



Billing Code: 6750-01S

## **FEDERAL TRADE COMMISSION**

### **Privacy Act of 1974; System of Records Notices**

**AGENCY:** Federal Trade Commission (FTC).

**ACTION:** Notice of revised Privacy Act system notices.

**SUMMARY:** The FTC is making technical revisions to several of the notices that it is required to publish under the Privacy Act of 1974 to describe its systems of records. This action is intended to make these notices clearer, more accurate, and up-to-date.

**DATES:** This notice shall become final and effective on **[INSERT THE DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**FOR FURTHER INFORMATION CONTACT:** G. Richard Gold and Alex Tang, Attorneys, Office of the General Counsel, FTC, 600 Pennsylvania Avenue, NW., Washington, DC 20580, (202) 326-2424.

**SUPPLEMENTARY INFORMATION:** To inform the public, the FTC publishes in the FEDERAL REGISTER and posts on its website a “system of records notice” (SORN) for each system of records that the FTC currently maintains within the meaning of the Privacy Act of 1974, as amended, 5 U.S.C. 552a. See <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems>. Each SORN describes the records maintained in each system, including the categories of individuals that the records in the system are about (e.g., FTC employees or consumers). Each SORN also contains information explaining how individuals can find out from the agency if that system contains any records about them.

On June 12, 2008, the FTC republished and updated all of the FTC’s SORNs, describing all of the agency’s systems of records covered by the Privacy Act in a single document for ease of use and reference. 73 FR 33592. To ensure the SORNs remain accurate, FTC staff reviews each SORN on a periodic basis. As a result of this systematic review, the FTC made revisions to several of its SORNs on April 17, 2009, 74 FR 17863, August 27, 2010, 75 FR 52749, and February 23, 2015, 80 FR 9460. Based on subsequent review, the FTC is making the following technical revisions to a total of eight SORNs in four FTC SORN categories (I, II, III and V).<sup>1</sup>

#### **I. FTC Law Enforcement Systems of Records**

FTC-I-5 (Matter Management System—FTC). This SORN covers the administrative database used by the FTC to track and report the history and status of FTC investigations and other agency matters, including names of employees or others assigned to or involved in such matters. The Commission has updated the “retention and disposal” section to include a reference to the retention and disposal schedule approved by the National Archives and Records Administration (NARA). This section previously stated that the Commission’s proposed retention and disposition schedule was awaiting NARA’s approval.

FTC-I-7 (Office of Inspector General Investigative Files—FTC). This SORN covers investigatory records in the FTC’s Office of Inspector General. The Commission is making a technical,

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<sup>1</sup> Along with the distinct changes set out in the text, each of the updated notices clarifies that the text of Appendices I-III cited within a particular SORN is publicly available on the FTC’s Web site and has been previously published in the FEDERAL REGISTER. The FTC is not making any system changes that would require prior public comment or notice to the Office of Management & Budget (OMB) and Congress. See U.S.C. 552a(e)(11) and 552a(r); OMB Circular A-108 (2016).

non-substantive change to this SORN, replacing outdated references therein to the former “President’s Council on Integrity and Efficiency” and “Executive Council on Integrity and Efficiency,” with references to the “Council of the Inspectors General on Integrity and Efficiency,” which assumed the functions of the previous Councils under the Inspector General Reform Act of 2008, P.L. 110-409.

## **II. Federal Trade Commission Personnel Systems of Records**

FTC-II-3 (Workers’ Compensation—FTC).

FTC-II-5 (Equal Employment Opportunity Statistical Reporting System—FTC.)

FTC-II-10 (Employee Health Care Records—FTC).

These SORNs relate to FTC employee records. The Human Resources Management Office (HRMO) is now the Human Capital Management Office (HCMO). We have revised references in these SORNs to reflect this change.

## **III. Federal Trade Commission Financial Systems of Records**

FTC-III-2 (Travel Management System—FTC). This SORN covers travel documentation for FTC employees and other authorized individuals on official travel for the FTC. The FTC has revised FTC-III-2 to clarify that the Department of the Interior processes and manages travel-related data for the FTC.

FTC-III-5 (Employee Transportation Program Records--FTC). This SORN covers records relating to FTC employee transportation programs, including programs administered by the Department of Transportation (DOT) that cover certain commuting costs. The corresponding DOT SORN is DOT/ALL 8 (Employee Transportation Facilitation). See 65 FR 19475, 19482 (2000). The FTC is

updating this SORN to reflect the recent transition from a paper to an online application process by individual employees through DOT's online electronic system.

**V. Federal Trade Commission Access Requests**

FTC-V-2 (Privacy Act Requests and Appeals--FTC). The FTC is revising this SORN to update the records disposition schedule.

**FTC Systems of Records Notices**

In light of the updated SORN template set forth in the newly revised OMB Circular A-108 (2016), the FTC is reprinting the entire text of each amended SORN for the public's benefit, to read as follows:

**I. FTC Law Enforcement Systems of Records**

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**SYSTEM NAME AND NUMBER:**

Matter Management System--FTC (FTC-I-5).

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at

<https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 80 FR 9460, 9465 (Feb. 23, 2015).

