

SYSTEM NAME AND NUMBER:

SEC-35 Reasonable and Religious Accommodation Programs.

SECURITY CLASSIFICATION:

Non-classified.

SYSTEM LOCATION:

Securities and Exchange Commission (SEC), 100 F Street, NE, Washington, DC 20549. Files may also be maintained in the following SEC Regional Offices: Atlanta Regional Office (ARO), 950 East Paces Ferry Road, N.E., Suite 900, Atlanta, GA 30326-1382; Boston Regional Office (BRO), 33 Arch Street, 24th Floor, Boston, MA 02110-1424; Chicago Regional Office (CHRO), 175 W. Jackson Boulevard, Suite 1450, Chicago, IL 60604; Denver Regional Office (DRO), Byron Rogers Federal Office Building, 1961 Stout Street, Suite 1700, Denver, CO 80294-1961; Fort Worth Regional Office (FWRO), Burnett Plaza, 801 Cherry Street, Suite 1900, Unit 18, Fort Worth, TX 76102; Los Angeles Regional Office (LARO), 444 South Flower Street, Suite 900, Los Angeles, CA 90071; Miami Regional Office (MIRO), 801 Brickell Avenue, Suite 1950, Miami, FL 33131; New York Regional Office (NYRO), 100 Pearl Street, Suite 20-100, New York, NY 10004-2616; Philadelphia Regional Office (PLRO), One Penn Center, 1617 John F. Kennedy Boulevard, Suite 520, Philadelphia, PA 19103-1844; Salt Lake Regional Office (SLRO), 351 S. West Temple St., Suite 6.100, Salt Lake City, UT 84101; and San Francisco Regional Office (SFRO), 44 Montgomery Street, Suite 2800, San Francisco, CA 94104.

SYSTEM MANAGER(S):

Chief Human Capital Officer (CHCO), Securities and Exchange Commission, Office of Human Resources, 100 F Street, NE, Washington, DC 20549.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e *et seq.*; Sections 501, 503, 504, and 508 of the Rehabilitation Act of 1973;), Americans with Disabilities Act of 1990, as amended (ADA), Executive Order 13164, *Requiring Federal Agencies To Establish Procedures To Facilitate the Provision of Reasonable Accommodation* (July 26, 2000); 5 CFR Part 339; 29 CFR Part 1605 and 1614; and Employment Opportunity Commission (EEOC) religious accommodation program regulations and guidance.

PURPOSE(S) OF THE SYSTEM:

The information in the system concerns employees, applicants, and members of the public who request or receive reasonable accommodations based on a medical condition or disability, or a sincerely held religious belief, practice, or observance. The SEC collects this information to evaluate, approve, deny, or implement requests for reasonable accommodations. This system will also allow the SEC to track and report the processing of requests for reasonable accommodations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

SEC personnel (political appointees, employees, consultants, detailees, interns, and volunteers) who request or receive reasonable accommodations during their employment; contractors, job applicants, and members of the public who request reasonable accommodations (Requestors); and individuals whom SEC personnel or Requestors authorize to submit information in support of their request (e.g., family members or attorneys).

CATEGORIES OF RECORDS IN THE SYSTEM:

Information collected and maintained may include, but is not limited to:

- Email correspondence with SEC personnel and Requestors regarding reasonable accommodations, documentation submitted in support of a request for a reasonable accommodation, and reasonable accommodation determinations.
- Specific data elements may include: name, work address, work phone, work email address, office name, office location, position title, occupational series, pay grade, bargaining unit status, reasonable accommodation requested, reasonable accommodation request date, medical information, disability condition, work related limitations, disability status, religious beliefs, reason for seeking a reasonable accommodation, position related information, case notes, accommodation decision, decision basis, effective date of approved accommodation, decision-making official name and title, and contact information for individuals authorized to submit information in support of a request and for individuals responsible for processing requests.

RECORD SOURCE CATEGORIES:

Information is obtained from the requesting individual to whom the accommodation applies; persons authorized to act on behalf of the requesting individual (e.g., spouse, union representative, legal counsel, or colleague); authorized individuals responsible for processing requests such as the Disability Program Officer (DPO), Reasonable Accommodation Coordinator (RAC), or Chief Human Capital Officer (CHCO); an employee's supervisor; medical provider(s); medical institutions; and agency medical physician(s).

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

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the Commission as a routine use pursuant to 5 U.S.C. 552 a(b)(3) as follows:

1. To appropriate agencies, entities, and persons when (1) the SEC suspects or has confirmed that there has been a breach of the system of records, (2) The SEC has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the SEC (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 SEC's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm. .

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, the relevant records may be referred to the appropriate agency, whether federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the applicable statute, rule, regulation, or order.
3. In connection with any judicial or administrative proceeding in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity. Such disclosure is permitted only when it is relevant and necessary to the proceeding.
4. To any persons during the course of any inquiry, examination, or investigation conducted by the SEC'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 appeared to be relevant at the time to the subject matter of the inquiry. Such disclosure is permitted in connection with civil litigation only when it is relevant and necessary to the litigation.
5. To a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.
6. To interns, grantees, experts, contractors, and others who have been engaged by the Commission to assist in the performance of a service related to this system of records and who need access to the records for the purpose of assisting the Commission in the efficient administration of its programs. Recipients of these records shall be required to comply with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a.
7. To any person who is or has agreed to be subject to the Commission's Rules of Conduct regarding non-disclosure, particularly 17 CFR 200.735-3(b)(2), or has otherwise agreed to comply with provisions restricting the disclosure of SEC nonpublic information.
8. To another Federal agency or Federal entity, when the SEC 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 SEC's secure network. Records are maintained in electronic format and on paper in file folders in Microsoft outlook with Access to and use of these records limited to those persons whose official duties require such access and on electronic media through computerized records stored in the case management system.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

These records are retrieved by the Requestor's name and/or case number that is assigned to the request in the systems of records and/or by office or region.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are retained and disposed of in accordance with General Records Schedule 2.3, Item 020, issued by the National Archives and Records Administration.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access to SEC facilities, data centers, and information or information systems is limited to authorized personnel with official duties requiring access. SEC facilities are equipped with security cameras and, at certain SEC facilities, 24-hour security guard service. Computerized records are safeguarded in a secured environment. Security protocols meet the promulgating guidance as established by the National Institute of Standards and Technology (NIST) Security Standards from Access Control to Data Encryption and Security Assessment & Authorization (SA&A). Records are maintained in a secure, password-protected electronic system that will utilize commensurate safeguards that may include: firewalls, intrusion detection and prevention systems, and role-based access controls. Additional safeguards will vary by program. All records are protected from unauthorized access through appropriate administrative, operational, and technical safeguards. These safeguards include: restricting access to authorized personnel who have a "need to know"; using locks; and using password protection identification features. Contractors and other recipients providing services to the Commission shall be required to maintain equivalent safeguards.

RECORD ACCESS PROCEDURES:

Persons seeking to gain access to any record contained in this system of records may inquire in writing in accordance with instructions in SEC Privacy Act Regulations; 17 CFR 200.301 et seq. Address such request to: FOIA/PA Officer, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-2465

CONTESTING RECORD PROCEDURES:

Persons seeking to contest the content of any record contained in this system of records may inquire in writing in accordance with instructions in SEC Privacy Act Regulations, 17 CFR 200.301 et seq. Address such requests to: FOIA/PA Officer, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-2465.

NOTIFICATION PROCEDURES:

See "Record Access Procedures" above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

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