than the small organization that will provide the service to the Government.
2. If approved, the action will result in authorizing small entities to provide the service to the Government.
3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O’Day Act (41 U.S.C. 8501–8506) in connection with the service proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

End of Certification

The following service is proposed for addition to the Procurement List for provision by the nonprofit agency listed:

Service

Service Type/Location: Janitorial/Custodial Service, WA104 Seattle-Marysville Armed Forces Reserve Center (AFRC), 13613 40th Avenue NE., Marysville, WA. NPA: Portland Habilitation Center, Inc., Portland, OR.

Contracting Activity: Dept of the Army, W6QM MCC-ARC, North Fort McCoy, WI.

Barry S. Lineback,
Director, Business Operations.

FOR FURTHER INFORMATION CONTACT:
Kathy Harman-Stokes, Chief Privacy Officer, kharman-stokes@cftc.gov, 202–418–6629, Office of the Executive Director, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

SUPPLEMENTARY INFORMATION:

I. The Privacy Act

Under the Privacy Act of 1974, 5 U.S.C. 552a, a “system of records” is defined as any group of records under the control of a federal government agency from which information about individuals is retrieved by name or other personal identifier. The Privacy Act establishes the means by which government agencies must collect, maintain, and use personally identifiable information associated with an individual in a government system of records.

Each government agency is required to publish a notice in the Federal Register of a system of records in which the agency identifies and describes each system of records it maintains, the reasons why the agency uses the personally identifying information therein, the routine uses for which the agency will disclose such information outside the agency, and how individuals may exercise their rights under the Privacy Act to determine if the system contains information about them, among other things.

II. Routine Uses

Information in the systems of records covered by this Federal Register notice may be disclosed in accordance with the blanket routine uses numbers 1 through 19 published at 76 FR 5974 (Feb. 2, 2011) and copied below for convenience. These blanket routine uses apply to all CFTC systems of records, except as otherwise provided in a specific system of records notice:

1. Information may be used by the Commission in any administrative proceeding before the Commission, in any injunctive action authorized under the Commodity Exchange Act or in any other action or proceeding in which the Commission or its staff participates as a party or the Commission participates as amicus curiae.

2. Information may be disclosed to the Department of Justice, the Securities and Exchange Commission, the United States Postal Service, the Internal Revenue Service, the Department of Agriculture, the Office of Personnel Management, and to other Federal, state,
local, territorial or tribal law
enforcement or regulatory agencies for
use in meeting their statutory and
regulatory requirements.

3. Information may be given to any
“registered entity,” as defined in section
1a of the Commodity Exchange Act, 7
U.S.C. 1 et seq. (“the Act”), if the
Commodity Exchange Act has reason to believe that such information will assist the
registered entity in carrying out its
responsibilities under the Act.

Information may also be given to any
registered futures association registered
under Section 17 of the Act (e.g., the
National Futures Association) to assist in
carrying out its self-regulatory
responsibilities under the Act, and to
any national securities exchange or
national securities association registered
with the Securities and Exchange
Commission to assist those
organizations in carrying out their self-
regulatory responsibilities under the
Securities Exchange Act of 1934, 15
U.S.C. 78a et seq.

4. At the discretion of the
Commission staff, information may be
given or shown to anyone during the
course of a Commission investigation if
the staff has reason to believe that the
person to whom it is disclosed may have further information about the
matters discussed therein, and those
matters appear relevant to the subject of
the investigation.

5. Information may be included in a
public report issued by the Commission
following an investigation, to the extent
that this is authorized under Section 8
of the Commodity Exchange Act, 7
U.S.C. § 12. Section 8 authorizes
publication of such reports but contains
restrictions on the publication of certain
types of sensitive business information
developed during an investigation. In
certain contexts, some of this
information might be considered
personal in nature.

6. Information may be disclosed to a
Federal agency in response to its request
in connection with the hiring or
retention of an employee, the issuance
of a security clearance, the reporting of
an investigation of an employee, the
letting of a contract or the issuance of
a license, or a grant or other benefit by
the requesting agency, to the extent that
the information is relevant to the request
agency’s decision on the
matter.

7. Information may be disclosed to a
prospective employer in response to its
request in connection with the hiring or
retention of an employee, to the extent
that the information is believed to be
relevant to the prospective employer’s
decision in the matter.

