CFTC-54

SYSTEM NAME AND NUMBER:

Ensuring Workplace Health and Safety in Response to a Public Health Emergency; CFTC-54.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

This system is maintained by the Security and Emergency Management Unit (SEMU) in the Commission's principal office at Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581. Records may also be located at the regional offices in Chicago at 525 West Monroe Street, Suite 1100, Chicago, IL 60661; in Kansas City at Two Emanuel Cleaver II Blvd., Suite 300, Kansas City, MO 64112; and, New York at 140 Broadway, 19th Floor, New York, NY 10005.

SYSTEM MANAGER(S):

The system manager is the SEMU Officer located in the Commission's principal office at Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581, and available at *security@cftc.gov*. Additional records may be located and managed by Logistics and Operations staff in the regional offices in Chicago at 525 West Monroe Street, Suite 1100, Chicago, IL 60661; in Kansas City at Two Emanuel Cleaver II Blvd., Suite 300, Kansas City, MO 64112; and, in New York at 140 Broadway, 19th Floor, New York, NY 10005.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The authority to collect this information derives from General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health (OSH) Act of 1970 (29 U.S.C. 654), Executive Order 12196, *Occupational safety and health programs for Federal employees* (Feb. 26, 1980), OMB Memorandum M-20-23 *Aligning Federal Agency Operations with the National Guidelines for Opening Up America Again* (Apr. 20, 2020), and the National Defense Authorization Act For Fiscal Year 2017 (5 U.S.C. 6329c(b)). Information will be collected and maintained in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*)

PURPOSE(S) OF THE SYSTEM:

The information in the system is collected to assist the CFTC with maintaining a safe and healthy workplace and to protect CFTC staff working on-site from risks associated with a public health emergency (as defined by the U.S. Department of Health and Human Services and declared by its Secretary), such as a pandemic or epidemic. To that end, the CFTC may develop and institute additional safety measures in response to a public health emergency. These measures may include instituting activities such as requiring CFTC staff and visitors to provide information before being allowed access to a CFTC facility, medical screening, and contact tracing. Contact tracing conducted by CFTC staff will involve collecting information about CFTC staff and visitors who are

exhibiting symptoms or who have tested positive for an infectious disease in order to identify and notify other CFTC staff and visitors with whom they may have come into contact and who may have been exposed.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals covered by this system include CFTC staff (*e.g.,* political appointees, employees, detailees, contractors, consultants, interns, and volunteers) and visitors to a CFTC facility during a public health emergency, such as a pandemic or epidemic.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system maintains information collected about CFTC staff and visitors accessing CFTC facilities during a public health emergency, including a pandemic or epidemic. It maintains biographical information collected about CFTC staff and visitors that includes, but is not limited to, their name, contact information, whether they are in a high-risk category or provide dependent care for individuals in a high-risk category, and recent travel. It maintains health information collected about CFTC staff and visitors to a CFTC facility, that includes, but is not limited to, temperature checks, expected or confirmed test results, dates, symptoms, potential or actual exposure to a pathogen, immunizations and vaccination information, or other medical history related to the treatment of a pathogen or communicable disease. It maintains information collected about CFTC staff and visitors to a CFTC facility necessary to conduct contact tracing that includes, but is not limited to, the dates when they visited the facility, the locations that they visited within the facility (*e.g.,* office and cubicle number), the duration of time spent in the facility, whether they may have potentially come into contact with a contagious person while visiting the facility, travel dates and locations, and a preferred contact number. It maintains information about emergency contacts for CFTC staff that includes, but is not limited to, the emergency contact's name, phone number, and email address.

RECORD SOURCE CATEGORIES:

The information in this system is collected in part directly from the individual or from the individual's emergency contact. Information is also collected from security systems monitoring access to CFTC facilities, such as video surveillance and turnstiles, human resources systems, emergency notification systems, and federal, state, and local agencies assisting with the response to a public health emergency. Information may also be collected from property management companies responsible for managing office buildings that house CFTC facilities.

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

These records and information in these records may be disclosed:

(a) To a Federal, State, or local agency to the extent necessary to comply with laws governing reporting of infectious disease;

(b) To the CFTC staff member's emergency contact for purposes of locating a staff member during a public health emergency or to communicate that the CFTC staff member may have potentially been exposed to a virus as the result of a pandemic or epidemic while visiting a CFTC facility;

(c) To another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency when the Commission is a party to the judicial or administrative proceeding where the information is relevant and necessary to the proceeding;

(d) To contractors, performing or working on a contract for the Commission when necessary to accomplish an agency function;

(e) To the Department of Justice or in a proceeding before a court, adjudicative body, or other administrative body which the Commission is authorized to appear, when:

(1) The Commission; or

(2) Any employee of the Commission in his or her official capacity; or

(3) Any employee of the Commission in his or her official capacity where the Department of Justice or the Commission has agreed to represent the employee; or

(4) The United States, when the Commission determines that litigation is likely to affect the agency or any of its components;

Is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the Commission is deemed by the agency to be relevant and necessary to the litigation.

(f) To appropriate agencies, entities, and persons when (1) the Commission suspects or has confirmed that there has been a breach of the system of records, (2) the Commission has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the Commission (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Commission's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm; or

(g) To another Federal agency or Federal entity, when the Commission determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to Individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records in this system of records are stored electronically or on paper in secure facilities. Electronic records are stored on the Commission's secure network.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Information covered by this system of records notice may be retrieved by the name of the individual.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records of emergency contacts for CFTC staff will be maintained in accordance with General Records Schedule 5.3, Item 020: Employee Emergency Contact Information, which requires that the records be destroyed when superseded or obsolete, or upon separation or transfer of employee. CFTC will work with the National Archives and Records Administration (NARA) to draft and secure approval of a records disposition schedule to cover the remainder of the records described in this SORN. Until this records disposition schedule is approved by NARA, CFTC will maintain, and not destroy, these records.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Records are protected from unauthorized access and improper use through administrative, technical, and physical security measures. Administrative safeguards include applying a coversheet to sensitive information. Technical security safeguards within CFTC include restrictions on computer access to authorized individuals who have a legitimate need to know the information; required use of strong passwords that are frequently changed; multi-factor authentication for remote access and access to many CFTC network components; use of encryption for certain data types and transfers; firewalls and intrusion detection applications; and regular review of security procedures and best practices to enhance security. Physical safeguards include restrictions on building access to authorized individuals, 24-hour security guard service, and maintenance of records in lockable offices and filing cabinets.

RECORD ACCESS PROCEDURES:

Individuals seeking to determine whether this system of records contains information about themselves or seeking access to records about themselves in this system of records should address written inquiries to the Office of General Counsel, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581. See 17 CFR 146.3 for full details on what to include in a Privacy Act access request.

CONTESTING RECORD PROCEDURES:

Individuals contesting the content of records about themselves contained in this system of records should address written inquiries to the Office of General Counsel, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581. See 17 CFR 146.8 for full details on what to include in a Privacy Act amendment request.

NOTIFICATION PROCEDURES:

Individuals seeking notification of any records about themselves contained in this system of records should address written inquiries to the Office of General Counsel, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581. See 17 CFR 146.3 for full details on what to include in a Privacy Act notification request.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

None.