

On a daily basis, CSCE's different management information system programs analyze trade data to detect possible instances of dual trading-related and other trading-related abuses. Systems are designed to permit subsection of all relevant trade data to these reviews. The computerized exception reports generated by the Exchange are designed to identify such suspicious trading activity as accommodation trading, including direct and indirect trading against a customer, direct and indirect trading ahead of a customer, and improper cross trading. Investigators can design customized exception reports to identify certain specific trading activity, to isolate suspicious trading patterns, to filter and to sort data within reports, and to expand review activities.

During 1997, the Exchange initiated 129 investigations and/or reviews into all types of possible abuses. Approximately 80 percent of the investigations opened and closed during that period were closed within the four-month standard set forth in Regulation 8.06. During 1997, the Exchange initiated 59 dual trading-related investigations as a result of its routine reviews of exception reports and referred 15 brokers and four firms to a disciplinary action committee. During that same period, CSCE assessed \$14,500 in fines in 11 dual trading-related cases involving ten members and two member firms and ordered \$928.00 in restitution in four of these cases.

**Commitment of Resources**—The Commission finds that CSCE meets the requirements of Section 5a(b)(1)(E) by committing sufficient resources for its trade monitoring system, including automating elements of such trade surveillance system, to be effective in detecting and deterring violations and by maintaining an adequate staff to investigate and to prosecute disciplinary actions. For fiscal year 1997, CSCE committed 25 personnel to the Compliance and Market Surveillance Departments and reported its total self-regulatory costs to be \$4,320,500.<sup>21</sup>

<sup>21</sup> In June 1998 NYBT began to implement plans to combine and integrate the NYCE and CSCE compliance staffs into one department. This combined department is budgeted for 25 positions, including a Vice President of Compliance, two Senior Managers, four Managers, and a Staff Attorney. In July 1998 compliance staff members were physically relocated into one area. The Commission finds that the overall number of staff members assigned to compliance matters at NYBT is appropriate to the size of the NYBT and anticipated volume of trading and does not anticipate any material change in the performance of the trade monitoring system with respect to the Cocoa futures contract or with respect to the other affected contract markets at NYBT, Cotton No. 2 futures on NYCE and Sugar #11 futures on CSCE.

CSCE reported its volume for 1997 as 13,066,042 contracts and 2,200,567 trades.

Accordingly, on this date, the Commission HEREBY GRANTS CSCE's Petition for Exemption from the dual trading prohibition for trading in its Cocoa futures contract.

For this exemption to remain in effect, CSCE must demonstrate on a continuing basis that it meets the relevant statutory and regulatory requirements. The Commission will monitor continued compliance through its rule enforcement review program and any other information it may obtain about CSCE's program.

Unless otherwise specified, the provisions of this Order shall be effective on the date on which it is issued and shall remain in effect unless and until it is revoked in accordance with Section 8e(b)(3)(B) of the Commodity Exchange Act, 7 U.S.C. § 12e(b)(3)(B). If other CSCE contracts become affected contracts after the date of this Order, the Commission may expand this Order in response to an updated petition that includes those contracts.

It is so ordered.

Dated: December 23, 1998.

**Catherine D. Dixon,**

*Assistant Secretary to the Commission.*

Concurring Opinion of Commissioner Barbara P. Holum On the Order Granting a Dual Trading Exemption to the Coffee, Sugar & Cocoa Exchange, Inc.

I concur in the Commission's decision to grant a dual trading exemption to the Coffee, Sugar & Cocoa Exchange, Inc. (CSCE) for the Cocoa futures contract. CSCE has demonstrated that its trade monitoring system as a whole does detect and deter dual trading abuses. While I concur in the Commission's decision to grant CSCE a dual trading exemption, I think that it is important to clarify the reason for my decision. The trade monitoring system is comprised of five elements: physical observation of trading areas; audit trail system; recordkeeping and surveillance systems; disciplinary actions; and commitment of resources to effectively detect, deter and discipline dual trading violations. No single element should dictate granting, conditioning or denying an exemption, CSCE's trade monitoring system taken as a whole meets the relevant statutory and regulatory requirements for a dual trading exemption.

Dated: December 22, 1998.

**Barbara P. Holum,**

*Commissioner.*

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## CONSUMER PRODUCT SAFETY COMMISSION

### Privacy Act of 1974; Republication of Systems of Records

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Republication and revision of systems of records

**SUMMARY:** The Consumer Product Safety Commission is republishing its Privacy Act systems of records with certain changes, additions, and deletions.

**DATES:** Systems with substantive changes will become effective on February 8, 1999, unless comments are received which require a contrary determination.

**ADDRESSES:** Comments should be mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

#### FOR FURTHER INFORMATION CONTACT:

Joseph F. Rosenthal, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207, Telephone (301) 504-0908.

**SUPPLEMENTARY INFORMATION:** In accordance with Presidential Memorandum of May 14, 1998, the Consumer Product Safety Commission has reviewed its Privacy Act systems of records, and is republishing its notices of Privacy Act systems of records with necessary changes and additions. Addresses have been changed throughout to reflect the Commission's current location and organizational structure, and minor stylistic changes have been made to provide a more consistent format throughout. Additional changes and newly published systems are noted below.

**CPSC-1, Injury and Incident Investigation Files.** The name of the system has been changed from "Ancient Reports (In-Depth)" to reflect the inclusion of follow-up investigative reports of injuries and reported hazardous incidents as well as the coded data and one line narratives received from hospitals. "Purpose(s)" and "Record Source" sections have been added to conform to standard practice. The "Storage" section now refers generically to computer storage media, since some records are stored on optical computer disks for long-term storage. A sentence has been added to describe the

disposition of the original paper records. A sentence has been added to the "Retrievability" section to reflect the fact that records are also retrievable by product category. A sentence has been added to the "Safeguards" section to cover investigative reports that, unlike those received from hospitals, may contain personal data.

**CPSC-2, Advisory Committee Records.** The first sentence of the "Routine uses" section has been moved to a new "Purpose(s)" section.

**CPSC-3, Claims.** The first sentence of the "Routine uses" section has been moved to a new "Purpose(s)" section. The system location has been moved from the Office of Human Resources management to the Office of the General Counsel, and the system manager has been changed to the General Counsel.

**CPSC-4, Hotline Database.** A routine use has been added to permit the Commission to forward complete records to other governmental agencies having apparent jurisdiction over the products or hazards disclosed in the records. The Commission sometimes receives communications relating to matters outside the Commission's jurisdiction, such as those relating to automobiles. The new routine use would permit the Commission to forward those communications to the appropriate agency, such as the National Highway Transportation Administration, that does have jurisdiction. The "retrievability" section no longer excludes the possibility of retrieval by the name of a victim different from the person who contacts the Commission. The "systems exempted" section has been removed because the system is no longer used for purely statistical purposes—individual records may be used for accident causation analysis.

**CPSC-5, Commissioners' Biographies.** The "Categories of individuals" section has been narrowed. This system of records now includes information about Commissioners only. The first sentence of the "Routine uses" section has been moved to a new "Purpose(s)" section. The "Routine uses" section itself has been broadened to permit unrestricted disclosure, which is consistent with the fact that the information in the records has been furnished by the person to whom it pertains for the express purpose of facilitating dissemination.

**CPSC-6, Office of the Inspector General Investigative Files.** Routine use 11 has been revisited in light of the Debt Collection Improvement Act of 1966 to allow disclosure to the Department of the Treasury for the purpose of collecting delinquent debts.

**CPSC-7, Enforcement and Investigation Files.** The name of the system has been changed from "Enforcement and Litigation Files" to more accurately reflect the nature of the system. The "Categories of Individuals" section has been amended to include the individuals who may be named in the documents described in the "Categories of Records" section. This makes the "Categories of Individuals" section consistent with the "Categories of Records" and "Retrievability" sections.

**CPSC-8, Integrated Field System.** The routine use relating to enforcement and litigation has been removed. Although these records indirectly support the Commission's enforcement activities, they are used only for internal management functions.

**CPSC-9, General Counsel Tracking System.** No changes.

**CPSC-10, Procurement Files.** In the "Retention" section the reference to destruction of computer records has been removed.

**CPSC-11, Employee Motor Vehicle Operators and Accident Report Records.** This system has been deleted. The Commission no longer keeps records of this type. Records relating to claims against the Commission arising from motor vehicle accidents allegedly caused by employees in the course of duty are kept in the system called CPSC-3, Claims.

