

necessary to the litigation, and such proceeding names as a party or interests:

- (a) The CFPB;
- (b) Any employee of the CFPB in his or her official capacity;
- (c) Any employee of the CFPB in his or her individual capacity where DOJ has agreed to represent the employee; or
- (d) The United States, where the CFPB determines that litigation is likely to affect the CFPB or any of its components;

(7) A court, magistrate, or administrative tribunal in the course of an administrative proceeding or judicial proceeding, including disclosures to opposing counsel or witnesses (including expert witnesses) in the course of discovery or other pre-hearing exchanges of information, litigation, or settlement negotiations, where relevant or potentially relevant to a proceeding, or in connection with criminal law proceedings;

(8) The public in the form of a list of the individual and business names of the invited or selected participants;

(9) Other representatives of small entities who have been invited or selected to participate in the review panel and/or cost of credit consultation processes and related meetings or other events, and persons attending such meetings, consultations, or other related events;

(10) The Office of Advocacy of the Small Business Administration, the Office of Information and Regulatory Affairs within the Office of Management and Budget, and any of their employees in their official capacity; and

(11) Appropriate federal organizations or agencies in connection with a joint or interagency rulemaking process or consultation.

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

**STORAGE:**

Paper and electronic records.

**RETRIEVABILITY:**

Records are retrievable by one or more of the following: the name of the individual, business or employer name; membership or affiliation with trade associations or other organizations; applicable business size standard and NAICS code; affiliated entities; scope or nature of business activities.

**SAFEGUARDS:**

Access to electronic records is restricted to authorized personnel who have been issued non-transferrable access codes and passwords. Other records are maintained in locked file cabinets or rooms with access limited to

those personnel whose official duties require access.

**RETENTION AND DISPOSAL:**

The CFPB will maintain electronic and paper records indefinitely until the National Archives and Records Administration approves the CFPB's records disposition schedule.

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

Consumer Financial Protection Bureau, Small Business Regulatory Enforcement Fairness Act Manager, 1500 Pennsylvania Ave NW. (Attn: 1801 L Street NW.), Washington, DC 20220.

**NOTIFICATION PROCEDURE:**

Individuals seeking notification and access to any record contained in this system of records, or seeking to contest its content, may inquire in writing in accordance with instructions appearing in Title 12, Chapter 10 of the CFR, "Disclosure of Records and Information." Address such requests to: Chief Privacy Officer, Bureau of Consumer Financial Protection, 1700 G Street NW., Washington, DC 20552.

**RECORD ACCESS PROCEDURES:**

See "Notification Procedures" above.

**CONTESTING RECORD PROCEDURES:**

See "Notification Procedures" above.

**RECORD SOURCE CATEGORIES:**

Information in this system is obtained directly from the individual who is the subject of these records, and/or the association or organization providing the information on behalf of one of its members, or individual guests of small entity representatives, and the CFPB staff involved in the Small Business and Cost of Consultation Panel meetings.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

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**BILLING CODE 4810-AM-P**

**BUREAU OF CONSUMER FINANCIAL PROTECTION**

**Privacy Act of 1974, as Amended**

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

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

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended, the Bureau of Consumer Financial Protection, herein referred to as the Consumer Financial Protection Bureau ("CFPB" or "Bureau"), gives notice of the establishment of a Privacy Act System of Records.

**DATES:** Comments must be received no later than May 23, 2012. The new system of records will be effective June 4, 2012 unless the comments received result in a contrary determination.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Electronic:* [privacy@cfpb.gov](mailto:privacy@cfpb.gov).
- *Mai/Hand Delivery/Courier:* Claire Stapleton, Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552.

Comments will be available for public inspection and copying at 1700 G Street NW., Washington, DC 20552 on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. You can make an appointment to inspect comments by telephoning (202) 435-7220. All comments, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

**FOR FURTHER INFORMATION CONTACT:**

Claire Stapleton, Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552, (202) 435-7220.

**SUPPLEMENTARY INFORMATION:** The Dodd-Frank Wall Street Reform and Consumer Protection Act ("Act"), Public Law No. 111-203, Title X, established the CFPB to administer and enforce the federal consumer financial protection laws. The CFPB will maintain the records covered by this notice.

The new system of records described in this notice, CFPB.014—Direct Registration and User Management System, will be used to provide authorized individuals, including CFPB employees and members of the public who have business with the Bureau, access to or interaction with CFPB information technology resources. A description of the new system of records follows this Notice.