8. Information may be disclosed to
any person, pursuant to Section 12(a) of
the Commodity Exchange Act, 7 U.S.C.
16(a), when disclosure will further the
policies of that Act or of other
provisions of law. Section 12(a)
authorizes the Commission to cooperate
with various other government
authorities or with “any person.”

9. Where information, either alone or
in conjunction with other information
indicates a violation or potential
violation of law—criminal, civil, or
regulatory in nature—the relevant
information may be disclosed to the
appropriate Federal, state, local,
territorial, tribal, or foreign law
enforcement authority or other
appropriate entity charged with the
responsibility for investigating or
prosecuting such violation or charged
with enforcing or implementing such
law.

10. Information may be disclosed to
the General Services Administration for
the purpose of records management
inspections conducted under the
authority of 44 U.S.C. 2904 and 2906.

11. Information may be disclosed to
the National Archives and Records
Administration for the purpose of
records management inspections being
conducted under the authority of
44 U.S.C. 2904 and 2906.

12. Information may be disclosed to
foreign law enforcement, investigatory,
or administrative authorities in order to
comply with requirements set forth in
international arrangements, such as
memoranda of understanding.

13. Information may be disclosed to
contractors, grantees, volunteers,
experts, students, and others performing
or working on a contract, service, grant,
cooperative agreement, or job for the
Federal government when necessary to
accomplish an agency function.

14. Information may be disclosed to
the Merit Systems Protection Board,
including the Office of Special Counsel
for the purpose of litigation, including
administrative proceedings, appeals,
special studies of the civil service and
other merit systems.

15. Information may be disclosed to
the Department of Justice or in a
proceeding before a court, adjudicative
body, or other administrative body
which the agency is authorized to
appear, when:

a. The agency, or any component
thereof; or

b. Any employee of the agency in his
or her official capacity; or

c. Any employee of the agency in his
or her official capacity who the
Department of Justice or the agency
has agreed to represent the employee; or
d. The United States, when the agency
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 agency is deemed by the agency to
be relevant and necessary to the
litigation provided, however, that in
each case it has been determined that
the disclosure is compatible with the
purpose for which the records were
collected.

16. Information may be disclosed to a
Member of Congress or staff, sitting upon
the Member’s behalf when the Member
or staff requests the information on
behalf of, or at the request of, the
individual who is the subject of the
record.

17. Information related to any traders
or the amount or quantity of any
commodity purchased or sold by such
traders may be disclosed to any
committee of either House of Congress
upon its request, acting within the scope
of its jurisdiction, pursuant to the
Commodity Exchange Act, 7 U.S.C. 1
et seq., including Section 8(a) of such
Act at 7 U.S.C. 12, and the rules
and regulations promulgated thereunder.

18. Information may be disclosed 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 Government is a party to the judicial
or administrative proceeding.

19. Information may be disclosed to
appropriate agencies, entities, and
individuals when:

a. The Commission suspects or has
confirmed that the security or
confidentiality of information in the
system of records has been
compromised;

b. The Commission has determined
that the 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 Commission or
another agency or entity) that rely upon
the compromised information; and

c. The disclosure made to such
agencies, entities, and individuals is
reasonably necessary to assist in
connection with the Commission’s
efforts to respond to the suspected or
confirmed compromise and prevent,
minimize, or remedy such harm.

III. Personnel Clearance System

The Commission proposes to revise a
system of records, CFTC–44, Personnel
Security Files, to rename the system
The Commission is creating a system to maintain records related to the whistleblower program, which is described and defined in Section 23 of the Commodity Exchange Act, 7 U.S.C. 26, and the rules promulgated thereunder, 17 CFR part 165. The system may include all or any part of the records developed during the whistleblower tip, complaint or referral submission process, investigation or inquiry, and/or whistleblower award claim and determination process, including but not limited to data from Commission reporting forms, such as Commission Forms TCR and WB–APP, documents and information related to the whistleblower program, and records drafted and/or compiled for the Commission’s Whistleblower Award Determination Panel. This system may include: Records, data and correspondence submitted by and sent to whistleblowers and/or their representatives; correspondence with other law enforcement and regulatory agencies regarding referral of whistleblower information and related actions brought by such agencies based on whistleblower information; interviews, memoranda and other work products prepared by Commission staff; affidavits, statements by witnesses, contracts and agreements with whistleblowers, including confidentiality agreements; and information available on the Internet or other electronic sources accessed for purposes of the whistleblower program. The system may also contain internal memoranda and declarations of Commission staff, correspondence and other miscellaneous investigatory matters.