**CPSC-12, Employee Outside Activity Notices.** Additional authorities for the record system have been cited. The first routine use has been moved to a new "Purpose(s)" section. The retention period has been shortened in that the records are no longer kept after an employee leaves the agency.

**CPSC-13, Personnel Data System.** Race and national origin and merit pool identifier are no longer kept and have been removed from "Record categories." Information on individual vendors to the Commission, including employee who receive reimbursement for expenses, has been added to that section. Two new routine uses have been added: disclosure in connection with relevant litigation, and disclosure in connection with child support enforcement actions.

**CPSC-14, Corrective Actions and Sample Tracking System.** "Sample Tracking" was added to the system name to more accurately reflect the function of the system. Some organizational names were changed to reflect a reorganization of the Office of Compliance. The "Categories of Individuals" section was modified to include the contact person at the entity under investigation. The "safeguards"

section was modified to show that certain employees in the field can access the system.

**CPSC-15, Employee Relations Files.** The former routine use number five has been moved to a new "Purpose(s)" section. A new routine use has been added to permit disclosure in relevant litigation without requiring a judicial subpoena, i.e., one actually signed by a judge. The retention period has been increased from two years to four years after an employee leaves.

**CPSC-16, Equal Employment Opportunity (EEO) Counseling Files.** The name of this system has been changed from "Employee Upward Mobility Counseling Files" to reflect a narrowed scope. It now includes only employees alleging discrimination. The two "Categories" sections and a new "Purpose(s)" section reflect this scope. The retention period has been changed to a fixed two years from "until employee reaches goal." The "Record source" section has been changed to include witnesses as well as the employee himself or herself.

**CPSC-17, Commissioned Officers Personal Data File.** The record categories section has been shortened by deleting references to data items that are no longer recorded. The first three former routine uses have been moved to a new "Purpose(s)" section. A new routine use has been added to allow disclosure, upon request, to a state or federal agency in connection with hiring or other personnel activities.

**CPSC-18, Procurement Integrity Records.** No change.

**CPSC-19, Office of Hazard Identification and Reduction Tracking System.** This is a proposed new system that will help the Office of Hazard Identification and Reduction manage its projects.

**CPSC-20, Personnel Security File.** No change.

**CPSC-21, Contractor Personnel Security File.** This is a proposed new system that will store security investigation reports on contractor personnel who work onsite at the Consumer Product Safety Commission.

**CPSC-22, CPSC Management Information System.** References to obsolete computer punch cards have been removed.

**CPSC-23, Health Unit Medical Records.** This system has been deleted because the Commission no longer has a health unit and all records have been destroyed in accordance with "Retention" section of the former CPSC-23.

**CPSC-24, Respirator Program Medical Reports.** This is a new system of records to cover the medical reports on

employees whose job may require them to wear respirators. Occupational Health and Safety Regulations requires such persons to undergo periodic medical evaluations of their fitness to use respirators. The Public Health Service performs these evaluations for the Commission.

The Chairman of the Committee on Governmental Affairs of the Senate, the Chairman of the Committee on Government Reform and Oversight of the House of Representatives, and the Office of Management and Budget have been specifically notified of systems CPSC-1, CPSC-4, CPSC-5, CPSC-6, CPSC-7, CPSC-13, CPSC-14, CPSC-17, CPSC-19, CPSC-21, and CPSC-24, and have received a copy of this notice.

Dated: December 18, 1998.

**Sadye Dunn,**

*Secretary, Consumer Product Safety Commission.*

#### Table of Contents

CPSC-1	Injury Investigation Files
CPSC-2	Advisory Committee Records
CPSC-3	Claims
CPSC-4	Hotline Database
CPSC-5	Commissioners' Biographies
CPSC-6	Office of the Inspector General Investigative Files
CPSC-7	Enforcement and Investigation Files
CPSC-8	Integrated Field System
CPSC-9	General Counsel Tracking System
CPSC-10	Procurement Files
CPSC-11	[Reserved]
CPSC-12	Employee Outside Activity Notices
CPSC-13	Personnel Data System
CPSC-14	Corrective Actions and Sample Tracking System
CPSC-15	Employee Relations Files
CPSC-16	Equal Employment Opportunity (EEO)
CPSC-17	Commissioned Officers Personal Data File
CPSC-18	Procurement Integrity Records
CPSC-19	Office of Hazard Identification and Reduction Tracking System
CPSC-20	Personnel Security File
CPSC-21	Contractor Personnel Security File
CPSC-22	Management Information System
CPSC-23	[Reserved]
CPSC-24	Respirator Program Medical Reports
Appendix I	Regional Office Address
Appendix II	Pertinent Record Systems of Other Agencies

#### CPSC-1

##### SYSTEM NAME:

CPSC-1, Injury Investigation Files.

##### SYSTEM LOCATION:

For computer records: Consumer Product Safety Commission, Directorate for Epidemiology and Health Sciences, 4330 East West Highway, Bethesda, MD 20814.

For paper records: Consumer Product Safety Commission, National Injury Information Clearinghouse, 4330 East West Highway, Bethesda, MD 20814.

##### CATEGORY OF INDIVIDUALS COVERED BY THE SYSTEM:

Victims of consumer product-related incidents or injuries on which specific epidemiologic data is needed in order to analyze and correct product hazards.

##### CATEGORIES OF RECORDS IN THE SYSTEM:

These records contain demographic data on the person involved in an incident or injury, location of the incident, data on the incident, product and manufacturer identification, and a narrative description of the incident. They may also contain photographs and other documents relevant to the incident.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

15 U.S.C. 2054.

##### PURPOSE(S):

Records are used to support CPSC staff work in analyzing the incidence, severity, and causes of consumer product related injuries.

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

1. Records are used as a compilation of statistical and other information on product-related injuries to support CPSC staff work in analyzing the incidence and severity of product related injuries and to respond to Congressional inquiries and requests for information from private individuals and private and public organizations.

2. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

3. Records may be provided to another Federal, State or local agency or authority engaged in activities relating to health, safety or consumer protection in accordance with section 29(e) of the Consumer Product Safety Act.

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

##### STORAGE:

Records are maintained as coded data and computer images on computer storage media. The original hard copy of investigation reports is maintained by the National Injury Information Clearinghouse, Office of Information Services, in file folders and as computer images. Hard copies are retired to the Washington National Records Center, Suitland, Maryland.

##### RETRIEVABILITY:

Records are retrievable by a coded number which indicates the date of assignment of the investigation, the Commission unit requesting the report, and a sequential number assigned to the investigation. Records are also retrievable by product category.

##### SAFEGUARDS:

Confidentiality of the identity of the accident victim and attending physician are guaranteed by the Consumer Product Safety Act, section 25(c) (15 U.S.C. 2074(c)) and, therefore, names do not appear in the coded computer record and can not be used for retrieval. Hard copies and computer images of investigation reports are redacted as necessary to remove identifying information before they are disclosed outside the Commission.

##### RETENTION AND DISPOSAL:

Hard copy records are maintained for a period of up to 10 years on-site, subject to change in Commission policy. They are then sent to the Washington National Records Center in Suitland, Maryland and destroyed after 30 years. Computer records are maintained indefinitely.

##### SYSTEM MANAGER(S) AND ADDRESS:

Director, National Injury Information Clearinghouse, Office of Information Services, Consumer Product Safety Commission, Washington, DC 20207.

##### NOTIFICATION PROCEDURE:

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

##### RECORD ACCESS PROCEDURES:

Same as notification.

##### CONTESTING RECORD PROCEDURES:

Same as notification.

##### RECORD SOURCE CATEGORIES:

Information is provided by victims and their families, witnesses, public safety and law enforcement agencies, and others having knowledge of circumstances of incidents or injuries.

#### CPSC-2

##### SYSTEM NAME:

CPSC-2, Advisory Committee Records.

##### SYSTEM LOCATION:

Consumer Product Safety Commission, Directorate for Epidemiology and Health Sciences, 4330 East West Highway, Bethesda, MD 20814.

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

Individuals seeking or nominated for or selected for membership on CPSC Advisory Committees.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records of applicants contain an individual's name, address, personal history and qualifications, any correspondence with the individual and any Commission memoranda relating to the selection of the individual. Records of members additionally contain information about the member's financial compensation and Commission documents relating to the individual's service as a member.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 2077 and 15 U.S.C. 1275.

**PURPOSE(S):**

These records are used to select candidates for filling vacancies on advisory committees and to administer the operation of the committees.

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

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

*Disclosures pursuant to 5 U.S.C. 552a(b)(12).* Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

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

Records are maintained in hard copy.

**RETRIEVABILITY:**

Records are indexed alphabetically by name of committee and then by name of applicant or member.

