

STATE-11

SYSTEM NAME:

Extradition Records.

SECURITY CLASSIFICATION:

Unclassified and classified.

SYSTEM LOCATION:

Department of State; 2201 C Street. NW; Washington. DC 20520; and overseas at U.S. embassies, U.S. consulates -general and consulates.

CATEGORIES OF INDIVIDUALS

COVERED BY THE SYSTEM:

Individuals charged with or convicted of an extraditable crime who have fled from the United States and whose return is sought by state or federal law enforcement agencies. Individuals charged with or convicted of an extraditable crime who have been located in the United States and whose return is sought by a foreign government. Individuals charged with or convicted of a state or federal crime in the United States whose return is sought by deportation or expulsion when they have fled the United States for a foreign country.

CATEGORIES OF RECORDS IN THE SYSTEM:

Dossiers documenting U.S. and foreign extradition requests of fugitives who are wanted for trial for, or who have been convicted of, crimes committed within the jurisdiction of the United States or foreign countries. Files may contain the following documents:

Correspondence between the Office of the Legal Adviser and the U.S. Department of Justice, state and federal authorities in the U.S., courts of law, attorneys; copies of communications with Foreign Service posts serving as intermediaries in the extradition process; diplomatic correspondence to or from foreign governments; copies of interagency and intra-agency electronic communications; file and attorney notes; supporting documents such as copies of court records of the legal proceedings, including, but not limited to, charging documents such as complaints or indictments, warrants, judgments or conviction records, prosecutor and investigative affidavits, witness statements, applicable legal statutes; and identification information, including photos, fingerprints and identification numbers; committal documents, such as the extradition order, affidavit of waiver, legal briefs and hearing transcript, decision memo to the Secretary of State or to his or her Deputy, and the surrender warrant.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301 (Management of the Department of State); 18 U.S.C. 3181- 3196 (Extradition); 22 U.S.C. 2651a (Organization of the Department of State); 22 U.S.C. 3904 (Foreign Relations and Intercourse, Functions of the Foreign Service); 22 U.S.C. 3921 (Management of the Foreign Service); and the U.S. Constitution, Art. VI, sec. 2 (Supremacy of the Constitution, Laws and Treaties).

PURPOSE(S):

The information contained in this system of records is collected and maintained by the Office of the Legal Adviser, Law Enforcement and Intelligence in the administration of its responsibility to facilitate U.S. and foreign requests for fugitives subject to extradition requests in accordance with international treaty obligations.

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

The information in this system is used exclusively to obtain the arrest and extradition of a fugitive who has committed a felony or extraditable crime and who is the subject of an outstanding domestic or foreign warrant of arrest. Extradition requests and documents are sent to the U.S. Embassy or U.S. Consulate resident in the appropriate countries for transmission to the foreign government, including the foreign ministry and law enforcement agencies. Extradition requests received by the U.S. Department of State from a foreign government are transmitted to the U.S. Department of Justice.

Also see the "Routine Uses"

Paragraph of the Prefatory Statement published in the **Federal Register** and on our web site at www.foia.state.gov.

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

STORAGE:

Electronic media, hard copy.

RETRIEVABILITY:

Individual name.

SAFEGUARDS:

All employees of the Department of State have undergone a thorough background security investigation. Access to the Department and its annexes is controlled by security guards and

admission is limited to those individuals possessing a valid identification card or individuals under proper escort. All records containing personal information are maintained in secured file cabinets or in restricted areas, access to which is limited to authorized personnel. Access to computerized files is password-protected and under the direct supervision of the system manager. The system manager has the capability of printing audit trails of access from the computer media, thereby permitting regular and ad hoc monitoring of computer usage.

RETENTION AND DISPOSAL:

These records will be maintained until they become inactive, at which time they will be retired or destroyed in accordance with published record schedules of the Department of State and as approved by the National Archives and Records Administration. More specific information may be obtained by writing to the Director; Office of IRM Programs and Services; SA-2; Department of State; 515 22nd Street, NW; Washington, DC 20522- 6001.

SYSTEM MANAGER(S) AND ADDRESS:

Assistant Legal Adviser for Law Enforcement and Intelligence, Office of the Legal Adviser; Room 5419; Department of State; 2201 C Street, NW; Washington, DC 20520.

NOTIFICATION PROCEDURE:

Individuals who have reason to believe that the Office of the Legal Adviser, Law Enforcement and Intelligence might have records pertaining to themselves should write to the Director; Office of IRM Programs and Services; SA-2; Department of State; 515 22nd Street, NW; Washington, DC 20522-6001. The individual must specify that he/she wishes the Extradition Records to be checked. At a minimum, the individual should include: name; date and place of birth; current mailing address and zip code; signature; and preferably his/her social security number; and a brief description of the circumstances that caused the creation of the record.

RECORD ACCESS AND AMENDMENT PROCEDURES:

Individuals who wish to gain access to the records pertaining to themselves should write to the Director; Office of IRM Programs and Services (address above).

RECORD SOURCE CATEGORIES:

These records contain information obtained primarily from the U.S. Department of Justice, federal and state law enforcement agencies, state and federal courts, offices of the state and federal

prosecutors and similar foreign and diplomatic sources, and attorneys representing the individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a (k)(1) and (k)(2) records contained within this system of records are exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (1), and (1).