



**BILLING CODE: 4810-AM-P**

## **BUREAU OF CONSUMER FINANCIAL PROTECTION**

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

**[Docket No: CFPB-2019-0047]**

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Notice of proposed Privacy Act System of Records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended, the Bureau of Consumer Financial Protection, hereinto referred to as the Consumer Financial Protection Bureau (CFPB or Bureau), gives notice of the establishment of a Privacy Act System of Records. The new system will collect emergency contact information for current employees and contractors of the Bureau to be used in the event of an emergency.

**DATES:** Comments must be received no later than [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. The new system of records will be effective [INSERT DATE 40 DAYS AFTER PUBLICATION IN THE *FEDERAL REGISTER*], unless the comments received result in a contrary determination.

**ADDRESSES:** You may submit comments, identified by the title and the docket number (see above), by any of the following methods:

- *Electronic:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* 2019-SORN-EmergencyNotification@cfpb.gov.
- *Mail:* Tannaz Haddadi, Acting Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.
- *Hand Delivery/Courier in Lieu of Mail:* Tannaz Haddadi, Acting Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

All submissions must include the agency name and docket number for this notice. In general all comments received will be posted without change to <http://www.regulations.gov>. In addition, comments will be available for public inspection and copying at 1700 G Street NW, Washington, DC 20552 on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. You can make an appointment to inspect comments by telephoning (202) 435-7058. All comments, including attachments and other supporting materials, will become part of

the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

**FOR FURTHER INFORMATION CONTACT:** Tannaz Haddadi, Acting Chief Privacy Officer, at (202) 435-7058. If you require this document in an alternative electronic format, please contact *CFPB\_Accessibility@cfpb.gov*. Please do not submit comments to these email boxes.

**SUPPLEMENTARY INFORMATION:** The Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law No. 111-203, title X, established the CFPB. The CFPB will maintain the records covered by this notice. The new system of records described in this notice, “CFPB.027 – Emergency Notification System”, will collect emergency contact information for current employees and contractors of the Bureau to be used in the event of an emergency.

The report of a new system of records has been submitted to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Office of Management and Budget, pursuant to OMB Circular A-108, “Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act” (Dec. 2016),<sup>1</sup> and the Privacy Act, 5 U.S.C. 552a(r).

The system of records entitled “CFPB.027 – Emergency Notification System” is published in its entirety below.

**SYSTEM NAME AND NUMBER:** CFPB.027 – Emergency Notification System.

**SECURITY CLASSIFICATION:** This information system does not contain any classified information or data.

**SYSTEM LOCATION:** Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

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<sup>1</sup> Although pursuant to section 1017(a)(4)(E) of the Consumer Financial Protection Act, Public Law 111-203, the CFPB is not required to comply with OMB-issued guidance, it voluntarily follows OMB privacy-related guidance as a best practice and to facilitate cooperation and collaboration with other agencies.

**SYSTEM MANAGER(S):** Physical Security Program Manager, Administrative Operations, Operations, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552, (202) 435-7040.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:** Public Law 111-203; title X, sections 1012 and 1013, codified at 12 U.S.C. 5492, 5493.

**PURPOSE(S) OF THE SYSTEM:** The purpose of this system of records is to maintain emergency contact information for Bureau personnel. The system provides for high-speed message delivery that reaches all Bureau personnel in response to threat alerts issued by the Department of Homeland Security and local emergency officials regarding weather related emergencies, or other critical situations that disrupt the operations and accessibility of a worksite. The system also enables the Bureau, emergency responders, and others to account for Bureau personnel during an emergency.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:** Individuals covered by these systems include, but are not limited to: (1) Current Bureau employees and (2) individuals authorized to perform or use services provided in Bureau facilities including contractors, consultants, detailees, and interns.

**CATEGORIES OF RECORDS IN THE SYSTEM:** Records maintained in these systems may contain contact information including, but not limited to: name, email address, phone number, and organization/office of assignment. Individuals may voluntarily provide additional contact information through a user portal relating to their nongovernment information, such as home telephone, personal cell phone, and personal email.

**RECORD SOURCE CATEGORIES:** Information in this system is obtained from employees, contractors, consultants, detailees, interns, and volunteers, and/or their employer or sponsor.

