

violations charged and to prevent the respondent from engaging in similar acts and practices in the future.

Part I of the proposed order prohibits Liberty Financial from making any misrepresentation about its collection or use of personal information from children under the age of eighteen, the group from whom Liberty Financial had previously collected such information. The order defines "personal information" as "individually identifiable information about an individual collected online, including first and last name, home or other physical address including street name and name of a city or town, e-mail, address, telephone number, Social Security number, or any information concerning the child or the parents of that child that the website collects online from the child and combines with an identifier described in this definition."

Part II of the proposed order prohibits Liberty Financial from collecting personal identifying information from any child under age thirteen if Liberty Financial has actual knowledge that the child does not have a parent's permission to provide the information.

Part III of the proposed order requires Liberty Financial to post a clear and prominent privacy statement on its child-directed websites explaining Liberty Financial's practices with regard to its collection and use of personal identifying information. The notice must include the following:

- (a) What information is being collected;
- (b) How Liberty Financial uses such information;
- (c) Liberty Financial's disclosure practices for such information; and
- (d) How the consumer can obtain access to the information.

Liberty Financial may comply with this Part by posting a Privacy Notice on its home page along with a clear and prominent hyperlink to that notice at each location on the site at which personal identifying information is collected. The hyperlink would be accompanied by the following statement:

Notice: We collect personal information on this site. To learn more about how we use your information click here.

Part IV of the proposed order sets forth the principles of parental choice and control. This Part requires Liberty Financial to implement a procedure to obtain "verifiable parental consent" prior to collecting and using children's identifying information, a procedure commonly referred to as "opt-in." The order specifies ways in which Liberty

Financial can ensure that parents receive notice of the collection and authorize it.

Part V addresses the information that Liberty Financial previously collected from children. It requires Liberty Financial to delete all personal information collected from children prior to the effective date of the order.

Part VI of the order states that once the Children's Online Privacy Protection Act of 1998 and any regulations implementing the statute become effective, Liberty Financial's compliance with that Act and regulations will be considered compliance with Paragraphs II through IV of the order.

Part VII outlines Liberty Financial's recordkeeping requirements under the proposed order. Part VIII requires Liberty Financial to deliver a copy of the order to certain company officers and personnel. Parts IX and X require Liberty Financial to notify the Commission of any change in its corporate structure that might affect compliance with the order; and to file compliance reports with the Commission. Part XI is a "sunset" provision, dictating that the order will terminate in twenty years absent certain circumstances.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

By direction of the Commission.

Donald S. Clark,

Secretary.

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GENERAL SERVICES ADMINISTRATION

Privacy Act of 1974; System of Records

AGENCY: General Services Administration.

ACTION: Notice of a proposed new system of records subject to the Privacy Act of 1974.

SUMMARY: The General Services Administration (GSA) proposes to establish a new governmentwide system of records, Access Certificates for Electronic Services (ACES), GSA/GOVT-5. The system will allow on-line access to personal information in participating Federal agencies' automated systems by individuals who are the subjects of the information. Up to now, many Federal information

systems containing legally safeguarded personal information have been inaccessible to the public electronically because of an insufficient proof-of-identity capability. The new system will enable more timely and cost-effective communication between the public and the Federal Government while safeguarding personal information through state-of-the-art digital signature technologies.

DATES: Comments on the proposed system must be provided by June 28, 1999. The proposed system will go into effect after that date without further notice unless the comments dictate otherwise.

ADDRESSES: Address comments to Stanley Choffrey, General Services Administration, Federal Technology Service, Office of Information Security, Room 5060, 7th and D Streets, SW, Washington, DC 20407, or e-mail stanley.choffrey@gsa.gov.

FOR FURTHER INFORMATION CONTACT: Stanley Choffrey on (202) 708-6099 or at the above address on the technical aspects of the ACES system; or Jinaita Kanarchuk concerning the GSA Privacy Program on (202) 501-1452, or e-mail jinaita.kanarchuk@gsa.gov.

GSA/GOVT-5

SYSTEM NAME:

Access Certificates for Electronic Services (ACES).