VI. Notice: Personnel Clearance System

SYSTEM NUMBER:
CFTC–44

SYSTEM NAME:
Personnel Clearance System (PCS).

SECURITY CLASSIFICATION:
Unclassified.

SYSTEM LOCATION:
This system is located in the Commission’s principal office, at Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:
Individuals who require regular, ongoing access to CFTC facilities, information technology systems, or information classified in the interest of national security, including candidates for Commission employment or contracts, Commission employees, contractors of the Commission, students, interns, volunteers, individuals authorized to perform or use services provided in Commission facilities, and individuals formerly in any of these positions.

CATEGORIES OF RECORDS IN THE SYSTEM:
Records may include any or all of the following: First name, last name, social security number, date of birth, state of birth, country of birth, non CFTC phone number, non CFTC email address, CFTC duty location, CFTC hiring division, hiring manager, job title, job series, job grade, journeyman job grade, appointment type, prior CFTC employment, prior employment year, prior employment division, business manager, proposed start date, level of clearance needed, clearance valid date, clearance related investigation status, and clearance related investigation notes; copies of and information derived from passports, birth certificates, driver’s licenses, OF 306 forms, US “I–9 Forms” and resumes; information provided by the Office of Personnel Management (OPM) for clearance determination purposes; and in addition for contractors only, estimated contract end date, option year information, hiring manager and/or Contract Officer Technical Reviewer (COTR), contract number, company name, company point of contact, and company address.

Note: This system of records does not include the Office of Personnel Management (OPM) background investigation report. An identical version of the investigation report is in the possession of the Commission, but is considered to be part of the OPM Central-9, Personnel Investigations Records. For information on how to request access to the OPM Central-9, Personnel Investigations Records, please see the Note in the Records Access Procedures section of this notice.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:
Applicants and appointees to Federal service are subject to a background investigation under 5 CFR parts 731, 732, and 736, Executive Order 10450, “Security Requirements for Government Employment” and the agency memorandum exercising authority to conduct investigations of non-competitive service applicants and appointees under these authorities. See also Executive Order 13292, “Classified National Security Information,” and Executive Order 12986, “Access to Classified Information.” HSPD–12 clarified that Federal contractors are
also subject to background investigation under these authorities. The Office of Personnel Management (OPM) is authorized to collect this information under 5 U.S.C. 3301, 3302, and 9101. 5 U.S.C. 1104 allows OPM to delegate the personnel management function to other Federal agencies.

Solicitation of the Social Security Number is also authorized by Executive Order 9397, which asks Federal agencies to use this number to help identify individuals in agency records.

PURPOSE(S):

The records in this system are used to verify identity and to facilitate background investigations by OPM and adjudications by the CFTC Security and Emergency Management Officer.

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

Information in this system may be disclosed as stated below:

a. Except as noted on Forms SF 85, 85-P, and 86, when a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, disclosure may be made to the appropriate public authority, whether Federal, foreign, State, local, or tribal, or otherwise, responsible for enforcing, investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative or prosecutorial responsibility of the receiving entity.

b. Employment, Clearances, Contract, or Other Benefits Decision by an Organization other than the Commission—disclosure may be made to a Federal State, local, foreign, or tribal or other public authority of the fact that this system of records contains information relevant to the retention of an employee, the retention of a security clearance, or the letting of a contract. The other agency or licensing organization may then make a request supported by the written consent of the individual for the entire record if it so chooses. No disclosure will be made unless the information has been determined to be sufficiently reliable to support a referral to another office within the agency or to another Federal agency for criminal, civil, administrative, personnel, or regulatory action.

c. National Security and Intelligence Matters—these records may be disclosed to Federal, State, local agencies, or other appropriate entities or individuals, or through established liaison channels to selected foreign governments, in order to enable an intelligence agency to carry out its responsibilities under the National Security Act of 1947 as amended, the CIA Act of 1949 as amended, Executive Order 12333 or any successor order, applicable national security directives, or classified implementing procedures approved by the Attorney General and promulgated pursuant to such statutes, orders or directives.

