

involved, the suspected person, the type of suspicious activity involved, the amount of loss known, and any witnesses. Also, administrative actions taken by the OCC against directors, officers, employees, shareholders, agents, and persons participating in the conduct of the affairs of entities regulated by the OCC.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

12 U.S.C. 481, 1817(j), 1818 and 1820; 15 U.S.C. 78c(a)(34), 781(i), 78u, 78o-4.

**PURPOSE(S):**

The overall system serves as a central OCC repository for investigatory or enforcement information related to the responsibility of the OCC to examine and supervise entities regulated by the OCC.

The system maintained by FinCEN serves as the database for the cooperative storage, retrieval, analysis, and use of information relating to Suspicious Activity Reports made to or by the Federal financial regulatory agencies and FinCEN to various law enforcement agencies for possible criminal, civil, or administrative proceedings based on known or suspected violations affecting or involving persons, financial institutions, or other entities under the supervision or jurisdiction of such Federal financial regulatory agencies.

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

Information in these records may be used to: (1) Provide the Department of Justice with periodic reports that indicate the number, amount, individual identity, and other details concerning outstanding potential criminal violations of the law that have been referred to the Department; (2) Provide the Federal financial regulatory agencies and FinCEN with information relevant to their operations; (3) Disclose information to third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation; (4) Provide information or records to any appropriate domestic or foreign governmental agency or self-regulatory organization charged with the responsibility of administering law or investigating or prosecuting violations of law or charged with enforcing or implementing a statute, rule, regulation, order, policy, or license; (5) Disclose, when considered appropriate, information to a bar association, or other trade or professional organization performing similar functions, for possible disciplinary action; (6) Disclose

information, when appropriate, to international and foreign governmental authorities in accordance with law and formal or informal international agreements; (7) Disclose the existence, but not necessarily the content, of information or records in cases where the OCC is a party or has direct interest and where the OCC, in its sole discretion, has concluded that such disclosure is necessary; (8) Disclose information to any person with whom the OCC contracts to reproduce, by typing, photocopying or other means, any record within this system for use by the OCC and its staff in connection with their official duties or to any person who is utilized by the OCC to perform clerical or stenographic functions relating to the official business of the OCC.

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

**STORAGE:**

Records are maintained on magnetic media and in paper and card files.

**RETRIEVABILITY:**

Computer output, file folders, and card files are retrievable by indexes of data fields, including name of financial institution and individuals' names.

**SAFEGUARDS:**

Paper and card files are stored in lockable metal file cabinets. Computer disks maintained at the OCC are accessed only by authorized personnel. The database maintained by FinCEN complies with applicable security requirements of the Department of the Treasury. On-line access to the information in the database is limited to authorized individuals who have been specified by each Federal financial regulatory agency and FinCEN, and each such individual has been issued a non-transferable identifier or password.

**RETENTION AND DISPOSAL:**

Records are periodically updated to reflect changes and maintained as long as needed.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Enforcement and Compliance Division, and Director, Securities and Corporate Practices Division, Law Department, Office of the Comptroller of the Currency, 250 E Street, SW, Washington, DC 20219.

**NOTIFICATION PROCEDURE:**

Certain records in this system are exempt from notification and record—access requirements and requirements that an individual be permitted to contest its contents under 5 U.S.C.

552a(j)(2) and (k)(2) as relating to investigatory material compiled for law enforcement purposes. Requests relating to records not subject to the exemption should be sent to: Director, Public Affairs, 250 E Street, SW, Washington, DC 20219.

**RECORD ACCESS PROCEDURE:**

See "Notification procedure" above.

**CONTESTING RECORD PROCEDURE:**

See "Notification procedure" above.

**RECORD SOURCE CATEGORIES:**

Suspicious activity reports and related historical information and updating forms compiled by the OCC and the other Federal financial regulatory agencies for law enforcement purposes. The OCC will also include information from its Enforcement and Compliance Information System.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Components of this system have been designated as exempt from 5 U.S.C. 552(a)(3), (c)(4), (d), (e)(1), (e)(2), (e)(3), (e)(4)(G), (e)(4)(H), (e)(5), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2) and (k)(2).