**SYSTEM MANAGER(S):**

Director, Records and Filings Office, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580, email: SORNs@ftc.gov.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Federal Trade Commission Act, 15 U.S.C. 41 *et seq.*

**PURPOSE(S) OF THE SYSTEM:**

This system, currently known within the FTC as Matter Management System 2 (MMS2), is used to record and track the status or occurrence of planned or actual actions and events that may arise in investigations, rulemakings, or other Commission matters, and to generate status or history reports on these actions, events, and matters for use by Commission management and staff, in combination, as needed, with matter-related data from other systems (e.g., FTC-II-13, Staff Time and Attendance Reporting (STAR) System–FTC). Specific purposes of this system (FTC-I-5) include: to maintain records of employee work and Commission law enforcement activities; to make workload and budget determinations and personnel-related evaluations; to assist in investigative and adjudicative proceedings, enforcement actions, civil penalty proceedings, consideration of compliance reports, issuance of cease and desist orders, advisory opinions, and other Commission matters and proceedings; to refer information compiled in system records to experts and consultants when considered

appropriate by Commission staff; and to use those records to properly manage Commission resources.

This system includes a subsystem of records (formerly known as the Office of the Secretary Control and Reporting System or OSCAR) to record and keep track of the status of matters pending for a vote or other review or action before the full Commission (i.e., the five Federal Trade Commissioners). The specific purposes of those records include: to process and control assignments made to individual Commissioners; to coordinate the consideration of and votes on appropriate issues; to assist Commissioners and staff in investigative, adjudicative and rulemaking proceedings, enforcement actions, civil penalty proceedings, consideration of compliance reports, issuance of complaints, negotiation of consent orders, issuance of cease and desist orders, advisory opinions, and other matters before the Commission; and to retain records of the matters before the Commission, the Commission's deliberations and decisions concerning those matters, and related documents.

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

Past and present Commission employees, and other participants or parties in Commission investigations, rulemaking, advisory, and law enforcement matters or proceedings. (Businesses, sole proprietorships, or corporations are not covered by this system.)

**CATEGORIES OF RECORDS IN THE SYSTEM:**

For records about past or present Commission employees: name; employee identification number; organization name and code; employee work activities; and specific

responsibilities and assignments on individual matters. For others: records related to investigatory, rulemaking, advisory opinion and other matters or proceedings, including name and associated matter number; matter status; alleged or potential law violation; and goods or services associated with the proceeding. The records also include brief descriptions or summaries of planned or actual actions or events during an FTC investigation, rulemaking, court case, or other FTC matter or proceeding. The system also includes records of assignments, votes, circulations, or other activities or actions of the FTC's Commissioners on agency proceedings and matters.

**RECORD SOURCE CATEGORIES:**

Individual on whom the record is maintained and Commission staff associated with the matter.

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

Records in this system:

(1) May be made available or referred to federal, state, local or international government authorities for investigation, possible criminal prosecution, civil action, regulatory order or other law enforcement purpose; and

(2) May be disclosed on the FTC's public record under the FTC's Rules of Practice.

See FTC-I-6, Public Records–FTC.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 36333-36334 (June 12, 2008).

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

System records are primarily maintained and accessed electronically. The system can generate electronic or printed status or history reports.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Indexed by Commissioner, staff, or other individual name, employee identification number, matter number, respondent's or correspondent's name, company name, industry investigation title, and FTC matter number.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records are retained and disposed of in accordance with Schedule 2 of FTC Records Retention Schedule N1-122-09-1, which was approved by the National Archives and Records Administration.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

For records other than those made public, access is restricted to agency personnel or contractors whose responsibilities require access. Access to nonpublic electronic records is controlled by "user ID" and password combination and/or other appropriate electronic access

or network controls (e.g., firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

**RECORD ACCESS PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**CONTESTING RECORD PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**NOTIFICATION PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

Copies of records contained in this system that have been placed on the FTC public record are available upon request or from the FTC's Web site, where applicable. See FTC-I-

6, Public Records–FTC. However, pursuant to 5 U.S.C. 552a(k)(2), records in this system, which reflect records that are contained in other systems of records that are designated as exempt, are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f) of 5 U.S.C. 552a. See § 4.13(m) of the FTC Rules of Practice, 16 CFR 4.13(m).

**HISTORY:**

73 FR 33591-33634 (June 12, 2008).

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**SYSTEM NAME AND NUMBER:**

Office of Inspector General Investigative Files–FTC (FTC-I-7).

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Office of Inspector General (OIG), Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 80 FR 9460, 9465 (Feb. 23, 2015).

**SYSTEM MANAGER(S):**

Inspector General, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580, email: [SORNs@ftc.gov](mailto:SORNs@ftc.gov).

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Inspector General Act Amendments of 1988, Pub. L. 100-504, amending the Inspector General Act of 1978, Pub. L. 95-452, 5 U.S.C. app.

**PURPOSE(S) OF THE SYSTEM:**

To document the conduct and outcome of investigations; to report results of investigations to other components of the FTC or other agencies and authorities for their use in evaluating their programs and imposition of criminal, civil or administrative sanctions; to report the results of investigations to other agencies or other regulatory bodies for an action deemed appropriate and for retaining sufficient information to fulfill reporting requirements; and to maintain records related to the activities of the Office of the Inspector General.