Information also may be disclosed as stated in the blanket routine uses numbered 1 through 9 that appear at the beginning of the Commission’s compilation of its systems of records notices at 76 FR 5974 (Feb. 2, 2011), and copied in this Federal Register notice above for convenience, “Supplementary Information,” “II. Routine Uses.”

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESS CONTROLS, SAFEGUARDS, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The data will be collected and maintained electronically and in paper files. Paper records are stored in file folders, binders, computer files and computer disks. Electronic records, including computer files and electronically maintained data, are stored on the Commission’s network and other electronic media as needed, such as encrypted hard drives.

RETRIEVABILITY:

Files are retrieved by name of the individual.

ACCESS CONTROLS, SAFEGUARDS:

Records in the system are protected from unauthorized access and misuse through various administrative, technical and physical security measures. Technical security measures within CFTC include restrictions on computer access to authorized individuals, required use of strong passwords that are frequently changed, use of encryption for certain data types and transfers, and regular review of security procedures and best practices to enhance security. Physical measures include restrictions on building access to authorized individuals only and maintaining records in lockable offices and filing cabinets. These records are kept in electronic form and in file folders in locked metal file cabinets in locked rooms at the headquarters office in the Security and Emergency Management Office.

RETENTION AND DISPOSAL:

The records will be maintained and disposed of in accordance with General Records Schedule 18, Item 22a and Item 22b. The schedules are available at www.cftc.gov. The data will be deleted by the Personnel Security staff 90 days after the separation of the individual from CFTC.

SYSTEM MANAGER(S) AND ADDRESS:


NOTIFICATION PROCEDURE:

An individual can determine if this system contains a record pertaining to him/her by sending a request in writing, signed, to the Office of General Counsel, Paralegal Specialist, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581. Telephone (202) 418–5011.

When requesting notification of, or access to, records covered by this Notice, an individual should provide his/her full name, date of birth, agency name, and work location. An individual requesting notification of records in person must provide identity documents, such as a government-issue photo ID, sufficient to satisfy the custodian of the records that the requester is entitled to access. Individuals requesting notification via mail or telephone must furnish, at a minimum, name, date of birth, social security number, and home address in order to establish identity.

Note: For information on how to request access to the OPM Personnel Investigations Records which are part of the OPM Central-9 system of records, please see the Note in the Records Access Procedures section of this notice.

RECORDS ACCESS PROCEDURES:

Individuals wishing to request access to CFTC records about them should contact the system manager indicated above. Individuals must furnish their full name (first, middle, and last name) and birth date for their record to be located and identified. An individual requesting access must also follow CFTC Privacy Act requirements regarding verification of identity and amendment of records. Correspondence
between the requester and Human Resources staff on the subject of any background investigation and security adjudication may also be made available.

Note: The CFTC may not provide an individual with access to his/her OPM Personnel Investigations Records or to copies of OPM documentation of any background investigation conducted by OPM or contractors dealing with those investigations. These records, which are sent to the CFTC Security and Emergency Management Office to allow adjudication of the request for security clearance, are owned by OPM and reside within the OPM Central-9 system of records. OPM is solely responsible for controlling access to, or amendment of, those records. Those seeking access to, or amendment of, those records owned by OPM should submit a request in writing to the Federal Investigations Processing Center, as stated in OPM Central-9. The signed request should be made under the Privacy Act of 1974 and include the requester’s full name, home address, Social Security Number, date and place of birth, and other information requested by OPM.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of their CFTC records should contact the system manager indicated above. Individuals must furnish their full name (first, middle, and last name) and birth date for the record to be located and identified. An individual requesting amendment must also follow the CFTC Privacy Act requirements regarding verification of identity and amendment of records.

Note: Individuals who wish to request amendment of their OPM Personnel Investigations Records should follow the requirements of the OPM Central-9 system of records. For information on how to submit such a request, please see the Note in the Records Access Procedures section of this notice.

RECORD SOURCE CATEGORIES:

The individual and OPM will provide the information for this system of records.

EXEMPTIONS CLAIMED FOR THIS SYSTEM:

None.