**SAFEGUARDS:**

Records are maintained in file cabinets in a secured area.

**RETENTION AND DISPOSAL:**

Applicants' and nominees' records are retained until new applications are solicited or committee is terminated and then destroyed. Members' records are retained for 2 years after termination of membership and then destroyed.

**SYSTEM MANAGER(S) AND ADDRESS:**

Committee Management Officer,  
Directorate for Epidemiology and Health  
Sciences, Consumer Product Safety  
Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act  
Officer, Office of the Secretary,  
Consumer Product Safety Commission,  
Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information is provided by applicants, nominees for, and members of Advisory Committees and by Commission staff.

**CPSC-3****SYSTEM NAMES:**

CPSC-3, Claims.

**SYSTEM LOCATION:**

Consumer Product Safety  
Commission, Office of the General  
Counsel, 4430 East West Highway,  
Bethesda, MD 20814.

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

CPSC employees sustaining personal property damage or loss incident to service; CPSC employees involved in situations where personal injury or property damage to others results from wrongful or negligent act or omission of employee acting within scope of employment; claimants sustaining injury or property damage due to activities of CPSC or its employees.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

These records contain claims for money damages, accident and investigative reports, and correspondence and other documents concerning claims or potential claims.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

31 U.S.C. 3721; 28 U.S.C. 1346(b), 2672.

**PURPOSE(S):**

(a) for processing claims and litigation under the Federal Tort Claims Act or the Military Personnel and Civilian Employee's Claims Act; (b) For preparation of reports.

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

1. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry

from the congressional office made at the request of that individual.

2. Information from a record in this system of records may be disclosed to a person or entity having a legal interest in the claim.

3. Information may be disclosed to Federal, state, or local law authorities, court authorities, administrative authorities, for use in connection with civil, criminal, administrative, and regulatory proceedings and actions relating to the claim.

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

Records are maintained in hard copy.

**RETRIEVABILITY:**

Records are indexed alphabetically by name of individual claimant.

**SAFEGUARDS:**

Records are maintained in a file cabinet in a secured area. Access to such area is limited to those persons whose official duties require such access.

**RETENTION AND DISPOSAL:**

Records are retained up to six years after case is closed. Disposal is by normal procedures.

**SYSTEM MANAGER(S) AND ADDRESS:**

General Counsel, Consumer Product  
Safety Commission, Washington, DC  
20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act  
Officer, Office of the Secretary,  
Consumer Product Safety Commission,  
Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information is provided by (1) the individual to whom the record pertains (2) CPSC and/or employees (3) affidavits, statements, or testimony of witnesses (4) official documents relating to the claim (5) correspondence from organizations or persons involved.

**CPSC-4****SYSTEM NAME:**

CPSC-4, Hotline Database.

**SYSTEM LOCATION:**

Consumer Product Safety  
Commission, Office of Information  
Systems, 4330 East West Highway,  
Bethesda, MD 20814.

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

Persons who contact the Consumer Product Safety Commission to report consumer product associated injuries, illnesses, deaths, incidents, or perceived hazards associated with consumer products, or request information about such matters; and other persons identified by the reporting persons as victims of consumer product associated incidents.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Information about accidents, injuries, illnesses, death, and suspected safety hazards associated with consumer products. The records contain free form narratives, and a variety of fields dedicated to specific data about different types of products or incidents. Records contain personal information such as the name, address, and telephone number of the person submitting the information and in some cases of the victim, if different.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Section 5 of the Consumer Product Safety Act, 15 U.S.C. 2054.

**PURPOSE(S):**

To collect data on hazards, defects, injuries, illnesses, and deaths associated with consumer products; to respond to inquiries from the public; to record personal information to permit further interaction with persons submitting data or persons named by those who submit data; to further public safety by helping determine the cause of injuries and deaths associated with consumer products.

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

1. Records are disclosed to contractor personnel who operate the Consumer Product Safety Commission's Hotline and who enter data into the database.
2. Copies of records are mailed to callers for their verification of the information provided.
3. Copies of records may be sent to sources of consumer products identified in the records (e.g., manufacturers, distributors, or retailers) and may be distributed to others, but any personal identifying information is deleted before such disclosure unless permission to disclose such personal identifying information has been explicitly granted in writing by the person in question.
4. Copies of records may be sent to other governmental agencies having apparent jurisdiction over the products or hazards disclosed in a record.

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

Records are maintained by a computer database management system on a local and wide area network. Paper copies of individual computer records are made by the Hotline staff and are stored by month and by name of the person who contacted the Hotline. Other paper copies are made available to Commission staff but are not stored by name or other individual identifier.

**RETRIEVABILITY:**

Records are retrievable by a variety of fields, including the name of the person who submitted the information.

**SAFEGUARDS:**

Access to the computer records requires the use of two passwords: one to access the agency's computer network and another to access the database. Access is limited to those with a particular need to know the information—selected Commission employees and the contractor employees who operate the Hotline.

**RETENTION AND DISPOSAL:**

Computer records are maintained indefinitely. Paper records are kept for 10 years and then transferred to a Federal Records Center.

**SYSTEM MANAGER(S) AND ADDRESS:**

Hotline Project Officer,  
Communication Services Division,  
Office of Information Services,  
Consumer Product Safety Commission,  
Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary,  
Consumer Product Safety Commission,  
Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information in these records is initially supplied by persons who contact the Commission. The Commission may solicit additional or verifying information from those persons or from other persons who were identified as victims.

**CPSC-5****SYSTEM NAME:**

CPSC-5, Commissioners' Biographies.

**SYSTEM LOCATION:**

Consumer Product Safety Commission, Office of Information and Public Affairs, 4330 East West Highway, Bethesda, MD 20814.

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

CPSC Commissioners who have submitted biographical information.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This record contains a brief statement of information relating to educational and professional background and present position and responsibilities within the Commission.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 2051-83.

**PURPOSE(S):**

This information is furnished to the public media, including the Internet, in connection with Commissioners' activities and Commissioners' participation in conferences, meetings and other functions.

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

Disclosure may be made to anyone who makes a request.

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

Records are maintained in hard copy.

**RETRIEVABILITY:**

Records are indexed alphabetically by name of the Commissioner.

**SAFEGUARDS:**

Records are maintained in secured areas.

**RETENTION AND DISPOSAL:**

Records are maintained until the Commissioner leaves the agency. Disposal is by normal methods.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Office of Information and Public Affairs, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary,  
Consumer Product Safety Commission,  
Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information in this record is furnished by the employee to whom it pertains.

**CPSC-6****SYSTEM NAME:**

CPSC-6, Office of the Inspector General Investigative Files.

**SYSTEM LOCATION:**

Office of the Inspector General  
Consumer Product Safety  
Commission, 4330 East West Highway,  
Bethesda, MD 20814.

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

Individuals who are or have been the subject of an Office of the Inspector General investigation relating to the programs and operations of the Commission including, but not limited to, current and former employees, contractor or subcontractor personnel, as well as other individuals whose actions affect the Commission, its programs, or its operations.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

All records relevant to an Inspector General investigation including correspondence; internal staff memoranda; copies of subpoenas issued during the investigation; affidavits, statements from witnesses, transcripts of any testimony taken in the investigation and accompanying exhibits; documents and records obtained during the investigation; interview notes and working papers of the Office of the Inspector General's staff; opening reports, progress reports, and final reports containing findings and recommendations of appropriate action; and other investigatory information or data relating to alleged or suspected criminal, civil, or administrative violations or similar wrongdoing by subject individuals.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Inspector General Act of 1978, as amended, 5 U.S.C. App.

**PURPOSE(S):**

This system is maintained for the purposes of conducting and documenting investigations conducted by the Office of the Inspector General, or other investigative agencies assisting the Office of the Inspector General, regarding CPSC personnel, programs, and operations; documenting the outcome of Inspector General reviews of allegations and complaints received by the Office of the Inspector General concerning CPSC personnel, programs, and operations; aiding in the prosecution or imposition of criminal,

civil, or administrative sanctions against subjects of Inspector General investigations; reporting the results of investigations to the Chairman of the Commission and CPSC managers for their use in operating and evaluating their programs; and compiling information necessary to fulfill any reporting requirements by the Inspector General Act.