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

Subjects of OIG investigations relating to the programs and operations of the Federal Trade Commission. Subject individuals include, but are not limited to, current and former employees; current and former agents or employees of contractors or subcontractors, as well as current and former contractors and subcontractors in their personal capacity, where applicable; and other individuals whose actions affect the FTC, its programs or operations.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Correspondence relating to the investigation; internal staff memoranda; copies of subpoenas issued during the investigation, affidavits, statements from witnesses, transcripts of testimony taken in the investigation and accompanying exhibits; documents, records or copies

obtained during the investigation; interview notes, documents and records relating to the investigation; opening reports, information or data relating to alleged or suspected criminal, civil or administrative violations or similar wrongdoing by subject individuals and final reports of investigation.

**RECORD SOURCE CATEGORIES:**

Employees or other individuals on whom the record is maintained, non-target witnesses, FTC and non-FTC records, to the extent necessary to carry out OIG investigations authorized by 5 U.S.C. app.

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

Records in this system may be:

(1) Disclosed to agencies, offices, or establishments of the executive, legislative, or judicial branches of the federal or state government—

(a) Where such agency, office, or establishment has an interest in the individual for employment purposes, including a security clearance or determination as to access to classified information, and needs to evaluate the individual's qualifications, suitability, and loyalty to the United States Government, or

(b) Where such agency, office, or establishment conducts an investigation of the individual for the purposes of granting a security clearance, or for making a

determination of qualifications, suitability, or loyalty to the United States Government, or access to classified information or restricted areas, or

(c) Where the records or information in those records are relevant and necessary to a decision with regard to the hiring or retention of an employee or disciplinary or other administrative action concerning an employee, or

(d) Where disclosure is requested in connection with the award of a contract or other determination relating to a government procurement, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter, including, but not limited to, disclosure to any Federal agency responsible for considering suspension or debarment actions where such record would be germane to a determination of the propriety or necessity of such action, or disclosure to the United States General Accountability Office, the General Services Administration Board of Contract Appeals, or any other federal contract board of appeals in cases relating to an agency procurement;

(2) Disclosed to the Office of Personnel Management, the Office of Government Ethics, the Merit Systems Protection Board, the Office of the Special Counsel, the Equal Employment Opportunity Commission, or the Federal Labor Relations Authority or its General Counsel, of records or portions thereof relevant and necessary to carrying out their authorized functions, such as, but not limited to, rendering advice requested by the

OIG, investigations of alleged or prohibited personnel practices (including unfair labor or discriminatory practices), appeals

before official agencies, offices, panels or boards, and authorized studies or review of civil service or merit systems or affirmative action programs;

(3) Disclosed to independent auditors or other private firms with which the Office of the Inspector General has contracted to carry out an independent audit or investigation, or to analyze, collate, aggregate or otherwise refine data collected in the system of records, subject to the requirement that such contractors shall maintain Privacy Act safeguards with respect to such records;

(4) Disclosed to a direct recipient of federal funds such as a contractor, where such record reflects serious inadequacies with a recipient's personnel and disclosure of the record is for purposes of permitting a recipient to take corrective action beneficial to the Government;

(5) Disclosed to any official charged with the responsibility to conduct qualitative assessment reviews of internal safeguards and management procedures employed in investigative operations. This disclosure category includes members of the Council of the Inspectors General on Integrity and Efficiency and officials and administrative staff within their investigative chain of command, as well as authorized officials of the Department of Justice and the Federal Bureau of Investigation;

(6) Disclosed to members of the Council of the Inspectors General on Integrity and Efficiency for the preparation of reports to the President and Congress on the activities of the Inspectors General; and

(7) Disclosed to complainants and/or victims to the extent necessary to provide such persons with information and explanations concerning the progress and/or results of the investigation or case arising from the matters of which they complained and/or which they were a victim.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 36333-36334 (June 12, 2008).

#### **POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

The FTC maintains system records in various electronic and non-electronic formats and media. The OIG Investigative Files consist of paper records maintained in file folders, cassette tapes and CD-ROMs containing audio recordings of investigative interviews, and data maintained on computer diskettes and hard drives. The folders, cassette tapes, CD-ROMs and diskettes are stored in file cabinets in the OIG. The hard drives are retained in the OIG safe.

#### **POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

The records are retrieved by the name of the subject of the investigation or by a unique control number assigned to each investigation.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records are retained indefinitely, pending approval of an applicable retention and disposal schedule by the National Archives and Records Administration.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Access is restricted to agency personnel or contractors whose responsibilities require access. Paper records are maintained in lockable rooms or file cabinets, which are kept locked during non-duty hours. Records in file folders are retained as long as needed and then destroyed by shredding or burning. Computer disks and CD-ROMs are cleared, retired or destroyed when no longer useful. Entries on electronic media are deleted or erased when no longer needed. To the extent records or portions thereof are incorporated into e-mails or other electronic communications, access to such electronic records is controlled by “user ID” and password combination and/or other electronic access or network controls (e.g., firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

**RECORD ACCESS PROCEDURES:**

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC’s website at

<https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**CONTESTING RECORD PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**NOTIFICATION PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(j)(2), records in this system are exempt from the provisions of 5 U.S.C. 552(a), except subsections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10) and (11) and (i) and corresponding provisions of 16 CFR 4.13, to the extent that a record in the system of records was compiled for criminal law enforcement purposes.