VII. Notice: Personal Property Claims

SYSTEM NUMBER:

CFTC–48

SYSTEM NAME:

Personal Property Claims.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

This system is located in the Commission’s principal office at Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

CFTC employees and former employees who have experienced damage to or loss of personal property incident to Commission business. Covered individuals also may include authorized agents or legal representatives of CFTC employees or former employees, or their survivors.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system of records includes the information provided by employees on a CFTC Personal Property Claims form, including the following when applicable: name of employee, information concerning the damage or loss of personal property, personal property at issue, corroborating statements from persons who have personal knowledge of the facts concerning the claim, either an itemized bill for repair of damaged property, or an itemized repair estimate or bill of sale or value estimate from a competent repairman or appraiser, evidence that the employee has filed a claim with the carrier or insurer, and copies of any pertinent correspondence, copies of travel and transportation orders, a statement concerning any reimbursement obtained from a carrier or insurer, describing reimbursement received for each item, copies of police reports, and other evidence which may be needed for CFTC review and determination of whether to pay the claim.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Military Personnel and Civilian Employees’ Claims Act, 31 U.S.C. 3721, authorizes heads of federal agencies to pay or otherwise settle claims of employees up to a limit specified by the Act and/or CFTC policies for damage or loss of personal property incident to their services.

PURPOSE(S):

The purpose of the system of records is to include all information related to claims by employees for damage to or loss of personal property incident to Commission business, as provided in the Military Personnel & Civilian Employees’ Claims Act of 1964, 31 U.S.C. 3721. The system will facilitate the review of a claim and collection of evidence by CFTC Logistics and Operations Unit (L&O); will facilitate the Executive Director’s decision as to whether to pay a claim, offer a replacement of the property in kind or otherwise settle the claim; will facilitate processing through Financial Management; and when a claim has been denied, will allow a claimant to request reconsideration, as stated in Commission policy.

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

The information in this system will be routinely used by CFTC staff in the Office of the Executive Director, including L&O, Security and Emergency Management Office and Financial Management Branch to review, process and adjudicate personal property claims. Information also may be disclosed as stated in the blanket routine uses numbered 1 through 19 that appear at the beginning of the Commission’s compilation of its systems of records notices at 76 FR 5974 (Feb. 2, 2011), and copied in this Federal Register notice above for convenience, “Supplementary Information,” “II. Routine Uses.”

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESS CONTROLS, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

Storage:

Paper records are stored in file folders, binders, computer disks, and are uploaded into the CFTC network. Electronic records, including emails, spreadsheets, PDF files and documents are maintained on a SharePoint site, are stored on the Commission’s network and other electronic media as needed, such as encrypted hard drives and backup media.

RETRIEVABILITY:

By name of the employee who files the personal property claim.

ACCESS CONTROLS, SAFEGUARDS:

Records in the system are protected from unauthorized access and misuse through various administrative, technical and physical security measures. Technical security measures within CFTC include restrictions on computer access to authorized individuals, required use of strong passwords that are frequently changed, use of encryption for certain data types and transfers, and regular review of security procedures and best practices to enhance security. Physical measures include restrictions on building access to authorized individuals only and maintaining records in locked offices and filing cabinets.
RETENTION AND DISPOSAL:
The records will be maintained in accordance with records disposition schedules approved by the National Archives and Records Administration. The schedules are available at www.archives.gov.

SYSTEM MANAGER(S) AND ADDRESS:
Logistics & Operations in the Commission’s Office of the Executive Director, located at the Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

NOTIFICATION PROCEDURE:
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, or contesting the content of records about themselves contained in this system of records should address written inquiry to the Office of General Counsel, Paralegal Specialist, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581. Telephone (202) 418–5011.

RECORD SOURCE CATEGORIES:
Individuals who file personal property claims; the individual’s supervisor; information from witnesses collected by the Security and Emergency Management Office staff; the Executive Director, who makes the final determination regarding settlement of the claim; and personnel in the Commission’s Financial Management Branch who handle financial reimbursement issues.

EXEMPTIONS CLAIMED FOR THIS SYSTEM:
None.

VIII. Notice: Whistleblower Records (Exempted)

SYSTEM NUMBER:
CFTC–49

SYSTEM NAME:
Whistleblower Records (Exempted).