The report of a new system of records has been submitted to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Office of Management and Budget, pursuant to Appendix I to OMB Circular A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated November 30, 2000, and the Privacy Act, 5 U.S.C. 552a(r).

The system of records entitled, "CFPB.014—CFPB Direct Registration and User Management System", is published in its entirety below.

Dated: April 16, 2012.

**Claire Stapleton,**

*Chief Privacy Officer.*

**CFPB.014**

**SYSTEM NAME:**

Direct Registration and User Management System.

**SYSTEM LOCATION:**

Consumer Financial Protection Bureau, 1700 G St NW., Washington, DC 20552.

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

Categories of individuals covered by this system include all persons who are authorized to access CFPB information technology resources, including without limitation: (1) Employees, contractors, and any lawfully designated representative of the above, including representatives of Federal, State, territorial, tribal, or local government agencies or entities, in furtherance of the CFPB's mission; (2) individuals who have business with the CFPB and who have provided personal information in order to facilitate access to CFPB information technology resources; and (3) individuals who are points of contact provided for government business, operations, or programs, and the individuals they list as emergency or other contacts.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records in the system may contain data relating to individuals, including but not limited to: name; business and affiliations, including verification of affiliation; facility; positions held; telephone numbers, including business and cellular, home numbers, and numbers where individuals can be reached while on travel or otherwise away from the office; level of access; home or other provided address for the receipt of issued IT equipment or resources; email addresses of senders and recipients; records of access to CFPB or Treasury computers and networks including equipment issued, user ID and passwords, date(s) and time(s) of access, IP address of access, logs of internet activity and records on the authentication of the access request; records of identity management related to individual user's request including universal resource locator of individual's chosen identity assurance certificate provider and response from certificate provider of positive or negative authentication; and positions or titles of contacts, their business or organizational affiliations, and other contact information provided to the Bureau that is derived from other

sources to facilitate authorized access to CFPB Information Technology resources.

The information in this system includes information relating to system access and does not include the data held within the systems or information technology resources to which access or interaction is sought.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Public Law 111–203, Title X, Section 1012, codified at 12 U.S.C. 5492.

**PURPOSE(S):**

The information in the system is being collected to enable the CFPB to provide authorized individuals access to CFPB information technology resources.

The system enables the CFPB to maintain: account information required for approved access to information technology; lists of individuals seeking or receiving access to CFPB information technology or equipment; lists of individuals who are appropriate organizational points of contact; and lists of individuals who are emergency points of contact. The system will also enable the CFPB to provide individuals access to certain programs and meeting attendance and where appropriate allow for sharing of information between individuals in the same operational program to facilitate collaboration.

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

These records may be disclosed, consistent with the CFPB's Rules for the Disclosure of Records and Information, promulgated at 12 CFR part 1070 *et seq.*, to:

(1) Appropriate agencies, entities, and persons when: (a) The CFPB suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the CFPB has determined that, as a result of the suspected or confirmed compromise, there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the CFPB or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the CFPB's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm;

(2) Another federal or state agency to: (a) permit a decision as to access, amendment or correction of records to

be made in consultation with or by that agency; or (b) verify the identity of an individual or the accuracy of information submitted by an individual who has requested access to, or amendment or correction of record;

(3) The Office of the President in response to an inquiry from that office made at the request of the subject of a record or a third party on that person's behalf;

(4) Congressional offices in response to an inquiry made at the request of the individual to whom the record pertains;

(5) Contractors, agents, or other authorized individuals performing work on a contract, service, cooperative agreement, job, or other activity on behalf of the CFPB or Federal Government and who have a need to access the information in the performance of their duties or activities;

(6) The U.S. Department of Justice ("DOJ") for its use in providing legal advice to the CFPB or in representing the CFPB in a proceeding before a court, adjudicative body, or other administrative body, where the use of such information by the DOJ is deemed by the CFPB to be relevant and necessary to the advice or proceeding, and in the case of a proceeding, such proceeding names as a party in interest:

(a) The CFPB;

(b) Any employee of the CFPB in his or her official capacity;

(c) Any employee of the CFPB in his or her individual capacity where DOJ or the CFPB has agreed to represent the employee; or

(d) The United States, where the CFPB determines that litigation is likely to affect the CFPB or any of its components;