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

Information in the system may be disclosed:

1. To an appropriate governmental agency, whether federal, state, or local, where there is an indication of a violation or a potential violation of law, regulation, or order, whether civil or criminal in nature, which that agency is charged with investigating or enforcing.
2. To federal, state, or local governmental authorities in order to obtain information or records relevant to an Inspector General investigation.
3. To federal, state or local governmental authorities maintaining civil, criminal, or other relevant information, such as current licenses, to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance, the award of a contract, or the issuance of a grant or other benefit.
4. To federal, state, or local governmental authorities in response to their request in connection with the hiring or retention of an employee, disciplinary or other administrative action concerning an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the award of a contract, or the issuance of a license, grant, or other benefit, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.
5. To non-governmental parties where those parties may have information the Office of the Inspector General seeks to obtain in connection with an investigation.
6. 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 collate, aggregate, or otherwise refine data collected in the system or records. These contractors will be required to maintain Privacy Act safeguards with respect to such records.
7. To the Office of the General Counsel of the Commission, the Department of Justice, or other law enforcement authorities, for disclosure

by such parties to extent relevant and necessary, when the defendant in litigation is:

- a. The Commission, any component of the Commission, or any employee of the Commission acting in his or her official capacity;
- b. The United States where the litigation, if successful, is likely to affect the operations of the Commission; or
- c. Any Commission employee sued in his or her individual capacity where the Department of Justice and/or the Office of the General Counsel of the Commission agree to represent such employee.
8. To a court or adjudicative body where the Commission is a party to the litigation or has an interest in such litigation, the records are relevant and necessary to the litigation, and disclosure of the records is compatible with the purpose for which the records were collected.
9. To a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual, but only to the extent the record would be legally accessible to that individual.
10. To other Commission employees in the course of employee disciplinary proceedings.
11. To the Department of the Treasury or debt collection agencies for the purpose of collecting delinquent debts owed to the Commission, as authorized by the Debt Collection Act 31 U.S.C. 3718, and subject to applicable Privacy Act safeguards.
12. 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, those records or portions thereof which are relevant and necessary to carrying out their authorized functions.
13. To any direct recipient of federal funds, such as a contractor, where information in a record reflects serious inadequacies by the recipient's personnel and disclosure of the record is for purpose of permitting the recipient to take corrective action beneficial to the Government.
14. To 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.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

*Disclosures pursuant to 5 U.S.C. 552a(b)(12).* Pursuant to 5 U.S.C. 552a(b)(12), disclosure may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

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

Records are maintained in hard copy or on computer diskettes.

**RETRIEVABILITY:**

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

**SAFEGUARDS:**

These records are available only to those persons whose official duties require such access. Paper records and computer diskettes are kept in limited access areas during duty hours and in safe-type file cabinets in locked offices at all other times. Highly sensitive records are created on a personal computer, stored on paper or diskettes, and then deleted from computer storage. Less sensitive records may be created and stored in password-protected computer files.

**RETENTION AND DISPOSAL:**

The Investigative Files are kept indefinitely.

**SYSTEM MANAGER(S) AND ADDRESS:**

Inspector General, Office of the Inspector General, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURES:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information is supplied by: Individuals including, where practicable, those to whom the information relates; witnesses, corporations and other entities; records of individuals and of the Commission; records of other entities such as federal, foreign, state or local bodies and law

enforcement agencies; documents; correspondence relating to litigation; transcripts of testimony; and miscellaneous other sources.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

All portions of this system of records which fall within 5 U.S.C. 552a(k)(2) (investigatory materials compiled for law enforcement purposes) and 5 U.S.C. 522a(k)(5) (investigatory materials solely compiled for suitability determinations) are exempt from 5 U.S.C. 552a(c)(3), (mandatory accounting of disclosures); 5 U.S.C. 552a(d), (access by individuals to records that pertain to them); 5 U.S.C. 552a(e)(1), (requirement to maintain only such information as is relevant and necessary to accomplish an authorized agency purpose); 5 U.S.C. 552a(e)(4)(G), (mandatory procedures to notify individuals of the existence of records pertaining to them); 5 U.S.C. 552a(e)(4)(H), (mandatory procedures to notify individuals how they can obtain access to and contest records pertaining to them); 5 U.S.C. 552a(e)(4)(I), (mandatory disclosure of record source categories); and the Commission's regulations in 16 CFR part 1014 which implement these statutory provisions.

**CPSC-7****SYSTEM NAME:**

CPSC-7, Enforcement and Investigation Files.

**SYSTEM LOCATION:**

Office of Compliance, and Office of the General Counsel, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814.

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

Individuals who are the authors or recipients of, or mentioned in, documents received by, or generated by, the Consumer Product Safety Commission in preparation for, or the conduct of, potential or actual administrative or judicial enforcement actions, and individuals mentioned in such documents.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Memoranda, correspondence, test reports, injury reports, notes, and any other documents relating to the preparation for, or conduct of, potential or actual administrative or judicial enforcement actions. The materials may contain personal information as well as purely legal and technical information.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 1194, 1195, 1196, 1264, 1265, 2069, 2070.

**PURPOSE(S):**

These files are used by Commission attorneys, compliance officers and supporting technical staff investigating product hazards and enforcing the Commission's statutory authority.

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

1. These records may be cited and quoted in the course of enforcement negotiations, and in pleadings filed with an adjudicative body and served on opposing counsel.
2. They may be disclosed to the Department of Justice in connection with the conduct of litigation.

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

Records are stored in file folders or computer files or both.

**RETRIEVABILITY:**

Paper records may be filed by and retrievable by name of the document's author or addressee or by other indicia. Computer records are indexed by, and retrievable by the names and other indicia of authors and addresses, and may permit retrieval by names elsewhere in documents.

**SAFEGUARDS:**

Paper records are kept in secure areas. Computer records are protected by passwords available only to staff with a need to know.

**RETENTION AND DISPOSAL:**

Records are kept indefinitely.

**SYSTEM MANAGER(S) AND ADDRESS:**

General Counsel; Director, Office of Compliance Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

These records come from organizations and individuals under investigation; from Commission attorneys, compliance officers, investigators, and supporting technical staff; and from other sources of information relevant to an investigation or adjudication.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

All portions of this system of records which fall within 5 U.S.C. 552a(k)(2) (investigatory materials compiled for law enforcement purposes) are exempt from 5 U.S.C. 552a(c)(3), (mandatory accounting of disclosures); 5 U.S.C. 552a(d), (access by individuals to records that pertain to them); 5 U.S.C. 552a(e)(1), (requirement to maintain only such information as is relevant and necessary to accomplish an authorized agency purpose); 5 U.S.C. 552a(e)(4)(G), (mandatory procedures to notify individuals of the existence of records pertaining to them); 5 U.S.C. 552a(e)(4)(H), (mandatory procedures to notify individuals how they can obtain access to and contest records pertaining to them); and 5 U.S.C. 552a(e)(4)(I), (mandatory disclosure of record source categories); as well as the Commission's regulations in 16 CFR part 1014 which implement these statutory provisions.

**CPSC-8****SYSTEM NAME:**

CPSC-8, Integrated Field System.

**SYSTEM LOCATION:**

Directorate for Field Operations, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814.

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

Employees and persons signing affidavits related to items acquired for testing or evidentiary purposes by the Commission.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

These records contain data regarding inspections, accident investigations, recall effectiveness checks, and the collection and custody of product samples for testing or evidentiary purposes. These records contain task assignments made to field personnel, the names of the designated personnel and their supervisors, initial target completion dates, revised target completion dates, and actual completion dates.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 2053, 2076(f).

**PURPOSE(S):**

The Directorate of Field Operations and the Office of Compliance use this system to manage their operations and document the results of their investigatory activities for potential enforcement action by the Commission. The system is accessed and used in the field by supervisors, investigators, and

compliance officers, and at headquarters by compliance officers, attorneys, and managers. It is used to monitor staff workloads and may be used to evaluate staff performance. Statistical compilations from these records may be used in reports to Congress or the press.

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

None.

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

These records are stored in a computer database system. Users of the system may make printouts of selected portions of the records from time to time.

**RETRIEVABILITY:**

Information may be retrieved by any field, including personal name or identifiers, by authorized headquarters and field staff.

**SAFEGUARDS:**

Access to the computer records requires two separate passwords, one for the network on which the database resides and one for the database itself. Paper records are kept in secure locations.

**RETENTION AND DISPOSAL:**

Records are kept indefinitely.

**SYSTEM MANAGER(S) AND ADDRESS:**

Deputy Executive Director, Directorate for Field Operations, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information comes primarily from field staff and their supervisors.

**CPSC-9****SYSTEM NAME:**

CPSC-9, General Counsel Tracking System.