SYSTEM LOCATION:
This system is located in the Whistleblower Office, in the Office of the Executive Director, in the Commission’s principal office at Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:
a. Individuals who have submitted tips, complaints or referrals, award applications and/or related documents or information to the Whistleblower Office in relation to the Commission’s whistleblower program, and any individuals who are referenced in any information submitted to or accessed by the Whistleblower Office in relation to the whistleblower program.
b. Individuals whom the Commission staff has reason to believe have violated, are violating, or are about to violate the Commodity Exchange Act and the rules, regulations and orders promulgated thereunder.
c. Individuals whom the Commission staff has reason to believe have violated, are violating, or are about to violate a law or regulation or order of another federal, state or foreign authority.
d. Individuals whom the Commission staff has reason to believe may have information concerning violations of the Commodity Exchange Act and the rules, regulations and orders promulgated thereunder.
e. Individuals whom the Commission staff has identified as relevant to an enforcement investigation, such as complainants, witnesses and counsel.
f. Individuals whom a foreign law enforcement authority has found or alleges to have, or suspects of having, violated foreign laws, rules, regulations or orders of such foreign law enforcement authority.

cATEGORIES OF RECORDS IN THE SYSTEM:
This system may include all or any part of the records developed during the whistleblower tip, complaint or referral submission process, investigation or inquiry, or whistleblower award claim and determination process, as described in Section 23 of the Commodity Exchange Act, 7 U.S.C. § 26, and the rules promulgated thereunder, 17 CFR part 165, including but not limited to data from Commission reporting forms, such as Commission Forms TCR and WB–APP, documents and information related to the whistleblower program, and records drafted and/or compiled for the Commission’s Whistleblower Award Determination Panel whose disclosure the Commission staff has determined could impair the effectiveness and orderly conduct of the Commission’s whistleblower, regulatory and enforcement programs or compromise Commission investigations. This system may include: records, data and correspondence submitted by and sent to whistleblowers and/or their representatives; correspondence with other law enforcement and regulatory agencies regarding referral of whistleblower information and related actions brought by such agencies based on whistleblower information; interviews, memoranda and other work products prepared by Commission staff; affidavits, statements by witnesses, contracts and agreements with whistleblowers, including confidentiality agreements; and information available on the Internet or other electronic sources accessed for purposes of the whistleblower program. The system may also contain internal memoranda and declarations of Commission staff, correspondence and other miscellaneous investigatory matters. The nature of the personal information contained in these files varies according to what has been submitted by the whistleblower and/or his/her representative, and may include personal background information about individuals involved, their education and employment history, social security numbers, trading account details, information on prior violations, and a wide variety of financial information, as well as a detailed examination of the individuals’ activities during the period in question.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

PURPOSE(S):
The Commission’s whistleblower program is designed to pay awards to eligible individuals who voluntarily provide the Commission with original information about violations of the Commodity Exchange Act (CEA) that lead to the successful enforcement of covered judicial or administrative actions, or related actions. The whistleblower provisions also prohibit retaliation by employers against individuals who provide the Commission with information about possible CEA violations. As part of its administration of the whistleblower program, the Commission’s Whistleblower Office maintains records of whistleblower tips, complaints, award claims and related supplemental records and correspondence.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:
Information in this system may be disclosed in accordance with the blanket routine uses numbered 1 through 19 that appear at the beginning of the Commission’s compilation of its systems of records notices at 76 FR 5974 (Feb. 2, 2011), and copied in this Federal Register notice above for
convenience. “Supplementary Information,” “II. Routine Uses,” which will be exercised in accordance with Commodity Exchange Act Section 23(h)(2), 7 U.S.C. 26(h)(2), and rule 165.4 thereunder, 17 CFR 165.4.

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

STORAGE:

Paper records are stored in file folders and binders. Electronic records, including PDFs of paper records and computer files, are stored on the Commission’s network and on various other electronic media as needed, such as encrypted hard drives.

RETRIEVABILITY:

By the name, submission number or other individual identifier of the individual or individuals seeking whistleblower status or claiming a whistleblower award.