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**Office of Thrift Supervision**

**Privacy Act of 1974; As Amended; System of Records**

**AGENCY:** Office of Thrift Supervision, Treasury.

**ACTION:** Amendment to an existing system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974 (Privacy Act), Office of Thrift Supervision (OTS) is publishing an amendment to an existing system of records. This amendment reflects an ongoing review of an existing system of records pursuant to Appendix I to OMB Circular No. A-130—Revised, which has resulted in changes in nearly all elements of the system of records. In addition, the changes reflect a new proposed interagency suspicious activity reporting process, combining the criminal referral and suspicious financial transactions reporting requirements of the Federal financial regulatory agencies and Treasury, and involving the use of a new computerized database maintained by Financial Crimes Enforcement Network (FinCEN) on behalf of the Federal financial regulatory agencies and Treasury.

**DATES:** Comments must be received by January 16, 1996. If no comments are received which precipitate changes to the system, the system will become effective on January 23, 1996.

**ADDRESSES:** Send comments to: Chief, Dissemination Branch, Records Management and Information Policy, Office of Thrift Supervision, 1700 G Street, NW, Washington, DC 20552. These submissions may be hand-delivered to 1700 G Street, NW, from 9 am to 5 pm on business days; they may be sent by facsimile transmission to FAX number (202) 906-7755. Comments will be available for inspection at 1700 G Street, NW, from 1 pm until 4 pm on business days.

**FOR FURTHER INFORMATION CONTACT:** Randy Thomas, Special Counsel, General Law Division, (202) 906-7945.

**SUPPLEMENTARY INFORMATION:** OTS is amending its existing system of records entitled Confidential Individual Information System, Treasury/OTS .001, last published in the Federal Register at 60 FR 13770, (March 14, 1995) for which it has promulgated exemption rules pursuant to exemptions (j)(2) and (k)(2) of the Privacy Act, 5 U.S.C. 552a(j)(2) and (k)(2).

Certain of the changes to the system reflect a proposed agreement between FinCEN, the Federal Reserve Board (FRB), the Office of the Comptroller of the Currency (OCC), the Federal Deposit Insurance Corporation (FDIC), the OTS, and the National Credit Union Administration (NCUA) (the Federal financial regulatory agencies) to store Suspicious Activity Reports (SAR) in electronic form in a database maintained by FinCEN and located at the Internal Revenue Service (IRS) Computing Center in Detroit, Michigan. It is proposed that the IRS Computing Center, as a contractor to FinCEN and the Federal financial regulatory agencies, will operate and administer the computer system that supports the SAR database. Except for a limited number of authorized personnel from the Criminal Investigation Division, employees of the IRS will not have access to the SAR database.

The SAR is being adopted by all Federal financial regulatory agencies as a replacement for the Criminal Referral Form, which has been used by depository institutions to report suspected criminal activity to the Federal financial regulatory agencies and the Federal law enforcement authorities (see FRB and OCC proposed rules at 60 FR 34481 and 60 FR 34476, respectively, July 3, 1995, and OTS proposed rules at 60 FR 36366, July 17, 1995), and by Treasury to implement

suspicious financial transaction reporting rules (see Treasury proposed rulemaking at 60 FR 46556, September 7, 1995).

Information from the Criminal Referral Form is included in the existing Information System, and similar information will continue to be collected by the SAR. In addition to reports of suspected criminal activity, the SAR will also allow a financial institution to report suspicious financial transactions under Federal money laundering statutes, pursuant to Treasury regulations (31 CFR part 103). This information, which may include financial transactions by individuals, will be included in the existing Information System. Only the information collected by the SAR, and its status updates, will be located in the database maintained by FinCEN; all other information in the Information System is located at the OTS.