**SYSTEM LOCATION:**

Office of the General Counsel, Consumer Product Safety Commission,

4330 East West Highway, Bethesda, MD 20814.

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

Attorneys working in the Office of the General Counsel.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Descriptions and dates of assignments; comments; starting and completion dates; due dates; names of attorneys to whom assignments are given; names of divisions within the Office of the General Counsel.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

44 U.S.C. 3101; 15 U.S.C. 2051 *et seq.*; 16 CFR 1000.14.

**PURPOSE(S):**

To manage the workflow in the Office of the General Counsel; to assure timely completion of assignments; to respond to queries from other units of the Consumer Product Safety Commission; to assist in evaluating attorney performance.

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

None.

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

Records are maintained by a computer database management system. Hard copy printouts of selected groups of records are made from time to time.

**RETRIEVABILITY:**

Records are retrievable by any field, including attorney name.

**SAFEGUARDS:**

Access to the records, and to fields within the records, is controlled by passwords. Records are accessible by all Office of the General Counsel staff, but not by others. Only supervisory staff may create records, assign or extend due dates, or enter completion dates.

**RETENTION AND DISPOSAL:**

Old records are purged from time to time, based on need for computer storage space.

**SYSTEM MANAGER(S) AND ADDRESS:**

General Counsel, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Office, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.



**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information in these records is supplied by the attorneys themselves and by supervisors.

**CPSC-10****SYSTEM NAME:**

CPSC-10, Procurement Files.

**SYSTEM LOCATION:**

Division of Procurement Services, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814.

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

Individuals who sell goods or services to the Consumer Product Safety Commission.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Contracts, proposals, purchase orders, correspondence and other documents related to specific procurements from individuals. These records may include social security number, home address, home telephone number, and sometimes other personal data. Documents related to procurements from corporations, partnerships, or other such business entities are not included in this system of records.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 2076.

**PURPOSE(S):**

These records support all facets of the Commission's procurement activities.

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

1. To the U.S. Department of Justice when related to litigation or anticipated litigation.
2. To the appropriate Federal, State, or local investigation or enforcement agency when there is an indication of a violation or potential violation of statute or regulation in connection with a procurement.
3. To a Congressional office in response to an inquiry made at the request of the individual who is the subject of the record.
4. To the General Accounting Office in the event of a procurement protest involving the individual.
5. To the General Services Administration Board of Contract Appeals in the event of a contract claim or dispute involving the individual.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

*Disclosure pursuant to 5 U.S.C. 552a(b)(12).* Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

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

Records are stored in file folders. Extracts of these records, including social security number, address, and phone number, are also kept in a computer database.

**RETRIEVABILITY:**

Records are retrieved from the computer database by personal name, contract number, and other fields. Paper records are retrieved by contract number, which may be retrieved by first searching for the personal name in the computer database.

**SAFEGUARDS:**

Paper records are stored in locked cabinets in a secure area. Computer records are accessible only through the use of two separate passwords, which are issued to those with a need to know.

**RETENTION AND DISPOSAL:**

Computer records are kept indefinitely. Paper records are destroyed 6 years and 3 months after final payment.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Division of Procurement Services, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Personal information in these records is normally obtained from the person to whom the records pertains, but other information may be obtained from references or past performance reports.

**CPSC-11 [Reserved]  
CPSC-12****SYSTEM NAME:**

CPSC-12, Employee Outside Activity Notices.

**SYSTEM LOCATION:**

Office of the General Counsel, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814.

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

Commission employees engaged in outside employment activities or outside activities such as consultative services, practice of law, or teaching.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system of records contains information concerning the employee's position, nature of outside activity, relation of official duties to activity, and method of compensation for outside activity.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Executive Order 12674; 5 CFR part 2635, subpart H; and 5 CFR part 8101.

**PURPOSE(S):**

Information in these records is used by the Ethics Counselor in making a determination as to whether an employee's outside activity constitutes a real or apparent conflict of interest with the employee's government duties and responsibilities.

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

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

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

Records are maintained on hard copy.

**RETRIEVABILITY:**

Records are filed by employee name.

**SAFEGUARDS:**

Records are maintained in locked file cabinets.

**RETENTION AND DISPOSAL:**

Records are maintained for four years after an employee terminates employment with agency. Disposal is by normal procedures.

**SYSTEM MANAGER(S) AND ADDRESS:**

Designated Agency Ethics Official (General Counsel), Consumer Product

Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

The information in these records is furnished by the employees to whom it pertains.

**CPSC-13**

**SYSTEM NAME:**

CPSC-13, Personnel Data System.

**SYSTEM LOCATION:**

Consumer Product Safety Commission, Director, Office of Human Resources Management and Director, Division of Financial Services, 4330 East West Highway, Bethesda, MD 20814 and the Headquarters unit or Regional Center to which an employee is assigned. Regional Center addresses are listed in Appendix I.

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

Employees and former employees of CPSC.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records consist of payroll records, personnel security records, safety records, EEO records, and personnel records. In addition, the system contains data necessary to update the Central Personnel Data File at the Office of Personnel Management, to process personnel actions, to perform detailed accounting distributions, to automatically provide for such tasks as mailing checks and bonds, and to prepare and mail tax returns and reports. Records include, but are not limited to the following categories of records;

1. Employee identification and status data such as name, social security number, date of birth, sex, work schedule, type of appointment, education, veterans' preference, military service.
2. Relevant data such as service computation date for leave, date probationary period began, and date of performance rating.
3. Position and pay data such as pay plan, occupational series, grade, step, salary, merit pay, organization location.
4. Employment data such as position description, special employment

program, and target occupational series and grade.

5. Payroll data such as time; attendance; leave; Federal, State, and local tax; allotments; savings bonds; and other pay allowances and deductions.

6. Personnel security data such as security clearance level and basis with dates.

7. Financial data pertaining to travel.

8. Information on debts owed to the government as a result of overpayment, refund owed, or a debt referred for collection by another agency.

9. Information, including address and social security number, on individual vendors to the Commission. This includes employees who receive reimbursements for expenses incurred.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. Part III, is the authority for the overall system. Specific authority for use of Social Security numbers is contained in Executive Order 9397, 26 CFR 31.6011(b)(2) and 26 CFR 31.6109-1. The authority for the personnel security clearance and statistical records is contained in Executive Order 19450, April 27, 1953, as amended; Executive Order 12065, June 28, 1978; 31 U.S.C. 686; and 40 U.S.C. 318 (a) through (d).

**PURPOSE(S):**

This system supports the day to day operating requirements associated with personnel oriented program areas from hiring employees and paying employees and vendors to calculating estimated retirement annuities. Payroll-related outputs include a comprehensive payroll; detailed accounting distribution of costs; leave data summary reports; an employee's statement of earnings, deductions and leave every payday for each employee; State, city, and local unemployment compensation reports; Federal, State, and local tax reports; W-2 wage and tax statements; and reports of withholdings and contributions. Personnel-related reports include automated personnel actions as well as organization rosters, retention registers, retirement calculations, reports of the Federal civilian employment, employee master record printouts, length of service lists, and listings of within-grade increases. These records are used to provide data for agency reports and internal workforce statistics and information regarding such matters as average grade, veteran and handicap employment, retention-standing, within-grade due dates, occupational groupings, geographic employment and others related to the operation of the personnel office.

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

Routine uses of records maintained in the system include:

1. Providing data to the Office of Personnel Management's Central Personnel Data File (CPDF).
2. Providing a copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city, or other local jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, and 5520.
3. Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed tax withholding certificates shall be furnished the city in response to a written request from an appropriate city official to the Assistant Administrator for Plans, Programs, and Financial Management, General Services Administration (B), Washington, DC 20405.
4. To the extent necessary, records are available to Commission and outside government agencies to monitor and document grievance proceedings, EEO complaints, and adverse actions; and to provide reference to other agencies and persons for employees seeking employment elsewhere.
5. Some records or data elements in this system of records may also be in the Office of Personnel Management's government-wide system OPM/GOVT-1 and are subject to that system's routine uses.
6. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.
7. The names, social security numbers, home addresses, dates of birth, quarterly earnings, employer identifying information, and State of hire of employees may be disclosed to the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services for the purpose of locating individuals to establish paternity, establishing and modifying orders of child support, identifying sources of income, and for other child support enforcement actions as required by the Personal Responsibility and Work Opportunity

Reconciliation Act (Welfare Reform law, Pub. L. 104-193).

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

*Disclosures pursuant to 5 U.S.C. 552a(b)(12).* Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

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

**STORAGE:**

Records are stored on paper in file folders and on computer magnetic media.

**RETRIEVABILITY:**

Paper records are filed by name. Computer records are retrievable by any data element or combination of data elements.