Pursuant to 5 U.S.C. 552a(k)(2), the system is exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f) and the corresponding provisions of 16 CFR 4.13, to the extent the system of records consists of investigatory material compiled for law enforcement

purposes, other than material within the scope of the exemption at 5 U.S.C. 552a(j)(2). See 16 CFR 4.13(m).

**HISTORY:**

74 FR 17863-17866 (April 17, 2009)

73 FR 33591-33634 (June 12, 2008).

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**II. Federal Trade Commission Personnel Systems of Records**

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**SYSTEM NAME AND NUMBER:**

Workers' Compensation—FTC (FTC-II-3).

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at

<https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 80 FR 9460, 9465 (Feb. 23, 2015).

**SYSTEM MANAGER(S):**

Director, Human Capital Management Office (HCMO), Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580. See DOL/GOVT-1 for information about the system manager and address for that system, email: SORNs@ftc.gov.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Federal Employees Compensation Act (FECA), 5 U.S.C. 8101 et seq., 20 CFR 1.1 et seq.

**PURPOSE(S) OF THE SYSTEM:**

To consider claims filed by employees and/or their survivors for compensation under FECA based on work-related injuries, and to maintain records concerning such claims. The FECA establishes the system for processing and adjudicating claims that the Commission employee and/or the Commission and other covered individuals file with DOL's Office of Workers' Compensation Programs, seeking monetary, medical and similar benefits for injuries or deaths sustained by the individual while in the performance of duty. The records maintained in this system are created as a result of and are necessary to this process. The records provide information and verification about the individual's employment-related injury and the resulting disabilities and/or impairments, if any, on which decisions awarding or denying benefits provided under the FECA must be based.

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

Individuals (i.e., FTC employees) and/or their survivors who file claims seeking benefits under the Federal Employees' Compensation Act (FECA) for injuries sustained by the

individual while in the performance of duty. The FECA applies to all civilian Federal employees, including various classes of persons whom provide or have provided personal service to the government of the United States.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system may contain the following kinds of records: names; Social Security numbers; reports of injury by the employee and/or the Commission; claim forms filed by or on behalf of injured employees or their survivors seeking benefits under the FECA; forms authorizing medical care and treatment; other medical records and reports; bills and other payment records; compensation payment records; copies of formal orders for or against the payment of benefits; copies of transcripts of hearings conducted; and any other medical, employment, or personal information submitted or gathered in connection with the claim. The system may also contain information relating to dates of birth, marriage, divorce, and death; notes of telephone conversations conducted in connection with the claim; information relating to vocational and/or medical rehabilitation plans and progress reports; records relating to court proceedings, insurance, banking and employment; articles from newspapers and other publications; information relating to other benefits (financial and otherwise) the claimant may be entitled to; and information received from various investigative agencies concerning possible violations of Federal civil or criminal law. The system may also contain consumer credit reports on individuals indebted to the United States, information relating to the debtor's assets, liabilities, income and expenses, personal financial statements, correspondence to and from the

debtor, information relating to the location of the debtor, and other records and reports relating to the implementation of the Federal Claims Collection Act (as amended), including investigative reports or administrative review matters. Individual records listed here are included in a claim file only insofar as they may be pertinent or applicable to the employee or beneficiary.

This system includes only claims-related records maintained by the FTC. Claims are transmitted the United States Department of Labor (DOL) for processing and adjudication. Data maintained by DOL by the Government-wide system of records notice published by DOL for its system of records, see DOL/GOVT-1 (Office of Workers' Compensation Programs, Federal Employees' Compensation Act File) or any successor DOL system notice that may be published for that system.

**RECORD SOURCE CATEGORIES:**

Employee claiming work-related injury; beneficiaries; witnesses; FTC supervisors, managers, and responsible FTC HCMO staff; DOL; suppliers of health care products and services and their agents and representatives, including physicians, hospitals, and clinics; consumer credit reports, etc.

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

Records in this system may be:

(1) Disclosed in response to queries from Department of Labor, Office of Workers Compensation Programs, supervisors and employees about compensation claims; and

(2) Used or disclosed for any purpose or routine use set forth in the system of records notice published by DOL for this system of records, DOL/GOVT-1 (Office of Workers' Compensation Programs, Federal Employees' Compensation Act File), or any successor DOL system notice that may be published for this system.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 36333-36334 (June 12, 2008).

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Maintained in file folders or temporary electronic files.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Indexed by individual's name.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records are retained and disposed of under schedules and procedures approved or issued by the National Archives and Records Administration.