SYSTEM LOCATION:

System records are maintained for the General Services Administration (GSA) by contractors at various physical locations. A complete list of locations is available from: Administrative Contracting Officer, FEDCAC, Federal Technology Service, General Services Administration, 7th and D Streets, SW, Room 5060, Washington, DC 20407; telephone (202) 708-6099.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals covered are persons who have applied for the issuance of a digital signature certificate under the ACES program; have had their certificates amended, renewed, replaced, suspended, revoked, or denied; have used their certificates to electronically make contact with, retrieve information from, or submit information to an automated information system of a participating agency; have requested access to ACES records under the Freedom of Information Act (FOIA) or Privacy Act; and have corresponded with GSA or its ACES contractors concerning ACES services.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains information needed to establish and verify the identity of ACES users, to maintain the system, and to establish accountability and audit controls. System records include:

- a. Applications for the issuance, amendment, renewal, replacement, or revocation of digital signature certificates under the ACES program, including evidence provided by applicants or proof of identity and authority, and sources used to verify an applicant's identity and authority.
- b. Certificates issued.
- c. Certificates denied, suspended, and revoked, including reasons for denial, suspension, and revocation.
- d. A list of currently valid certificates.
- 3. A list of currently invalid certificates.
- f. A file of individuals requesting access and those granted access to ACES information under FOIA or the Privacy Act.
- g. A file of individuals requesting access and those granted access for reasons other than FOIA or the Privacy Act.
- h. A record of validation transactions attempted on digital signature certificates issued by the system.
- i. A record of validation transactions completed on digital signature certificates issued by the system.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 5124(b) of the Clinger-Cohen Act of 1996, 40 U.S.C. 1424, which provides authority for GSA to develop and facilitate governmentwide electronic commerce resources and services, and the Paperwork Reduction Act, 44 U.S.C. 3501, et seq., which provides authority for GSA to manage Federal information resources.

PURPOSE(S):

To establish and maintain an electronic system to facilitate secure, on-line communication between Federal automated information systems and the public, using digital signature technologies to authenticate and verify identity.

ROUTINE USES OF THE SYSTEM RECORDS, INCLUDING CATEGORIES OF USERS AND THEIR PURPOSES FOR USING THE SYSTEM:

Information from this system may be disclosed as a routine use:

- a. To GSA ACES program contractors to compile and maintain documentation on applicants for proofing applicants' identity and their authority to access information system applications of participating agencies.
- b. To GSA ACES program contractors to establish and maintain

documentation on information sources for verifying applicants' identities.

c. To Federal agencies participating in the ACES program to determine the validity of applicants' digital signature certificates in an on-line, near real time environment.

d. To GSA, participating Federal agencies, and ACES contractors, for ensuring proper management, ensuring data accuracy, and evaluation of the system.

e. To Federal, State, local or foreign agencies responsible for investigating, prosecuting, enforcing, or carrying out a statute, rule, regulation, or order when GSA becomes aware of a violation or potential violation of civil or criminal law or regulation.

f. To a member of Congress or to a congressional staff member in response to a request from the person who is the subject of the record.

g. To an expert, consultant, or contractor of GSA in the performance of a Federal duty to which the information is relevant.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosure of system records to consumer reporting systems is not permitted.

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

All records are stored by GSA ACES contractors or by GSA as hard copy documents and/or on electronic media.

RETRIEVAL:

Records are retrievable by a personal identifier or by other appropriate type of designation approved by GSA and made available to ACES participants at the time of their application for ACES services.

SAFEGUARDS:

System records are safeguarded in accordance with the requirements of the Privacy Act, the Computer Security Act, and OMB Circular A-130, Appendices I and III. Technical, administrative, and personnel security measures are implemented to ensure confidentiality and integrity of the system data stored, processed, and transmitted. The ACES System Security Plan, approved by GSA for each ACES contractor, provides for inspections, testing, continuity of operations, and technical certification of security safeguards. GSA accredits and annually re-accredits each contractor system prior to its operation.

RETENTION AND DISPOSAL:

System records are retained and disposed of according to GSA records maintenance and disposition schedules and the requirements of the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Administrative Contracting Officer, FEDCAC, Federal Technology Service, General Services Administration, Room 5060, 7th and D Streets, SW, Washington, DC 20407.

NOTIFICATION PROCEDURE:

Inquiries from individuals should be addressed to the system manager. Applicants for digital signature certificates will be notified by the GSA ACES contractor which facilitates individual access to the relevant Federal agency database as follows:

a. Each applicant will be provided, on a Government-approved form that can be retained by the individual applicant, the principal purposes of the ACES program; the authority for collecting the information; the fact that participation is voluntary; the fact that identity and authority information must be provided and verified before a certificate will be issued; the fact that the information provided is covered by the Privacy Act and the Computer Security Act; the routine uses that will be made of the information being provided; the limitations on the uses of the information being provided; the procedures to be followed for requesting access to the individual's own records; and the possible consequences of failing to provide all or part of the required information or intentionally providing false information.

b. Written notification in response to an individual's request to be advised if the system contains a record pertaining to him/her.

c. Written notification to an individual when any record on the individual is made available to any person under compulsory legal process when such process becomes a matter of public record.

d. Written notification of the right to appeal to GSA by any individual on any dispute concerning the accuracy of his/her record.