**SAFEGUARDS:**

Paper records are stored in lockable metal cabinets or in secured rooms. Password system protects access to the computerized records. Information is released only to authorized officials on a need-to-know basis.

**RETENTION AND DISPOSAL:**

Payroll-related records are sent to storage two years after the end of the fiscal year to which they pertain.

Personnel-related records are disposed of two years after termination of employment.

**SYSTEM MANAGER(S) AND ADDRESS:**

For payroll-related records: Director, Division of Financial Services, Consumer Product Safety Commission, Washington, DC 20207.

For personnel-related records: Director, Office of Human Resources Management, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

The individuals themselves, other employees, supervisors, other agencies' management officials, non-Federal sources such as private firms, and data

from the systems of records OPM/GOVT-1 and EEOC/GOVT-1.

**CPSC-14**

**SYSTEM NAME:**

CPSC-14, Corrective Actions and Sample Tracking System.

**SYSTEM LOCATION:**

Recalls and Compliance Division, Office of Compliance, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814.

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

CPSC compliance officers and CPSC attorneys in the Office of Compliance; Regional Center compliance officers; contact persons for manufacturers, distributors, or retailers of potentially hazardous products.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

There are two types of records in the system. The first type of record includes various kinds of abbreviated descriptive and status information about samples of consumer products collected as potential evidence of substantial product hazards. This kind of record identifies the compliance officer responsible for the sample, the name of the product, and the manufacturer of the product.

The second type of record includes management information about investigations opened to deal with potentially hazardous products, including the name and manufacturer, distributor, or retailer of the product, the compliance officer and attorney assigned to the case, the status and priority of the case, various dates which document the progress of the case, and the corrective action taken.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 2064; 16 CFR parts 1115 and 1118.

**PURPOSE(S):**

15 U.S.C. 2064 authorizes the Consumer Product Safety Commission to order the manufacturer, distributor, or retailer of a consumer product to take corrective action whenever the Commission determines that the product creates a substantial risk of injury to the public. Where appropriate, the Commission may attempt to negotiate a voluntary agreement with a manufacturer, distributor, or retailer to take corrective action. The Commission's Recalls and Compliance Division uses this system of records to manage its substantial product hazard correction activities, from the receipt of information about a suspected product

hazard, through the collection and evaluation of evidence, to ultimate resolution. It is also used to monitor staff workloads and evaluate staff performance.

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

None.

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

**STORAGE:**

Records are maintained by a computer database management system. Hard copy printouts of all or selected groups of records are made from time to time.

**RETRIEVABILITY:**

Records are retrievable by any field, including compliance officer and attorney name.

**SAFEGUARDS:**

Access to records and to fields within records, is controlled by passwords. Records are accessible only by members of the Commission's Recalls and Compliance Division and Legal Division in the Office of Compliance and by Regional Center compliance officers. Only members of the Recalls and Compliance Division and a designated clerical person may enter data, other than a preliminary determination date and the file closing date, which can only be entered by supervisory personnel.

**RETENTION AND DISPOSAL:**

Records are retained indefinitely.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Recalls and Compliance Division, Office of Compliance, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information in these records is supplied by manufacturers, distributors, or retailers of consumer products, Commission compliance officers, Commission attorneys, and other Commission staff.

**CPSC-15**

**SYSTEM NAME:**

CPSC-15, Employee Relations Files.

**SYSTEM LOCATION:**

Consumer Product Safety Commission, Office of Human Resources Management, 4430 East West Highway, Bethesda, MD 20814.

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

Current and former employees of the Consumer Product Safety Commission.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system of records contains information or documents relating to: (1) Disciplinary actions, complaints, grievances, potential adverse actions, and proposals, decisions, or determinations made by management relative to the foregoing; (2) retirement records.

The records consist of the notices to the individuals, records of resolutions of complaints, materials placed into the record to support the decision or determination, affidavits or statements.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 1302, 3301, 4308, 5115, 5338, 7151, 7301, 7701, 8347; Executive Orders 9830, 10987, 11222, 11478.

**PURPOSE(S):**

These records and information in the records may be used as a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

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

1. To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance.
2. To provide information to the public on the decision of an appeal, complaint, or grievance required by the Freedom of Information Act.
3. To respond to a court subpoena and/or refer to a district court in connection with a civil suit.
4. To adjudicate or resolve an appeal, complaint, or grievance.
5. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether federal, state, or local, charged with the

responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

6. To request information from a federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, or the issuance of a license, grant, or other benefit.

7. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, or issuance of a license, grant or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision of that matter.

8. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

9. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

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

These records are maintained in file folders.

**RETRIEVABILITY:**

These records are indexed by the names of the individuals on whom they are maintained.

**SAFEGUARDS:**

Records are located in a combination lock metal file cabinet and access is limited to those persons whose official duties require such access.

**RETENTION AND DISPOSAL:**

The records are maintained for 4 years after an employee leaves. Disposal is by normal procedures.

**SYSTEM MANAGER(S) AND ADDRESS:**

Chief, Labor and Employee Relations Branch, Office of Human Resources Management, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information in these records is furnished by: (1) Individual to whom the record pertains; (2) Agency officials; (3) Affidavits or statements from employee; (4) Testimonies of witnesses; (5) Official documents relating to appeal, grievance, or complaints; (6) Correspondence from specific organizations or persons.

**CPSC-16****SYSTEM NAME:**

CPSC-16, Equal Employment Opportunity (EEO) Counseling Files.

**SYSTEM LOCATION:**

Consumer Product Safety Commission, Office of Equal Employment Opportunity and Minority Enterprise, 4430 East West Highway, Bethesda, MD 20814.

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

Employees who are counseled by EEO Counselors on EEO matters.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

These records contain information regarding counseling of employees who believe they have been discriminated against on the basis of race, color, religion, sex, national origin, age, or mental or physical handicaps.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 CFR part 1614.

**PURPOSE(S):**

To document instances of discrimination on any of the above bases and to be part of the record in any formal complaint of discrimination.

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

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

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

Records are maintained in hard copy.

**RETRIEVABILITY:**

Records are indexed by name.

**SAFEGUARDS:**

Records are maintained in locked files in a secured area.

**RETENTION AND DISPOSAL:**

Destroyed after two years.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Office of Equal Employment Opportunity and Minority Enterprise, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information in these records is furnished by the employee to whom it pertains and by any witnesses.

**CPSC-17****SYSTEM NAME:**

CPSC-17, Commissioned Officers Personal Data File.

**SYSTEM LOCATION:**

A complete record on every commissioned officer is maintained in the Regional Center to which the commissioned officer is assigned. Regional Center addresses are listed in Appendix I.

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

State employees commissioned as officers of CPSC.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

The system contains documents related to the commissioning of the individual and personal data including name, social security number, date of birth, educational background, employment history, medical information, home address and phone number.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Section 29(a)(2), Consumer Product Safety Act (15 U.S.C. 2078(a)(2)); E.O. 10450, sections 8(c), 9(a), 9(b); E.O. 10561.

**PURPOSE(S):**

1. Used by agency officials for purposes of review in connection with commissioning, and determination of qualifications for recommissioning of an individual.

2. To provide statistical reports to Congress, agencies and the public on characteristics of the Commissioned officer program.

3. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information without personal identification of individuals. Under the Freedom of Information Act or to locate specific individuals for personnel research or other personal management functions.

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

1. To provide information to a Federal or state agency, in response to its request, in connection with the hiring or retention of an employee, or other benefit by the requesting agency.

2. To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information if necessary to obtain information relevant to an agency decision concerning the commissioning or recommissioning of an individual.

3. Disclosure to a congressional office in response to an inquiry from the congressional office made at the request of the individual.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

*Disclosures pursuant to 5 U.S.C. 552a(b)(12).* Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made to a consumer reporting agency as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

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

Records are maintained in file folders.

**RETRIEVABILITY:**

Records are indexed by state and by name.

**SAFEGUARDS:**

Records are located in lockable metal file cabinets or metal file cabinets in secured rooms with access limited to those whose official duties require access.

**RETENTION AND DISPOSAL:**

The records are maintained and disposed of in accordance with Commission records management policies and procedures.

**SYSTEM MANAGER(S) AND ADDRESS:**

Regional Center Directors, Consumer Product Safety Commission, (Regional Center addresses are listed in Appendix I).

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information in these records comes either from the individual to whom it pertains or from agency officials, CPSC supervisors, or state officials.

**CPSC-18****SYSTEM NAME:**

CPSC-18, Procurement Integrity Records.