See DOL/GOVT-1 for the retention and disposal schedules that apply to claims files maintained by that agency. In general, all case files and automated data in that system pertaining to a claim are destroyed 15 years after the case file has become inactive. Case files that have been scanned to create electronic copies are destroyed after the copies are verified. Automated

data are retained in their most current form only, however, and as information is updated, outdated information is deleted.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Access is restricted to agency personnel or contractors whose responsibilities require access. Paper records are maintained in lockable rooms or file cabinets. Access to electronic records is controlled by “user ID” and password combination and/or other appropriate electronic access or network controls (e.g., firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

**RECORD ACCESS PROCEDURES:**

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008). Current FTC employees may also request access to their records directly through their HCMO contact or managers as applicable and may be required to complete a written form and show identification to obtain access to their records. See DOL/GOVT-1 for information about the notification, record access and contesting procedures for claims records maintained by DOL.

**CONTESTING RECORD PROCEDURES:**

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC’s website at

<https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008). See DOL/GOVT-1 for information about the notification, record access and contesting procedures for claims records maintained by DOL.

**NOTIFICATION PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008). See DOL/GOVT-1 for information about the notification, record access and contesting procedures for claims records maintained by DOL.

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

As explained in DOL/GOVT-1, in accordance with 5 U.S.C. 552a(k)(2), investigative materials, if any, in this system of records compiled for law enforcement purposes are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) of 5 U.S.C. 552a, provided, however, that if any individual is denied any right, privilege, or benefit that he or she would otherwise be entitled to by Federal law, or for which he or she would otherwise be eligible, as a result of the maintenance of these records, such material shall be provided to the individual, except to the extent that the disclosure of the material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to January 1, 1975, under an implied promise that the identity of the source would be held in confidence.

**HISTORY:**

80 FR 9460-9465 (February 23, 2015)

73 FR 33591-33634 (June 12, 2008).

\* \* \* \* \*

**SYSTEM NAME AND NUMBER:**

Equal Employment Opportunity Statistical Reporting System–FTC (FTC-II-5).

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC’s website at

<https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 80 FR 9460, 9465 (Feb. 23, 2015).

**SYSTEM MANAGER(S):**

Director, Equal Employment Opportunity Office, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580, email: SORNs@ftc.gov.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 1301, 3301, 7201, 7204; Executive Order 10577; 42 U.S.C. 2000e-16; Pub. L. 93-112.

**PURPOSE(S) OF THE SYSTEM:**

To maintain EEO-related data about the FTC workforce; to protect and limit access to such workforce data by collecting and maintaining such data separately from certain other human resources records about employees; to provide the FTC's EEO Office with data necessary to create general statistical analyses and reports.

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

FTC employees.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Coded minority group designations and other data relevant to equal employment opportunity (EEO) at the FTC; other employee identification data (e.g., position, grade, office or duty station).

**RECORD SOURCE CATEGORIES:**

Self-identification by employee (e.g., on information collection forms completed by the employee); visual identification of employees or other personal information or knowledge used by FTC Human Resources or other staff for coding EEO-related data into the system; employee identification data from other human resources record systems (e.g., FTC-II-I, General Personnel Records–FTC).

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING**

**CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

Data from system records are disclosed only in aggregate, non-individually identifiable form in analyses and reports generated for use within the FTC and for reporting to Congress, the Office of Management and Budget, the Equal Employment Opportunity Commission, and the Office of Personnel Management, as required by law.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 36333-36334 (June 12, 2008).

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Data from information collection forms completed by FTC employees are entered into and stored in a structured electronic database maintained on agency servers, with restricted access (see "Safeguards" below). Paper forms are compiled and kept in the FTC's EEO Office.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Indexed by name of individual, name of group, or by cross-reference to title and grade or other human resources data fields or codes.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records are retained and destroyed in accordance with schedules and guidance issued or approved by the National Archives and Records Administration. See, e.g., General Records Schedule 1.25.f (EEO-related employment statistics), which authorizes disposal after five years.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Access is restricted to FTC personnel or contractors whose job duties require such access. Initial receipt and handling of information collection forms, as well as entry of data into computerized databases, is limited to authorized FTC individuals. Information collection forms are forwarded to and stored in lockable cabinets and offices within the FTC's EEO Office. Completed forms and system data are stored and maintained separately from other human resources records to prevent access or use by unauthorized individuals. Access to electronic records is controlled by "user ID" and password combination, and may be obtained only by written authorization of the FTC's EEO Director. System database is further protected by other network controls (e.g., firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

**RECORD ACCESS PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**CONTESTING RECORD PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**NOTIFICATION PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

73 FR 33591-33634 (June 12, 2008).

\* \* \* \* \*

**SYSTEM NAME AND NUMBER:**

Employee Health Care Records—FTC (FTC-II-10).

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 80 FR 9460, 9465 (Feb. 23, 2015).

**SYSTEM MANAGER(S):**

Director, Human Capital Management Office, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580, email: SORNs@ftc.gov.

Director, DCP/HRS/PSC, Room 4A-15, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857-0001.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. chapters 11, 63, 81, 83, and 84; 42 U.S.C. 216.

**PURPOSE(S) OF THE SYSTEM:**

To maintain records concerning medical treatment administered to employees while on the job; to maintain continuity of care and evaluation; to furnish documentary evidence of the course of the patient's medical evaluation and treatment; to document communications between the responsible practitioner and any other health professionals contributing to the individual's health care and treatment; to verify the individual's eligibility for certain services; for quality assurance (e.g., to help monitor and evaluate a contractor's performance in delivering services).