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

**CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:** These records may be disclosed, consistent with the Bureau's Disclosure of Records and Information Rules, promulgated at 12 CFR part 1070, to:

- (1) Appropriate agencies, entities, and persons when (a) the Bureau suspects or has confirmed that there has been a breach of the system of records; (b) the Bureau has determined that as a result of the suspected or confirmed breach there is a risk of harm

to individuals, the Bureau (including its information systems, programs, and operations), the Federal Government, or national security; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Bureau's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm;

- (2) Another Federal agency or Federal entity, when the Bureau determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (a) responding to a suspected or confirmed breach or (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.
- (3) Another Federal or State agency to (a) permit a decision as to access, amendment or correction of records to be made in consultation with or by that agency, or (b) verify the identity of an individual or the accuracy of information submitted by an individual who has requested access to or amendment or correction of records;
- (4) The Office of the President in response to an inquiry from that office made at the request of the subject of a record or a third party on that person's behalf;
- (5) Congressional offices in response to an inquiry made at the request of the individual to whom the record pertains;
- (6) Contractors, agents, or other authorized individuals performing work on a contract, service, cooperative agreement, job, or other activity on behalf of the Bureau or Federal Government and who have a need to access the information in the performance of their duties or activities;
- (7) The U.S. Department of Justice (DOJ) for its use in providing legal advice to the Bureau or in representing the Bureau in a proceeding before a court, adjudicative body, or other administrative body, where the use of such information by the DOJ is deemed by the Bureau to be relevant and necessary to the advice or proceeding, and in the case of a proceeding, such proceeding names as a party in interest:
  - (a) The Bureau;
  - (b) Any employee of the Bureau in his or her official capacity;

- (c) Any employee of the Bureau in his or her individual capacity where DOJ has agreed to represent the employee; or
- (d) The United States, where the Bureau determines that litigation is likely to affect the Bureau or any of its components;
- (8) A grand jury pursuant either to a Federal or State grand jury subpoena, or to a prosecution request that such record be released for the purpose of its introduction to a grand jury, where the subpoena or request has been specifically approved by a court. In those cases where the Federal Government is not a party to the proceeding, records may be disclosed if a subpoena has been signed by a judge;
- (9) A court, magistrate, or administrative tribunal in the course of an administrative proceeding or judicial proceeding, including disclosures to opposing counsel or witnesses (including expert witnesses) in the course of discovery or other pre-hearing exchanges of information, litigation, or settlement negotiations, where relevant or potentially relevant to a proceeding, or in connection with criminal law proceedings;
- (10) Appropriate Federal, State, local, foreign, tribal, or self-regulatory organizations or agencies responsible for investigating, prosecuting, enforcing, implementing, issuing, or carrying out a statute, rule, regulation, order, policy, or license if the information may be relevant to a potential violation of civil or criminal law, rule, regulation, order, policy, or license.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:** The records are maintained in paper and electronic media. Access to electronic records is restricted to authorized personnel who have been issued non-transferrable access codes and passwords. Other records are maintained in locked file cabinets or rooms with access limited to those personnel whose official duties require access.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:** Records are retrievable by a variety of fields including, but not limited to, name, email address, phone number, organization/office assignment, or by some combination thereof.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:** The Bureau will maintain computer and paper records for three years, but longer retention is authorized if required for business use.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:** Access to electronic records is restricted to authorized personnel who have been issued non-transferrable access codes and passwords. Other records are maintained in locked file cabinets or rooms with access limited to those personnel whose official duties require access.

**RECORD ACCESS PROCEDURES:** Individuals seeking notification and access to any record contained in this system of records may inquire in writing in accordance with instructions in 12 CFR 1070.50 *et seq.* Address such requests to: Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552. Instructions are also provided on the Bureau website: <https://www.consumerfinance.gov/foia-requests/submit-request/> .

**CONTESTING RECORD PROCEDURES:** Individuals seeking to contest the content of any record contained in this system of records may inquire in writing in accordance with instructions in 12 CFR 1070.50 *et seq.* Address such requests to: Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552. Instructions are also provided on the Bureau website: <https://www.consumerfinance.gov/privacy/amending-and-correcting-records-under-privacy-act/>

**NOTIFICATION PROCEDURES:** See "Record Access Procedures" above.

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:** None.

**HISTORY:** This is a newly proposed system of records.

Date: August 22, 2019

**Kate Fulton,**

*Senior Agency Official for Privacy,*

*Bureau of Consumer Financial Protection.*

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