**SYSTEM LOCATION:**

Division of Procurement Services, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814.

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

Commission employees involved in the procurement of goods or services.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Procurement Integrity Certificates. These are standard forms that are certifications that the employees to whom they pertain understand and will abide by specified laws and regulations pertaining to procurement activities. The forms include the name, signature and, for forms completed before April, 1997, the social security number of the individuals.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

41 U.S.C. 423(l)(2).

**PURPOSE(S):**

These certificates provide continuing evidence of an individual's qualification to participate in procurement activities.

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

1. Transfers to Federal, State, local, or foreign agencies when relevant to civil, criminal, administrative or regulatory investigations or proceedings, including transfer to the Office of Government Ethics in connection with its program oversight responsibilities.

2. To a Federal agency pursuant to a request by the agency in connection with hiring, retention, or grievance of an employee or applicant, the issuance of a security clearance, the award or administration of a contract, the issuance of a license, grant, or other benefit.

3. To committees of the Congress.  
4. Any other use specified by the Office of Personnel Management (OPM) in the system of records entitled "OPM/GOVT-1, General Personnel Records," as published in the **Federal Register** periodically by OPM.

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

**STORAGE:**

Stored alphabetically in file folders.

**RETRIEVABILITY:**

Retrieved by name of the individual to whom the record pertains.

**SAFEGUARDS:**

Records are kept in a secure area.

**RETENTION AND DISPOSAL:**

Records are kept until no longer needed.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Division of Procurement Services, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information is supplied by the individual to whom a record pertains.

**CPSC-19**

**SYSTEM NAME:**

Office of Hazard Identification and Reduction Tracking System.

**SYSTEM LOCATION:**

Office of Hazard Analysis and Reduction, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814.

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

Project managers and supervisors.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records include management information such as the project

manager, supervisor, origin of the project, products and hazards addressed, types of interventions, schedules and milestones, Commission decisions, key accomplishments, and resources expended.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 2051 *et seq.*; 31 U.S.C. 1116.

**PURPOSE(S):**

The Consumer Product Safety Act, the Federal Hazardous Substances Act, the Flammable Fabrics Act, and the Poison Prevention Packaging Act authorize the Consumer Product Safety Commission to collect death and injury data, conduct research on the safety of consumer products, develop voluntary and mandatory safety standards, and ban unusually hazardous consumer products. The Office of Hazard Identification and Reduction and other Commission staff use this system to manage such programs. The system tracks critical project elements from the identification and characterization of hazards to the development and implementation of voluntary or regulatory solutions. Reports from the system are used for evaluating and reporting progress in addressing hazards of importance to the Commission. The system generates statistical data for OMB and the Congress. The system is also used to prepare reports on agency progress as required by the Government Performance and Results Act of 1993. It may also be used to evaluate staff performance.

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

None.

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

**STORAGE:**

Records are maintained by a computer database system. Hard copy printouts of all or selected groups of records are made from time to time.

**RETRIEVABILITY:**

Records are retrievable by any field, including names of project managers and supervisors.

**SAFEGUARDS:**

Access to records and to fields within records is controlled by passwords. Records are accessible only by members of the Office of Hazard Identification and Reduction, including project managers and their supervisors.

**RETENTION AND DISPOSAL:**

Records are retained indefinitely.

**SYSTEM MANAGER(S) AND ADDRESS:**

Assistant Executive Director, Office of Hazard Identification and Reduction, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information in these record is developed within the Commission from the planning and implementing of project activities. Information is obtained from project managers, their supervisors, official Commission records, and other management and accounting systems.

**CPSC-20**

**SYSTEM NAME:**

CPSC-20, Personnel Security File.

**SYSTEM LOCATION:**

Office of Human Resources Management, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814

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

Employees of the Consumer Product Safety Commission, and applicants for employment with the Consumer Product Safety Commission.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Results of name checks, inquiries, and investigations furnished by the Office of Personnel Management to determine suitability for employment with, or continued employment by, the Consumer Product Safety Commission. Information in records may include date and place of birth, citizenship, marital status, military status, and social security status. These records contain investigative information regarding an individual's character, conduct, and behavior in the community where he or she lives or lived; arrests and convictions for any violations of law; information from present and former supervisors, co-workers, associates, educators; credit and National Agency checks; and other information developed from the above.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Executive Order 10450; 5 U.S.C. 301.

**PURPOSE(S):**

The records in this system of records are used by the Director, Office of Human Resources and the Personnel Security Officer to determine whether the employment of an applicant, or retention of a current employee, is in the interest of the Commission and to determine whether to grant an employee access to non-public information or restricted areas.

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

1. To request from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information, data relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance to an employee, or other administrative action concerning an employee.
2. To the Office of Personnel Management in their role as an investigating agency, and in their role as the agency responsible for conducting a continuing assessment of agency compliance with federal personnel security and suitability program requirements.
3. To the Office of Personnel Management for use in other personnel matters.

**POLICIES AND PRACTICES FOR STRONG, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

Records are maintained in file folders.

**RETRIEVABILITY:**

Records are indexed alphabetically by name.

**SAFEGUARDS:**

Records are maintained in a safe-type combination lock file cabinet in the custody of the Personnel Security Officer, Directorate for Administration. Access is limited to the Personnel Security Officer and the Director, Office of Human Resources Management.

**RETENTION AND DISPOSAL:**

Records are maintained at the Consumer Product Safety Commission for at least two years from the date of any final decision placed in the record.

**SYSTEM MANAGER(S) AND ADDRESS:**

Chief, Labor and Employee Relations, Office of Human Resources Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary,

Consumer Product Safety Commission Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification. The Freedom of Information/Privacy Act Officer will forward the request to the agency which conducted the investigation, which will make the final determination.

**CONTESTING RECORD PROCEDURES:**

Same as access.

**RECORD SOURCE CATEGORIES:**

Office of Personnel Management reports and reports from other federal agencies.

**CPSC-21****SYSTEM NAME:**

CPSC-21, Contractor Personnel Security File.

**SYSTEM LOCATION:**

Directorate for Administration, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814.

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

Employees of contractors for the Consumer Product Safety Commission who perform work on site at the Commission.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Results of name checks, inquiries, and investigations furnished by the Office of Personnel Management to determine suitability of contractor employees for performing on site work at the Consumer Product Safety Commission. Information in records may include date and place of birth, citizenship, marital status, military status, and social security status. These records contain investigative information regarding an individual's character, conduct, and behavior in the community where he or she lives or lived; arrests and convictions for any violations of law; information from present and former supervisors, co-workers, associates, educators; credit and National Agency checks; and other information developed from the above.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 2076(e).

**PURPOSE(S):**

The records in this system of records are used by the Associate Executive Director for Administration and the Personnel Security Officer to determine whether it is in the interest of the Commission to permit a contractor's employee to work on the Commission premises, and whether it is in the

interest of the Commission to grant a contractor's employee access to non-public information or restricted areas.

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

None.

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

Records are maintained in file folders.

**RETRIEVABILITY:**

Records are retrieved by contractor name and by contractor employee name.

**SAFEGUARDS:**

Records are maintained in a safe-type combination lock file cabinet in the custody of the Associate Executive Director for Administration. Access is limited to the Personnel Security Officer and the Associate Executive Director for Administration.

**RETENTION AND DISPOSAL:**

Records are maintained at the Consumer Product Safety Commission for at least two years from the date of termination of the contract under which a person is employed.

**SYSTEM MANAGER(S) AND ADDRESS:**

Associate Executive Director for Administration, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification. The Freedom of Information/Privacy Act Officer will forward the request to the agency which conducted the investigation, which will make the final determination.

**CONTESTING RECORD PROCEDURES:**

Same as access.

**RECORD SOURCE CATEGORIES:**

The individual to whom the record pertains, Office of Personnel Management reports and reports from other federal agencies.

**CPSC-22****SYSTEM NAME:**

CPSC-22, Management Information System.

**SYSTEM LOCATION:**

Consumer Product Safety Commission, Associate Executive

Director for Administration, 4330 East West Highway, Bethesda, Maryland 20814.

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

All CPSC employees.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

The records contain information on work and leave hours charged by individual employees against CPSC programs, projects, and organization categories. The data included are: program codes, project codes, organization codes, reporting period, employee name and CPSC employee number, and hours charged.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 2051 et seq.; 44 U.S.C. 3101.

**PURPOSE(S):**

The records are used to produce periodic printed reports which show total employee time and costs allocated to Commission programs and projects by organizational elements. The cost information includes information derived from the Commission's accounting system. Some of the reports will display the time charged by individual employees by programs and projects within organizational elements.

