

#..SEC-37

System name:

Automated Personnel Management Information System--SEC.

System location:

Securities and Exchange Commission, Washington, DC 20549.

Categories of individuals covered by the system:

SEC employees, past and present.

Categories of records in the system:

The system of records consists of summaries of information received from the following category of records: (a) Applicant files (Standard Forms 171 and resumes, attorney supplements to applications, applicant correspondence and evaluations, and summer employment files); (b) official personnel folders (Office of Personnel Management files); (c) service record cards; (d) merit promotion posting files, including supervisory appraisals for jobs advertised under SEC Merit Promotion Program; (e) chronological copies of personnel actions (Standard Forms 50); (f) employee payroll number; (g) official position description; (h) SES submissions (correspondence with Office of Personnel Management requesting new supergrade allocations or changes with respect to existing ones); and (i) annual performance rating and position classification certification.

Authority for maintenance of the system:

5 CFR parts 213, 293, 302, and 335 and Office of Personnel Management Regulations promulgated thereunder.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. The records will be used by the SEC staff for (a) preparation of forms relating to official personnel actions; (b) computation of personnel strength of Commission divisions and offices; (c) certification of employment for credit checks or job applications; (d) recording of personnel actions processed; (e) preparation of reports and statistics on personnel activity; (f) location of personnel having specific skills and training; and (g) monitoring personnel actions concerning the staff (i.e., date of employee's last promotion, employee's position description number, etc.).
2. Any record in this system or records may be used by the Commission in connection with any action or proceeding brought by an employee before another agency or a court of law to review personnel action taken by the Commission or the failure by the Commission to take action.
3. Any record in this system may be used in any proceeding where the Federal securities laws are an issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
4. Any record in this system of records may be disclosed as a "routine use" to a Federal, State, or local governmental authority

maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

5. Any record in this system of records may be disclosed to a Federal, State, or local governmental authority, 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, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

6. The records in this system of records may be used as a data source for management information, to enable the 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; they 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.

7. Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission's staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appear to be relevant at the time to the subject matter of the inquiry.

8. Disclosure may be made to a congressional office of information contained in the records relating to an individual in response to any inquiry from the congressional office made at the request of that individual.

9. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are computerized and maintained on magnetic disk (current and historical records) and magnetic tape (historical records and backup).

Retrievability:

Information is retrieved by name, employee identification code, or social security account number, via a generalized query capability.

Safeguards:

Direct access via computer terminals is restricted to certain SEC staff on a need to know basis through use of special identification codes. Access via batch capability must be recommended by Division/Office Heads and authorized by the System Manager(s). Authorization forms will be maintained by the Office of Information Technology. Computer disk and tape files, on which the data is stored, are available only through the librarian or chief of operations of the Office of Information Technology. Computerized backup and historical files are stored at a secured auxiliary SEC storage facility. The building where the records are maintained has a 24-hour security guard.

Retention and disposal:

Computerized files on current employees will be retained during the time the employee is employed by the Commission and after separation from the Commission.

System manager(s) and address:

Associate Executive Director, Office of Administrative and Personnel Management, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549.

Notification procedure:

All requests to determine whether this system of records contains a record pertaining to the requesting individual may be directed to the Privacy Act Officer, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop O-5, Alexandria, VA 22312-2413.

Record access procedures:

Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact the Privacy Act Officer, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop O-5, Alexandria, VA 22312-2413.

Contesting record procedures:

See Record access procedures above.

Record source categories:

Records in category (a) are obtained from applicant concerned and interviewer evaluating the applicant. Records in categories (b), (d) and (e) are obtained from employee and supervisors concerned. Records in category (c) are obtained from official personnel folder of the employee concerned. Records in category (f) are assigned to the employee by the Commission and are obtained from the employee's official personnel folder. Records in category (g) are obtained from interviews by position classifiers and/or management analysis staff of the Executive Director's Office with employee and his/her supervisor(s) and administrative assistant. Records in category (h) are obtained from official personnel files, office classification files, interviews by position classifiers, and the employee concerned. Records in category (i) are obtained from annual performance rating files.