SAFEGUARDS:

Records are protected from unauthorized access and improper use through administrative, technical and physical security measures. Technical security measures within the Commission include restrictions on computer access to authorized individuals, required use of strong passwords that are frequently changed, use of encryption for certain data types and transfers, and regular review of security procedures and best practices to enhance security. Physical measures include restrictions on building access to authorized individuals and maintenance of certain records in secured filing rooms and/or locked filing cabinets. Also, all employees are made aware of the sensitive nature of whistleblower information.

RETENTION AND DISPOSAL:

1. Whistleblower Submission Files: a. Includes but is not limited to Forms TCR and WB–APP, records provided by whistleblowers and/or their representatives in support of their submissions, memoranda of interviews with whistleblowers, correspondence with whistleblowers and/or their representatives, and other related records.
   b. Such files will be closed after the last action on the relevant Division of Enforcement matter, after the final appeal of the decision of the Whistleblower Award Determination Panel is exhausted, or after the award payment to the whistleblower has been made, whichever is applicable and whichever is latest (the cut-off date). Such files will be destroyed 15 years after the end of the fiscal year on which the latest cut-off date occurs.

2. Whistleblower Award Determination Panel Records:
   a. Includes but is not limited to documentation that the Whistleblower Office collects and prepares for the Whistleblower Award Determination Panel to make eligibility and award decisions, the Panel’s determinations, records documenting payment of awards to whistleblowers, Panel membership lists and other records related to the administration of the Panel, and other related records.
   b. Such files will be closed after the final appeal of the Whistleblower Award Determination Panel decision is exhausted, or after the award payment to the whistleblower has been made, whichever is applicable and whichever is latest (the cut-off date). Such files will be transferred to the National Archives and Records Administration 15 years after the end of the fiscal year in which the latest cut-off date occurs.

All whistleblower records remain exempt from disclosure under the Privacy Act.

SYSTEM MANAGER(S) AND ADDRESS:

Whistleblower Officer in the Office of the Executive Director, in the Commission’s principal office at Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

RECORD SOURCE CATEGORIES:

Reporting forms and other information filed with or submitted to the Commission by: Individuals interested in participating in the whistleblower program; self-regulatory organizations; individuals or firms covered by the Commission’s registration requirements; federal, state and local regulatory and law enforcement agencies; banks, credit organizations and other institutions; corporations; individuals having knowledge of the facts; attorneys; publications; courts; the Whistleblower Award Determination Panel; and other sources which may have information related to the handling of a whistleblower matter.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The records in this system have been exempted by the Commission from certain provisions of the Privacy Act of 1974 pursuant to the terms of the Privacy Act, 5 U.S.C. 552a(k)(2), and the Commission’s rules promulgated thereunder, 17 CFR 146.12. These records are exempt from the notification procedures, records access procedures, and record contest procedures set forth in the system notices of other systems of records, and from the requirement that the sources of records in the system be described.

Issued in Washington, DC, this 3rd day of July 2012, by the Commission.

Sauntia S. Warfield.
Assistant Secretary of the Commission.

DEPARTMENT OF DEFENSE
Office of the Secretary

Board of Regents of the Uniform Services University of the Health Sciences

AGENCY: Uniformed Services University of the Health Sciences, Department of Defense.

ACTION: Quarterly Meeting Notice.

SUMMARY: Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), this notice announces the following meeting of the Board of Regents of the Uniformed Services University of the Health Sciences.

DATES:
Tuesday, August 14, 2012.
8:00 a.m. to 11:30 a.m. (Open Session).
11:30 a.m. to 1:00 p.m. (Closed Session).

ADDRESSES: Everett Alvarez Jr. Board of Regents Room (D3001), Uniformed Services University of the Health Sciences, 4301 Jones Bridge Road, Bethesda, Maryland 20814.

FOR FURTHER INFORMATION CONTACT: Janet S. Taylor, Designated Federal Officer, 4301 Jones Bridge Road, Bethesda, Maryland 20814; telephone 301–295–3066. Ms. Taylor can also provide base access procedures.

SUPPLEMENTARY INFORMATION:
Purpose of the Meeting: Meetings of the Board of Regents assure that USU operates in the best traditions of academia. An outside Board is necessary for institutional accreditation.

Agenda: The actions that will take place include the approval of minutes from the Board of Regents Meeting held May 18, 2012; recommendations regarding the approval of faculty appointments and promotions in the School of Medicine and the Graduate School of Nursing; and recommendations regarding the