RECORD ACCESS PROCEDURE:

GSA ACES contractors will provide notification of, access to, review of, or copies of an individual's record upon his/her request as required by the Privacy Act.

CONTESTING RECORD PROCEDURE:

GSA ACES contractors will amend an individual's record upon his/her written

request, as required by the Privacy Act and GSA's implementing regulations, 41 CFR part 105-64. If the ACES contractor determines that an amendment is inappropriate, the contractor shall submit the request to the System Manager for a determination by GSA whether to grant or deny the request for amendment and direct response to the requester.

RECORD SOURCES CATEGORIES:

The sources for information in the system are the individuals who apply for digital signature certificates, GSA ACES contractors using independent sources to verify identities, and internal system transactions designed to gather and maintain data needed to manage and evaluate the ACES program.

PRIVACY ACT EXEMPTIONS CLAIMS FOR THE SYSTEM:

None.

Dated: May 21, 1999.

Daniel K. Cooper,

Director, Administrative Services Division.

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BILLING CODE 6820-34-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[INFO-99-20]

Proposed Data Collections Submitted for Public Comment and Recommendations

In compliance with the requirement of Section 3506 (c) (2) (A) of the Paperwork reduction Act of 1995 the Centers for Disease Control and Prevention (CDC) is providing opportunity for public comment on proposed data collection projects. To request more information on the proposed projects or to obtain a copy of the data collection plans and

instruments, call the CDC Reports Clearance Officer on (404) 639-7090.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques for other forms of information technology. Send comments to Seleda Perryman, CDC Assistant Reports Clearance Officer, 1600 Clifton Road, MS-D24, Atlanta, GA 30333. Written comments should be received with 10 days of this notice.

Proposed Project

1. Application for Training for the CDC Distance Learning Program, Laboratory Training, and Other Training—(0920-0017)—Reinstatement—The Public Health Practice Program Office (PHPPO) is requesting an emergency clearance to resume data collection for the training forms associated with this clearance. We also plan on modifying/revising segments of the application forms. PHPPO in conjunction with the Public Health Training Network (PHTN) and the National Laboratory Training Network (NLTN) at CDC includes the Distance Learning Program which offers self-study, computer-based training, satellite broadcast, video courses, instructor-led field courses, and lab courses related to public health professionals worldwide. Employees of hospitals, universities, medical centers, laboratories, state and federal agencies, and state and local health departments apply for training in an effort to learn up-to-date public health procedures. The "Application for Training" forms are the official applications used for all

training activities conducted by the CDC.

The Continuing Education (CE) Program, which includes CDCs accreditation to provide Continuing Medical Education (CME), Continuing Nurse Education (CNE) and Continuing Education Unit (CEU) for almost all training activities, requires a unique identifying number, preferably the respondent's Social Security Number (SSN), to positively identify and track individuals who have been awarded CE credit. It is often necessary to identify individuals currently enrolled in courses, or to retrieve historical information as to when a particular individual completed a course or several courses over a time period. This information provides the basis for producing a requested transcript or determining if a person is enrolled in more than one course. The use of the SSN is the only positive way of assigning a unique number to a unique individual for this purpose. However, the use of the SSN is voluntary; if a student chooses not to submit a SSN, CDC assigns a unique identifier. The reason the SSN, rather than an arbitrary assigned number is preferred, is because students are not likely to remember an arbitrary number. A student's participation in the curriculum of self-study courses sometimes spans a number of years. The SSN is necessary for eliminating duplicate enrollments; for properly crediting students with completed course work who have similar names or have changed addresses; for generating transcripts of previous completed course work on a cumulative basis. Due to the volume of enrollments, CDC Form 36.5 has been previously approved and used for years as an optical mark scan form. Use of this form, along with the use of the Social Security Number, greatly enhances CDC's capability to process a much greater volume of enrollments in less time with much greater accuracy. There is no cost to the respondents.

Respondents	Number of respondents	Number of responses/respondent	Average burden/response (in hrs.)	Total burden (in hrs.)
Application for Training—CDC 0.759A	6,300	1	0.0833	525
Application for Laboratory Training—CDC 32.1	10,000	1	0.0833	833
Application for Distance Learning Program—CDC 36.5	40,000	1	10/60	6,667
Total	8,025