These reports are distributed to CPSC managers, supervisory personnel and staff at all levels as a management tool to:

1. Inform project managers of time worked by individuals on specified program and project activities;
2. Assure accurate reporting and recording of time worked on agency programs and projects;
3. Track the agency's work in terms of programs and projects;
4. Assist in the preparation of the CPSC Fiscal Year Operating Plan.
5. Assess achievement of planned goals established in the CPSC Fiscal Year Operating Plan;
6. Identify resource allocation deficiencies;
7. Provide an historical record of agency program, project, and organization resource expenditures;
8. Assure effective distribution of staff skills for planned workloads;
9. Provide reports to top level management on agency accomplishment.

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

**STORAGE:**

Records are maintained in hard copy and on computer magnetic media.

**RETRIEVABILITY:**

Records are retrievable by any of the data items on the records.

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

None.

**SAFEGUARDS:**

Access to individual computer records is restricted to staff of the Associate Executive Director for Administration through the use of special computer identification codes. Hard copy individual records are kept in locked file cabinets with access also restricted to the staff of the Associate Executive Director for Administration. Management Information System data will not be used as evidence against the supplying employee in employee performance evaluations or adverse actions.

**RETENTION AND DISPOSAL:**

Individual hard copy employee records and computer records, other than time and cost totals, are retained for not more than one year. Disposal is accomplished through magnetic disc or magnetic tape erasure for computer-stored records, and direct disposal into trash for hard copy individual records.

**SYSTEM MANAGER(S) AND ADDRESS:**

Associate Executive Director for Administration, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as Notification.

**CONTESTING RECORD PROCEDURES:**

Same as Notification.

**RECORD SOURCE CATEGORIES:**

Information in these records is furnished by the employees to whom it pertains.

**CPSC-23 [Reserved]  
CPSC-24**

**SYSTEM NAME:**

CPSC-24 Respirator Program Medical Reports.

**SYSTEM LOCATION:**

Directorate for Administration, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814.

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

CPSC employees whose jobs may require them to wear respirators.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Medical reports indicating (a) approval or disapproval for an employee's use of respirators; (b) allowable level of exertion and any medical conditions relevant to the use of respirators; and (c) recommended interval until next medical evaluation.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 CFR 1910.134(b)(10).

**PURPOSE(S):**

These records are used to keep track of employees who are authorized to work in hazardous environments requiring the use of respirators and to schedule repeat medical examinations for those employees.

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

None.

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

**STORAGE:**

Records are maintained in hard copy.

**RETRIEVABILITY:**

Records are retrieved by name of employee.

**SAFEGUARDS:**

Records are maintained in a combination lock safe-type filing cabinet.

**RETENTION AND DISPOSAL:**

Records are maintained until termination of employment with CPSC.

**SYSTEM MANAGER(S) AND ADDRESS:**

Associate Executive Director for Administration, Consumer Product Safety Commission, Washington, DC 20207.

**NOTIFICATION PROCEDURE:**

Freedom of Information/Privacy Act Officer, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**RECORD ACCESS PROCEDURES:**

Same as notification.

**CONTESTING RECORD PROCEDURES:**

Same as notification.

**RECORD SOURCE CATEGORIES:**

Information is provided by the medical facility performing the medical evaluations. The evaluation is based in



part on information provided by the employee to the medical facility.

#### Appendix I Regional Office Addresses

Central Regional Center, 230 S. Dearborn Street, Room 2944, Chicago, Illinois 60604-1601.

Eastern Regional Center, 6 World Trade Center, Room 350, New York, New York 10048-0206.

Western Regional Center, 600 Harrison Street, Room 245, San Francisco, California 94107-1370.

#### Appendix II Pertinent Record Systems of Other Agencies

Other Federal agencies maintain government-wide systems of records which may contain information about CPSC employees. Some of these records may be physically located at CPSC. These systems include:

1. Office of Personnel Management, OPM/GOVT-1, General Personnel Records (includes official personnel folders).
2. Office of Personnel Management, OPM/GOVT-2, Employee Performance File System Records.
3. Office of Personnel Management, OPM/GOVT-3, Records of Adverse Actions, Performance Based Reduction in Grade and Removal Actions, and Termination of Probationers.
4. Office of Personnel Management, OPM/GOVT-5, Recruiting, Examining, and Placement Records.
5. Office of Personnel Management, OPM/GOVT-6, Personnel Research and Test Validation Records.
6. Office of Personnel Management, OPM/GOVT-7, Applicant Race, Sex, National Origin, and Disability Status Records.
7. Office of Personnel Management, OPM/GOVT-9, File on Position Classification Appeals, Job Grading Appeals, and Retained Grade or Pay Appeals.
8. Office of Personnel Management, OPM/GOVT-10, Employee Medical File System Records.
9. Office of Government Ethics, OGE/GOVT-1, Executive Branch Public Financial Disclosure Reports and Other Ethics Program Records (includes financial interest disclosure forms of CPSC employees subject to the Ethics in Government Act).
10. Office of Government Ethics, OGE/GOVT-2, Confidential Statements of Employment and Financial Interests.
11. Office of Special Counsel, OSC/GOVT-1, Complaint, Litigation and Political Activity Files.
12. Federal Emergency Management Agency, FEMA/GOVT-1, Uniform Identification System for Federal Employees Performing Essential Duties During Emergencies.
13. Equal Employment Opportunity Commission, EEOC/GOVT-1, Equal Employment Opportunity in the Federal Government Complaint and Appeal Records.
14. Merit System protection Board, MSPB/GOVT-1, Appeal and Case Records.

15. General Services Administration, GSA/GOVT-3, Travel Charge Card Program.

16. General Services Administration, GSA/GOVT-4, Contracted Travel Services Program.

17. Department of Labor, DOL/GOVT-1, Office of Workers Compensation Programs, Federal Employees Compensation Act Files.

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BILLING CODE 6355-01-M

### DEPARTMENT OF DEFENSE GENERAL SERVICES ADMINISTRATION NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0044]

#### Proposed Collection; Comment Request Entitled Bid/Offer Acceptance Period

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding an extension to an existing OMB clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement concerning Bid/Offer Acceptance Period. The clearance currently expires on April 30, 1999.

**DATES:** Comments may be submitted on or before March 1, 1999.

**ADDRESSES:** Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, should be submitted to: FAR Desk Officer, OMB, Room 10102, NEOB, Washington, DC 20503, and a copy to the General Services Administration, FAR Secretariat (MVRs), 1800 F Street, NW, Room 4035, Washington, DC 20405. Please cite OMB Control No. 9000-0044, Bid/Offer Acceptance Period, in all correspondence.

**FOR FURTHER INFORMATION CONTACT:** Ralph DeStefano, Federal Acquisition Policy Division, GSA (202) 501-1758.

#### SUPPLEMENTARY INFORMATION:

##### A. Purpose

Bid acceptance period is the period of time from receipt of bids that is available to the Government to award the contract. This acceptance period is normally established by the Government. However, the bidder may

establish a longer acceptance period than the minimum acceptance period set by the Government by filling in the blank. There are instances when the Government is unable to award a contract within the acceptance period due to unforeseen complications. Rather than incur the costly expense of readvertising, the Government requests the bidders to extend their bids for a longer period of time.

These data are placed with the respective bids and placed in the contract file to become a matter of record.

#### B. Annual Reporting Burden

Public reporting burden for this collection of information is estimated to average 1 minute per completion, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The annual reporting burden is estimated as follows: Respondents, 3,220; responses per respondent, 40; total annual responses, 128,800; preparation hours per response, .017; and total response burden hours, 2,190.

**OBTAINING COPIES OF PROPOSALS:** Requester may obtain a copy of the justification from the General Services Administration, FAR Secretariat (MVRs), Room 4035, 1800 F Street, NW, Washington, DC 20405, telephone (202) 208-7312. Please cite OMB Control No. 9000-0044, Bid/Offer Acceptance Period, in all correspondence.

Dated: December 22, 1998.

**Victoria E. Moss,**

*Acting Director, Federal Acquisition Policy Division.*

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### DEPARTMENT OF DEFENSE

#### Office of the Secretary

#### Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); TRICARE Claimcheck Appeals

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice.

**SUMMARY:** This Notice sets forth the Department's plans for enhancing the appeals process available to providers and beneficiaries for claims determinations resulting from TRICARE Claimcheck coding logic.

**ADDRESSES:** TRICARE Management Activity, Medical Benefits and Reimbursement Systems, 16401 E.