

**MEMORANDUM**

**TO:** Board of Directors

**FROM:** Russell G. Pittman  
Chief Privacy Officer 

**DATE:** October 24, 2011

**SUBJECT:** Authorization to Publish Privacy Act  
System of Records Notices in the *Federal Register*

**I. Recommendation**

This memorandum requests that the Board of Directors authorize publication in the *Federal Register* of the 2011 updated compilation of Privacy Act systems of records maintained by the FDIC. The publication will (1) introduce two new systems of records; (2) alter four existing systems of records; and (3) incorporate minor editorial and administrative changes to several other existing systems of records. Nothing in the new or altered system notices changes any FDIC authority for or supervision of the collection and maintenance of information subject to the Privacy Act, nor do the changes impact any individual's rights to access or to amend their records pursuant to the Privacy Act. The system notices will become effective 45 days following publication in the *Federal Register*, unless comments received point to the desirability of publishing a superseding notice.

For further information, contact: Ned Goldberg, Deputy Director/CISO, (703) 516-1323; Steven Lott, Privacy Program Manager, (703) 516-5505; or Gary Jackson, Counsel, FOIA and Privacy Act Group, (703) 562-2677.

Concur:   
Michael H. Krimminger, General Counsel

## **II. Discussion**

The Privacy Act (5 U.S.C. § 552a) requires the FDIC to inform the public of the existence of its systems of records that contain personal information and to manage those records in a way to ensure fairness to individuals in conducting FDIC programs. A system of records under the Privacy Act is "a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other unique identifier assigned to the individual." 5 U.S.C. § 552a(a)(5). To ensure that the public is appropriately informed, the FDIC must periodically review the systems of records that it maintains and confirm the accuracy of the system notices published in the *Federal Register*.

The Office of the Chief Privacy Officer together with program managers from each division and office have reviewed the FDIC inventory of Privacy Act systems of records and identified the need to create two new systems of records and to alter four existing systems of records. In addition, minor editorial, corrective and administrative changes have been made to several other existing system notices necessitated by organizational changes within the FDIC or minor adjustments to various system elements, or in order to ensure the use of consistent language wherever possible.

The first new system of records, entitled "Emergency Notification Records" (FDIC-30-64-0033), is proposed for a new electronic data system to be managed by the Division of Administration. The system provides for direct communication via telephonic, fax, text, and e-mail message delivery to registered FDIC personnel in response to critical situations that may disrupt the operations and accessibility of the FDIC, including security incidents, threat alerts issued by the Department of Homeland Security, activation of the FDIC Continuity of Operations Plan, building evacuation, and severe weather. This system will allow FDIC security

staff and other authorized individuals to promptly send messages to the FDIC workforce (including employees, detailees and contractor personnel) to provide critical, time-sensitive information and help management assess the availability of the FDIC workforce. The system also provides for the receipt of real-time message acknowledgements and related management reports. The system will be a managed service operated from a secure contractor site. The system will contain the official business contact information of the entire FDIC workforce. Individuals will also have the opportunity to voluntarily register and update their personal contact information with the system.

The second new system of records, entitled "Office of Inspector General Inquiry Records" (FDIC 30-64-0034), is proposed for a new correspondence system and related electronic data application managed by the OIG. This system will be used to manage the receipt, assignment, tracking, and final disposition of communications addressed or directed to the OIG.

The following four existing FDIC system of record notices require substantive alterations to update the actual or proposed collection and use of the information in question so as to comply with the requirements of the Privacy Act.

The system entitled "Employee Training Information Records" (FDIC 30-64-0007) is co-managed by Corporate University and the Office of Inspector General and used to maintain information to manage personnel training programs. Substantive changes to the notice have been made to the following sections: (1) 'System Name,' reflecting the new title: "Employee Learning and Development Records"; (2) 'Categories of Records,' adding new records types involving career development, certifications, and special skills and competencies; and (3) 'Purpose,' adding that, among other things, the system is used to record and manage career development, certifications, and special skills and competencies.

The system entitled "Investigative Files of the Office of Inspector General" (FDIC 30-64-0010) is managed by the OIG and used to maintain information related to the investigation of criminal, civil, or administrative matters. A substantive change to the notice has been made to the 'Routine Uses' section by adopting eight new general routine uses that are consistent with the purposes for which the information in question is collected.

The system entitled "Insured Financial Institution Liquidation Records" (FDIC 30-64-0013) is managed by the Division of Resolutions and Receiverships and used to maintain information required to manage the receivership and conservatorship functions of the FDIC. A substantive change to the notice has been made to the 'System Location' section by adding third-party service providers as the site of certain records.

The system entitled "Freedom of Information Act and Privacy Act Request Records" (FDIC 30-64-0022) is managed by the Legal Division and used to maintain information required to manage FOIA and Privacy Act requests and related matters. A substantive change to the notice has been made to the 'Categories of Records' section by adding new record types for online identity verification including username and password.

Finally, several existing system notices have been updated with minor editorial and administrative changes that do not meet the threshold criteria established by the Office of Management and Budget for either a new or altered system of records.

In accordance with the provisions of the Privacy Act and the procedures in OMB Circular A-130, "Management of Federal Information Resources," (Appendix I), the proposed document for *Federal Register* publication is attached together with a Report of New and Altered Systems of Records and letters of transmittal to the Administrator of the Office of Information and Regulatory Affairs of the U.S. Office of Management and Budget, the Chair and Ranking

Member of the Committee on Homeland Security and Governmental Affairs of the U.S. Senate, and the Chair and Ranking Member of the Committee on Government Reform and Oversight of the U.S. House of Representatives.

**III. Effective Date**

The system notices will become effective 45 days following publication in the *Federal Register*, unless comments received point to the desirability of publishing a superseding notice.