(7) A grand jury pursuant either to a federal or state grand jury subpoena, or to a prosecution request that such record be released for the purpose of its introduction to a grand jury, where the subpoena or request has been specifically approved by a court. In those cases where the Federal Government is not a party to the proceeding, records may be disclosed if a subpoena has been signed by a judge;

(8) A court, magistrate, or administrative tribunal in the course of an administrative proceeding or judicial proceeding, including disclosures to opposing counsel or witnesses (including expert witnesses) in the course of discovery or other pre-hearing exchanges of information, litigation, or settlement negotiations, where relevant or potentially relevant to a proceeding, or in connection with criminal law proceedings; and

(9) Appropriate federal, state, local, foreign, tribal, or self-regulatory

organization or agency responsible for investigating, prosecuting, enforcing, implementing, issuing, or carrying out a statute, rule, regulation, order, policy, or license if the information may be relevant to a potential violation of civil or criminal law, rule, regulation, order, policy or license.

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

**STORAGE:**

Paper and electronic records.

**RETRIEVABILITY:**

Records are retrievable by a variety of fields including, without limitation, the individual's name, address, account number, phone number or email address, or by some combination thereof.

**SAFEGUARDS:**

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

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

Consumer Financial Protection Bureau, Chief Information Officer, 1700 G Street NW., Washington, DC 20552.

**RETENTION AND DISPOSAL:**

The CFPB will maintain computer and paper records indefinitely until the National Archives and Records Administration approves the CFPB's records disposition schedule.

**NOTIFICATION PROCEDURE:**

Individuals seeking notification and access to any record contained in this system of records, or seeking to contest its content, may inquire in writing in accordance with instructions appearing in Title 12, Chapter 10 of the CFR, "Disclosure of Records and Information." Address such requests to: Chief Privacy Officer, Bureau of Consumer Financial Protection, 1700 G Street NW., Washington, DC 20552.

**RECORD ACCESS PROCEDURES:**

See "Notification Procedures" above.

**CONTESTING RECORD PROCEDURES:**

See "Notification Procedures" above.

**RECORD SOURCE CATEGORIES:**

Information in this system is obtained from individuals and entities associated with or granted access to CFPB information technology resources.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 2012-9668 Filed 4-20-12; 8:45 am]

**BILLING CODE 4810-AM-P**

**DEPARTMENT OF EDUCATION**

**Notice of Submission for OMB Review; Office of Elementary and Secondary Education; State Educational Agency Local Educational Agency, and School Data Collection and Reporting Under the Elementary and Secondary Education Act of 1965 (ESEA), Title I, Part A**

**SUMMARY:** Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act, and its regulations contain several existing provisions that require State educational agencies (SEAs), local educational agencies (LEAs), and schools to collect and disseminate information. The Paperwork Reduction Act covers these activities, which are currently approved by the Office of Management and Budget under control number 1810-0581 (expires April 30, 2012).

The U.S. Department of Education (ED) has invited each SEA to request flexibility on behalf of itself, its LEAs, and schools, in order to better focus on improving student academic achievement and increasing the quality of instruction (ESEA flexibility). As of April 17, 2012, 11 SEAs have had their ESEA flexibility requests approved, 27 SEAs' requests are pending, and 5 SEAs have indicated that they intend to request ESEA flexibility in September 2012. Of particular relevance to this collection is ED's expectation that, overall, ESEA flexibility will result in less burden on SEAs, LEAs, and schools compared with current law absent this flexibility. The burden estimate for this collection is therefore substantially lower than that of the currently approved collection.

**DATES:** Interested persons are invited to submit comments on or before May 23, 2012.

**ADDRESSES:** Written comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or mailed to U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Washington, DC 20202-4537. Copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 04800. When you access

the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection and OMB Control Number when making your request.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that Federal agencies provide interested parties an early opportunity to comment on information collection requests. The Acting Director, Information Collection Clearance Division, Privacy, Information and Records Management Services, Office of Management, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* State Educational Agency Local Educational Agency, and School Data Collection and Reporting under the Elementary and Secondary Education Act of 1965 (ESEA), Title I, Part A.

*OMB Control Number:* 1810-0581.

*Type of Review:* Extension.

*Total Estimated Number of Annual Responses:* 50,719.

*Total Estimated Number of Annual Burden Hours:* 4,710,525.

*Abstract:* Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act, and its regulations contain several existing provisions that require State educational agencies (SEAs), local educational agencies (LEAs), and schools to collect