

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.