See OPM/GOVT-10 for a description of the purposes for which the agency may compile and maintain other employee medical records, if any, that are described in and covered by that OPM system notice.

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

Current and former FTC employees or others who receive services through on-site health units at FTC facilities.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Names, medical reports, opinions, evaluations, diagnoses and treatment information; and other records of the type described in the Privacy Act system of records notice published by the Health and Human Services' Program Support Center (HHS/PSC) for System No. 09-40-0005 (Public Health Service (PHS) Beneficiary-Contract Medical/Health Care Records), or any successor system notice for that system. The FTC currently has an interagency contract with HHS/PSC, which, in turn, uses private contractors to provide nursing, vaccination, and other miscellaneous on-site health care services to FTC employees.

This system (FTC-II-10) excludes other medical records, if any, that may be compiled or maintained by the FTC or a contractor on the FTC's behalf about FTC employees resulting from: (1) A request for reasonable accommodation under sections 501 and 505 of the Rehabilitation Act of 1973, as amended (Pub. L. 93-112); (2) a condition of the individual's employment (e.g., fitness-for-duty examination, drug testing); or (3) an on-the-job occurrence (e.g., medical injury report). Those records, if any, are described in and covered by the Office

of Personnel Management (OPM) Privacy Act system of records notice for such records, OPM/GOVT-10 (Employee Medical File System Records), or any successor system notice for that system.

**RECORD SOURCE CATEGORIES:**

Individual about whom the records are maintained, treating nurses or other medical staff, witness statements, supervisors/managers and other agency officials, and others.

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

Records in this system may be:

(1) Used to disclose information to the Department of Labor, Department of Veterans Affairs, Social Security Administration, Federal Retirement Thrift Investment Board, or a national, state, or local Social Security-type agency, when necessary to adjudicate a claim (filed by or on behalf of the individual) under a retirement, insurance, or health benefit program;

(2) Used to disclose information to a Federal, state, or local agency to the extent necessary to comply with laws governing reporting of communicable diseases;

(3) Used to disclose information to the Merit Systems Protection Board, the Office of Special Counsel, the Federal Labor Relations Authority and its General Counsel, the Equal Employment Opportunity Commission, arbitrators, and hearing examiners to the extent necessary to carry out their authorized duties;

(4) Used to disclose information to health insurance carriers contracting with the Office of Personnel Management to provide a health benefits plan under the Federal Employees Health Benefits Program information necessary to verify eligibility for payment of a claim for health benefits, and to disclose information to the Office of Federal Employees Group Life Insurance or Federal Retirement Thrift Investment Board that is relevant and necessary to adjudicate claims;

(5) Used to disclose information, when an individual to whom a record pertains is mentally incompetent or under other legal disability, to any person who is responsible for the care of the individual, to the extent necessary, and to disclose to the agency-appointed representative of an employee all notices, determinations, decisions, or other written communications issued to the employee, in connection with an examination ordered by the agency under agency-filed disability retirement procedures;

(6) Used to disclose to a requesting agency, organization, or individual the home address and other information concerning those individuals who it is reasonably believed might have contracted an illness or been exposed to or suffered from a health hazard while employed in the Federal work force; and

(7) May be disclosed, to the extent they reflect information regarding the commission of crimes or the reporting of occurrences of communicable diseases, tumors, child abuse, births, deaths, alcohol or drug abuse, etc., as required by health providers and facilities by State law or regulation of the department of health or other agency of the State or its subdivision in which the

facility is located. Disclosures will be made to organizations as specified by the State law or regulation, such as births and deaths to the vital statistics agency and crimes to law enforcement agencies.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 36333-36334 (June 12, 2008).

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Stored in file folders. Some information may be stored temporarily in electronic format (e.g., e-mails, electronic files).

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Indexed by individual's name.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records are retained according to schedules and procedures issued or approved by the National Archives and Records Administration.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Access is restricted to agency personnel or contractors whose responsibilities require access. Paper records are maintained in lockable rooms or file cabinets. Access to electronic records is controlled by "user ID" and password combination and/or other appropriate

electronic access or network controls (e.g., firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

**RECORD ACCESS PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**CONTESTING RECORD PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**NOTIFICATION PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

80 FR 9460-9465 (February 23, 2015)

74 FR 17863-17866 (April 17, 2009)

73 FR 33591-33634 (June 12, 2008).

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### **III. Federal Trade Commission Financial Systems of Records**

\* \* \* \* \*

#### **SYSTEM NAME AND NUMBER:**

Travel Management System—FTC (FTC-III-2).

#### **SECURITY CLASSIFICATION:**

Not applicable.

#### **SYSTEM LOCATION:**

Financial Management Office, Federal Trade Commission, 600 Pennsylvania Ave., NW., Washington, DC 20580. This system of records is principally operated and maintained off-site for the FTC by the Department of the Interior, although this system is also intended to include any miscellaneous official FTC travel data that may be maintained on-site by individual FTC offices and retrieved by name or other personally assigned identifier about individuals on official FTC travel. For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 80 FR 9460, 9465 (Feb. 23, 2015).

