

September 25, 2009

MEMORANDUM TO: Board of Directors

FROM: Michael E. Bartell
Chief Privacy Officer

SUBJECT: Authorization to Publish Privacy Act
System of Records Notices in the Federal Register

I. Recommendation

This memorandum requests that the Board of Directors authorize publication in the Federal Register of the compilation of Privacy Act Systems of Records maintained by the FDIC. This notice proposes to: (1) Establish a new system of records covering online ordering request records maintained by the Office of Public Affairs; and (2) republish the 30 existing system of records notices covering other matters throughout the Corporation to incorporate minor corrective and administrative changes. Nothing in the new or revised system notices changes any FDIC authority or supervision of the collection and maintenance of information subject to the Privacy Act, nor do the changes impact any individual's rights to access or to amend their records pursuant to the Privacy Act. The system notices will become effective 45 days following publication in the Federal Register, unless comments received point to the desirability of publishing a superseding notice.

For further information, contact: Ned Goldberg, Associate Director/CISO, (703) 516-1323; Steven Lott, Privacy Program Manager, (703) 516-5505; Alan Levy, Chief Web Officer, (202) 898-8959; or Gary Jackson, Counsel, FOIA & Privacy Act Group, (202) 898-6902.

Concur: _____
Michael Bradfield, General Counsel

II. Discussion

The Privacy Act (5 U.S.C. § 552a) requires the FDIC to inform the public of the existence of its systems of records that contain personal information and to manage those records in a way to ensure fairness to individuals in conducting FDIC programs. A system of records under the Privacy Act is "a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual." 5 U.S.C. § 552a(a)(5). To ensure that the public is adequately informed, the FDIC must periodically review the systems of records that it maintains and confirm the accuracy of the system notices published in the Federal Register.

The Office of the Chief Privacy Officer together with Program Managers from each division and office have reviewed the FDIC inventory of Privacy Act systems of records and identified several appropriate corrective and administrative changes that do not meet the threshold criteria established by the Office of Management and Budget (OMB) for either a new or altered system of records. These changes reflect minor, technical amendments necessitated by organizational changes within the FDIC. The location of various systems and the FDIC divisions or offices responsible for the maintenance of various systems have been updated to reflect these changes. Also, minor revisions have been made to more accurately describe various system elements and to ensure the use of consistent language wherever possible.

One new system of records notice designated as "Online Ordering Request Records" is proposed for a new data technology system managed by the Office of Public Affairs. This system of records notice will cover online requests by individuals for certain FDIC products, publications, and materials, such as "*Money Smart*" and "*Don't Be an On-line Victim*" materials, deposit insurance publications and videos, staff manuals, updates for *FDIC Law, Regulations*

and Related Acts, and subscriptions to newsletters. This new online system was launched on September 25, 2009, exclusively for requests made by corporations, law firms, libraries, and similar organizations and business entities that do not have Privacy Act rights. Requests by individuals acting in their personal capacity will not be processed utilizing this new technology until this system notice receives Privacy Act clearance following publication in the Federal Register.

In accordance with the provisions of the Privacy Act and the procedures in OMB Circular A-130, "Management of Federal Information Resources," (Appendix I), the proposed document for Federal Register publication is attached together with a Report of New and Altered Systems of Records and letters of transmittal to the Administrator of the Office of Information and Regulatory Affairs of the U.S. Office of Management and Budget, the Chair and Ranking Member of the Committee on Homeland Security and Governmental Affairs of the U.S. Senate, and the Chair and Ranking Member of the Committee on Government Reform and Oversight of the U.S. House of Representatives.

III. Effective Date

The system notices will become effective 45 days following publication in the Federal Register, unless comments received point to the desirability of publishing a superseding notice.