Pursuant to the inter-agency agreement between FinCEN and the Federal financial regulatory agencies, FinCEN will manage a computerized database containing the SAR, and status updates, which is information currently collected and/or maintained separately by each of the Federal financial regulatory agencies. With regard to this database, only those records generated under the jurisdiction of the OTS are considered to be OTS records for purposes of the Privacy Act. Access to and use of these OTS records by other agencies continue to be governed by the routine uses in the OTS's Information System.

Accordingly, the "Routine Uses" element is amended to reflect the sharing among Federal financial regulatory agencies and law enforcement agencies of the information collected by the SAR and the status updates. Other changes consist of the following: Three of the system's former routine uses (numbers 1, 3, and 6) are being retained and renumbered as new routine uses 1, 3, and 7. One former routine use (number 4) is being deleted. Two former routine uses (numbers 2 and 5) have been revised and renumbered, respectively, as new routine uses 4 and 5. New routine use number 4 clarifies that system records may be used to make referrals to any appropriate governmental or self-regulatory entity with authority to administer law, rule, policy, or license. New routine use number 5 clarifies that system records may be referred to bar, trade, or professional organizations for possible disciplinary action.

Additionally, the "Safeguards" element is amended to add that on-line access to the computerized database

maintained by FinCEN is limited to authorized individuals who have been specified by each participating agency and Treasury, and who have been issued a non-transferable identifier or password. Other amendments reflect organizational changes and are not significant. The exemptions for this system of records continue to be (j)(2) and (k)(2), because the information consists of investigatory material compiled for law enforcement purposes.

The altered system of records report, as required by 5 U.S.C. 552a(r) of the Privacy Act, has been submitted to the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Office of Management and Budget, pursuant to Appendix 1 to OMB Circular A-130, Federal Agency Responsibilities for Maintaining Records About Individuals, dated July 15, 1994.

The proposed altered system of records, Treasury/OTS .001, Confidential Individual Information System, is published in its entirety below.

DATED: December 5, 1995.  
Alex Rodriguez,  
*Deputy Assistant Secretary (Administration).*

#### **Treasury/OTS .001**

##### **SYSTEM NAME:**

Confidential Individual Information System - Treasury/OTS.

##### **SYSTEM LOCATION:**

Enforcement Division, Office of Thrift Supervision, 1700 G Street, NW, Washington, DC 20552. Computerized records of Suspicious Activity Reports (SAR), with status updates, are managed by FinCEN pursuant to a contractual agreement, and are stored the Internal Revenue Service's Computing Center in Detroit, Michigan. Authorized personnel at the Federal financial regulatory agencies have on-line access to the computerized database managed by FinCEN through individual work stations that are linked to the database central computer.

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

Directors, officers, employees, agents, borrowers, and persons participating in the conduct of the affairs of entities regulated by the OTS who have been involved in suspected criminal activity or suspicious financial transactions and referred to law enforcement officials; and other individuals who have been involved in irregularities, violations of law, or unsafe or unsound practices

referenced in documents received by OTS in the exercising of its supervisory functions.

These records also contain information concerning individuals who have filed notices of intention to acquire control of a savings association; controlling persons of companies that have applications to acquire control of a savings association; and organizers of savings associations who have sought Federal Savings and Loan Insurance Corporation (FSLIC) or Saving Association Insurance Fund (SAIF) insurance of accounts or federal charters.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Application information and inter-agency and intra-agency correspondence, memoranda and reports. The SAR contains information identifying the financial institution involved, the suspected person, the type of suspicious activity involved, the amount of loss known, and any witnesses.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

12 U.S.C. 1464; 44 U.S.C. 3101.

**PURPOSE(S):**

The overall system serves as a central OTS repository for investigatory or enforcement information related to the responsibility of OTS to examine and supervise savings associations. It also serves to store information on applicants to acquire, control, or insure a savings association in connection with OTS's regulatory responsibilities.