#### **SYSTEM MANAGER(S):**

Chief Financial Officer, Financial Management Office, Federal Trade Commission, 600 Pennsylvania Ave. NW., Washington, DC 20580, email: SORNs@ftc.gov.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

31 USC 3511, 3512 and 3523; 5 U.S.C. Chapter 57; and implementing Federal Travel Regulations (41 CFR parts 301-304).

**PURPOSE(S) OF THE SYSTEM:**

To plan, authorize, arrange, process and manage official FTC travel; to maintain records on individuals who are current FTC employees on travel and individuals being provided travel by the Government; to obtain travel authorizations; to prepare and submit local travel vouchers; to generate travel expense reports; and to enable travel agents who are under contract to the Federal government to issue and account for travel provided to individuals.

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

FTC employees or other individuals (e.g., witnesses) who travel on official business; FTC administrative staff who perform administrative tasks in the system on behalf of traveling employees or other individuals; and FTC supervisors who approve travel plans for employees or others.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Names, Social Security numbers, home and/or business phone numbers, home and/or business addresses, vendor ID numbers, e-mail addresses, emergency contact information (names, addresses, and phone numbers), and credit card information (personal and/or

government-issued). For traveling FTC employees or other individuals (e.g., witnesses) only, additional data may be maintained, such as passport numbers (for international travelers), frequent flyer or other rewards membership numbers, and trip-specific information (travel dates, flight numbers, destinations, accommodations, vehicle rental, miscellaneous expenses claimed).

Other types of records covered by this system are set out in the General Services Administration (GSA) Privacy Act system of records notice applicable to this system, GSA/GOVT-4, or any successor system notice for this system.

**RECORD SOURCE CATEGORIES:**

Traveling employees or other individuals (e.g., witnesses), FTC administrative staff, FTC supervisors, credit card companies and travel service providers.

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

(1) For any routine use noted in the GSA Privacy Act system of records notice applicable to this system, GSA/GOVT-4, or any successor system notice for this system.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 36333-36334 (June 12, 2008).

### **POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Data are entered into system database by traveling individuals and/or administrative staff through system Web site and stored electronically; temporary paper printouts. Miscellaneous travel data maintained by individual FTC offices are stored in electronic files on secured agency servers.

### **POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Indexed by individual name and travel order number.

### **POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

See National Archives and Records Administration (NARA) General Records Schedule (GRS) 9 for Travel and Transportation Records, and GRS 20 for Electronic Records. Electronic data are available online as detailed records for at least 36 months, and are available as retrievable archived records for at least 6 years and 3 months, pursuant to NARA guidelines regarding record disposition, as provided in 36 CFR 1228 and 1234. Records that meet the criteria for disposition may be purged from the system database. Other materials, including inputs and hard copy printouts derived from electronic records created on an ad hoc basis for reference purposes or to meet day-to-day business needs, are destroyed when the agency determines that they are no longer needed for administrative, legal, audit, or other operational purposes according to the GRS.

### **ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Access is restricted to agency personnel or contractors whose responsibilities require access. Paper records are maintained in lockable rooms or file cabinets. Access to electronic records is controlled by “user ID” and password combination and/or other appropriate electronic access or network controls (e.g., firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures. See GSA/GOVT-4 for additional safeguards applicable to electronic records in this system that are maintained by the FTC’s contractor.

**RECORD ACCESS PROCEDURES:**

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**CONTESTING RECORD PROCEDURES:**

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**NOTIFICATION PROCEDURES:**

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC’s website at

<https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

75 FR 52749-52751 (August 27, 2010); 73 FR 33591-33634 (June 12, 2008).

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**SYSTEM NAME AND NUMBER:**

Employee Transportation Program Records–FTC (FTC-III-5).

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC’s website at

<https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 80 FR 9460, 9465 (Feb. 23, 2015).

**SYSTEM MANAGER(S):**

Director, Administrative Services Office, Office of the Executive Director, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580, email: [SORNs@ftc.gov](mailto:SORNs@ftc.gov).

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 7905 note; Pub. L. 103-172; Executive Order 13150.

**PURPOSE(S) OF THE SYSTEM:**

Transit subsidy records are collected and maintained to implement Federal law encouraging Federal employees to use public transportation for commuting to and from work. Such records are used to authorize subsidies for qualified FTC employees to help cover such commuting costs; to ensure the accurate and timely disbursement of subsidies to such employees; and to audit and otherwise detect or prevent fraud or abuse, if any, of such subsidies. Other employee transportation program records may be collected and maintained to administer those programs, including for building security purposes (e.g., drivers' license numbers maintained for individuals who have been issued garage parking permits).

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

Past and present FTC employees who have applied for public transportation subsidies to commute for work, or who may apply to participate in other employee transportation-related programs (e.g., parking garage permits) that the DOT or FTC may administer from time to time, if any.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Data that the FTC may compile, generate, and maintain in connection with reviewing and approving transit subsidy applications filed by eligible FTC employees with the online

system operated by Department of Transportation (DOT), which administers and distributes Federal transit subsidies.

