result of espionage or other foreign intelligence collection activity. NACIC reviews pertinent reports to determine documents that were possibly passed in a particular case and then reviews those documents for names. The database contains the names of persons potentially compromised, date of the memo sent to the person or their employer informing them, the document number of where the person's name came from, document title, and document date. 7. Chronological Files of the PIO: Copies of correspondence, memoranda, and other records generated by PIO and its branches in assessing the effectiveness of CI operations, maintained for reference purposes. 8. Publications, Training Materials and Regional Seminars Records Maintained by PIO's Community Training Branch: Letters of acceptance, enrollment forms, thank you letters, list of attendees, list of speakers, notes, case studies, syllabus, training packet, magazine or newspaper articles, and other records used either for course development purposes or to facilitate the presentation of seminars. 9. Personnel Files: Individual personnel folders of staff employees, consultants and contract employee files consisting of papers documenting personnel actions; performance appraisals; correspondence; training documents; travel documents; contracts; justifications; memoranda; and administrative material. (Many of these files are maintained on a

temporary basis while the individuals are detailed to the NACIC. Upon their return to their home agency, their file is returned with them.) 10. Freedom of Information Act (FOIA)/Privacy Act (PA) Requests and Legal Fields: Files created in response for information under the FOIA/PA, consisting of the original request, a copy of the reply thereto, and all related supporting files which may include the official file copy of requested record or copy thereof; files created in response to administrative appeals for release of information denied by the NACIC, consisting of the appellant's letter, a copy of related supporting documents; FOIA/PA Control Files and Report Files; Files relating to an individual's request to amend a record pertaining to the individual as provided for under 5 U.S.C. 552a(d)(2), 552a(d)(3), and to any civil action brought by the individual against NACIC as provided under 5 U.S.C. 552a(g); Privacy Act Report files of recurring reports and one-time information requirements relating to agency implementation including biennial reports to the Office of Management and Budget, and Report on New Systems.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM: The Federal Records Act of 1950 Title 44, United States Code, Chapter 31, Section 3101; and Title 36, Code of Federal Regulations, Chapter XII, require Federal agencies to insure that adequate and proper records are made and preserved to document the organization, functions, policies, decisions, procedures and transactions and to protect the legal and financial rights of the Federal Government.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES: (See Statement of General Routing Uses)

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

STORAGE: Files are maintained in computerized form and hard copy form. Computerized form may be stored in memory, on disk storage, on computer tape, or on a computer printed listing.

RETRIEVABILITY: Names are retrievable by automated word or hand search. NACIC will not permit any organization, public or private, outside the NACIC to have direct access to NACIC files. All searches on the NACIC data base and hard files will be performed on site, within NACIC space, by NACIC personnel.

SAFEGUARDS: Records and databases are maintained in a restricted area within NACIC and are accessed only by NACIC personnel. All employees are checked to insure they have recent background investigations prior to being assigned to NACIC and are cautioned about divulging confidential information or any information contained in NACIC files.

Failure to abide by these provisions may violate certain statutes providing maximum severe penalties of a ten thousand-dollar fine or 10 years imprisonment, or both. Employees who resign or retire are also cautioned about divulging information acquired in their jobs. Registered mail is used to transmit routine hard copy records. Highly classified records are hand carried by employee personnel. Highly classified or sensitive privacy information, which is electronically transmitted between NACIC and other offices, is transmitted in encrypted form to prevent interception.

RETENTION AND DISPOSAL: Records evaluated as historical and permanent will be transferred to the National Archives after established retention periods and administrative needs of the NACIC have elapsed.

SYSTEM MANAGER(S) AND ADDRESS: Information and Privacy Coordinator, Executive Secretariat Office, National Counterintelligence Center, 3W01 NHB, Washington, DC 20505.

RECORD ACCESS PROCEDURES: A request for access to a record from the system shall be made in writing with the envelope and the letter clearly marked "Privacy Access Request". Include in the request your full name, complete address, date of birth, place of birth, notarized signature, and other identifying data you may wish to furnish to assist in making a proper search of NACIC records. A request for access to records must describe the records sought in sufficient detail to enable NACIC personnel to locate the system of records containing the record with a reasonable amount of effort. Whenever possible, a request for access should describe the nature of the record sought, and the date of the record or the period in which the record was compiled. The requester will also provide a return address for transmitting the information. Requests for access must be addressed to the Information and Privacy Coordinator, Executive Secretariat Office, National Counterintelligence Center, 3W01 NHB, Washington, DC 20505.

CONTESTING RECORD PROCEDURES: Individuals desiring to contest or amend information maintained in the system should also direct their request to the Information and Privacy Coordinator, Executive Secretariat Office, National Counterintelligence Center, 3W01 NHB, Washington, DC. 20505.

EXEMPTIONS CLAIMED FOR THE SYSTEM: Notice is hereby given that NACIC intends to exempt, from certain provisions of the Act, those systems of records which are (A) specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and (B) are in fact, properly classified pursuant to such Executive Order. (5 U.S.C. 552(b)(1), as amended by Pub. L. 93-502) In addition, pursuant to authority granted in section (j) of the Privacy Act (5 U.S.C. 552a (j)) the

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Director of NACIC has determined (C) to exempt from notification under subsections (e)(4)(G) and (f)(1) those portions of each and all systems of records which have been exempted from individual access under subsection (j), in those cases where the Information and Privacy Coordinator, determines after advice by responsible components, that confirmation of the existence of a record may jeopardize intelligence sources and methods. In such cases the NACIC may choose to neither confirm nor deny the existence of the record and may advise the individual that there is no record which is available to him pursuant to the Privacy Act of 1974.

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