The system maintained by FinCEN serves as the database for the cooperative storage, retrieval, analysis, and use of information relating to Suspicious Activity Reports made to or by the Federal financial regulatory agencies and FinCEN to various law enforcement agencies for possible criminal, civil or administrative proceedings based on known or suspected violations affecting or involving persons, financial institutions, or other entities under the supervision or jurisdiction of such Federal financial regulatory agencies.

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

Information in these records may be used to: (1) Provide the Department of Justice with periodic reports on the number, amount, individual identity and other details concerning outstanding potential criminal violations of the law that have been referred to the Department; (2) Provide the Federal financial regulatory agencies and FinCEN with information relevant

to their operations; (3) Provide information to third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation; (4) Provide information or records to any appropriate governmental agency or self-regulatory organization charged with the responsibility of administering law or investigating or prosecuting violations of law or charged with enforcing or implementing a statute, rule, regulation, order, policy, or license; (5) Disclose, when considered appropriate, information to a bar association, or other professional organizations performing similar functions, for possible disciplinary action; (6) Disclose information when appropriate to international and foreign governmental authorities in accordance with law and formal or informal international agreements; and (7) Provide information to any person with whom the OTS contracts to reproduce, by typing, photocopying or other means, any record within this system for use by the OTS and its staff in connection with their official duties or to any person who is utilized by the OTS to perform clerical or stenographic functions relating to the official business of the OTS.

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

**STORAGE:**

Records are maintained on magnetic media and in paper files.

**RETRIEVABILITY:**

Computer output and file folders are retrievable by indexes of data fields, including name of financial institution and individual's name.

**SAFEGUARDS:**

Paper files are stored in lockable metal file cabinets with access limited to authorized individuals. Computer disks maintained at OTS are accessed only by authorized personnel. The database maintained by FinCEN complies with applicable security requirements of the Department of the Treasury. On-line access to the information in the database is limited to authorized individuals, and each individual has been issued a non-transferable identifier or password.

**RETENTION AND DISPOSAL:**

Records are periodically updated to reflect changes and maintained as long as needed.

**SYSTEM MANAGER(S) AND ADDRESS:**

Deputy Chief Counsel for Enforcement, Office of Thrift

Supervision, 1700 G Street, NW, Washington, DC 20552.

**NOTIFICATION PROCEDURE:**

The system is exempt from notification and record-access requirements and requirements that an individual be permitted to contest its contents under 5 U.S.C. 552a(j)(2) and (k)(2) as relating to investigatory material compiled for law enforcement purposes.

**RECORD ACCESS PROCEDURES:**

See "Notification procedure" above.

**CONTESTING RECORD PROCEDURES:**

See "Notification procedure" above.

**RECORD SOURCE CATEGORIES:**

Suspicious activity reports and related historical information and updating forms compiled by financial institutions, the OTS, and other Federal financial regulatory agencies for law enforcement purposes. The OTS will also include information from applicants, inter agency and intra-agency correspondence, memoranda, and reports.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

This system is exempt from 5 U.S.C. 552a(c)(3), (d)(1), (d)(2), (d)(3), (d)(4), (e)(1), (e)(4)(G), (H) and (I), and (f) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2) and (k)(2).

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**UNITED STATES INFORMATION AGENCY**

**Study of the United States Summer Institute; Focus on U.S. Society**

**AGENCY:** United States Information Agency.

**ACTION:** Notice—Request for Proposals.

**SUMMARY:** The Branch for the Study of the U.S. of the Office of Academic Programs of the United States Information Agency's Bureau of Educational and Cultural Affairs announces an open competition for an assistance award program for the Study of the United States Summer Institute: Focus on U.S. Society. Public and private non-profit organizations meeting the provisions described in IRS regulation 26CFR 1.501(c)(3)-1 may apply to develop a six-week graduate-level program designed for a group of 18 foreign university educators from around the world, in order to deepen their understanding of U.S. society, culture, and values by examining key social institutions in the United States,