This FTC system notice applies to application data about FTC employees that the FTC may access from DOT's system, or that the FTC may itself generate, in reviewing and approving transit subsidies requested by its employees, or to audit and verify transit disbursements made to such employees, to the extent the FTC maintains and retrieves this data from its own system of records by employee name or other identifier assigned to such individuals. This system notice does not cover the transit application data compiled and maintained by DOT, which is covered by DOT's system notice. See DOT/ALL 8 (Employee Transportation Facilitation), or any successor system notice for that system, for the categories of records maintained in DOT's system.

**RECORD SOURCE CATEGORIES:**

Past and current FTC employees who have applied to participate in the subsidy program; FTC offices; Department of Transportation.

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

Records in this system:

(1) May be disclosed to the U.S. Department of Transportation (DOT) for purposes of processing and distributing subsidies to FTC employees and verifying employee compliance with program rules, and may be used and disclosed by DOT under the routine uses set forth in

the applicable DOT system notice, DOT/ALL 8 (Employee Transportation Facilitation), or any successor system notice for that system; and

(2) May be disclosed to other investigatory or law enforcement authorities, where necessary, to investigate, prosecute, discipline, or pursue other appropriate action against suspected program fraud or abuse, if any.

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 36333-36334 (June 12, 2008).

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Records are maintained in electronic or paper format.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Records are maintained and retrieved alphabetically by employee's last name.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Retained for three years and then destroyed, in accordance with the National Archives and Records Administration's General Record Schedule 9, Item 7.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Access is restricted to FTC personnel or contractors whose responsibilities require access. Records are maintained in passphrase protected computer systems or locked file

cabinets, accessible only to the program manager or other FTC staff whose job duties require access. FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures. Obsolete records are destroyed by disposal in burn bags, by shredding, or by similarly secure means.

**RECORD ACCESS PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**CONTESTING RECORD PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**NOTIFICATION PROCEDURES:**

See § 4.13 of the FTC's Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

73 FR 33591-33634 (June 12, 2008).

\* \* \* \* \*

**V. FTC Access Requests**

\* \* \* \* \*

**SYSTEM NAME AND NUMBER:**

Privacy Act Requests and Appeals–FTC (FTC-V-2).

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

For other locations where records may be maintained or accessed, see Appendix III (Locations of FTC Buildings and Regional Offices), available on the FTC’s website at

<https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 80 FR 9460, 9465 (Feb. 23, 2015).

**SYSTEM MANAGER(S):**

Freedom of Information Act/Privacy Act Supervisor, Office of the General Counsel,  
Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580, email:  
SORNs@ftc.gov.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Federal Trade Commission Act, 15 U.S.C. 41 et seq.; Privacy Act, 5 U.S.C. 552a.

**PURPOSE(S) OF THE SYSTEM:**

To process and review requests and appeals for access to, correction of, or an accounting of disclosure of records under the Privacy Act; to determine the status of requested records or the request for correction or disclosure; to respond to such requests and appeals; and to maintain records documenting the consideration and disposition of these requests for reporting, analysis, and recordkeeping purposes.

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

Individuals filing requests for access to, correction of, or an accounting of disclosures of personal information contained in system of records maintained by the Commission, pursuant to the Privacy Act; FTC staff assigned to help process, consider, and respond to such requests, including any appeals.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Requests and other communications and documents generated or compiled by the FTC to process, review, and respond to the Privacy Act request, including any appeals.

**RECORD SOURCE CATEGORIES:**

Individual about whom record is maintained and agency staff assigned to help process, review or respond to the request, including any appeal.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING**

## **CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

For other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency, see Appendix I (Authorized Disclosures and Routine Uses Applicable to All FTC Privacy Act Systems of Records), available on the FTC's website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 36333-36334 (June 12, 2008).

## **POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

System records are stored and maintained electronically using a commercial software run on the agency's internal network servers. Temporary paper files are destroyed once the request is complete.

## **POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Indexed by name of requesting party. Records can also be searched by address, phone number, fax number, and email of the requesting party, subject matter of the request, requestor organization, FOIA number, and staff member assigned to request.

## **POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records are retained and disposed of in accordance with General Records Schedule 4.2, issued by the National Archives and Records Administration.

## **ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Access to nonpublic system records is restricted to FTC personnel or contractors whose responsibilities require access. Nonpublic paper records are temporary, maintained in

lockable file cabinets or offices, and destroyed once the request is complete. Access to electronic records is controlled by “user ID” and passphrase combination and other electronic access or network controls (e.g., firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

**RECORD ACCESS PROCEDURES:**

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**CONTESTING RECORD PROCEDURES:**

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**NOTIFICATION PROCEDURES:**

See § 4.13 of the FTC’s Rules of Practice, 16 CFR 4.13. For additional guidance, see also Appendix II (How To Make A Privacy Act Request), available on the FTC’s website at <https://www.ftc.gov/about-ftc/foia/foia-reading-rooms/privacy-act-systems> and at 73 FR 33592, 33634 (June 12, 2008).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(k)(2), records in this system, which reflect records that are contained in other systems of records that are designated as exempt, are exempt from the requirements of subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f) of 5 U.S.C. 552a. See § 4.13(m) of the FTC Rules of Practice, 16 CFR 4.13(m).

**HISTORY:**

73 FR 33591-33634 (June 12, 2008).

\* \* \* \* \*

**David C. Shonka,**

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