

SEC-59

SYSTEM NAMES:

Office of Interpretation and Guidance Log; Office of Broker-Dealer Finances NRSRO Log; Office of Financial Responsibility Log.

SYSTEM LOCATION:

Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Representatives of regulated entities and their counsel, members of the public, representatives of other governmental agencies or Congress, and others who submit inquiries, information, comments, or other forms of communication to the Commission's Division of Trading and Markets' Office of Interpretation and Guidance, Office of Broker-Dealer Finances, or Office of Financial Responsibility, respectively, or who address their communications to other Division or Commission staff or offices that make a referral to, or consult with, the Division of Trading and Markets' Office of Interpretation and Guidance, Office of Broker-Dealer Finances, or Office of Financial Responsibility, respectively, or related staff.

CATEGORIES OF RECORDS IN THE SYSTEM:

Both electronic and paper records in this system may include the name of the inquirer/requester/commenter/communicant or their representative, the name of the entity if available, the subject of the inquiry/request/comment or communication, the date of the inquiry/request/comment or communication, and the staff response provided or other disposition. Paper records may include, but are not limited to letters of inquiry/request/comments or communications, responses, and related documentation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

15 U.S.C. 78a et seq. and 17 CFR 202.1 to 202.10.

PURPOSE(S):

The records are used by the staff to track and process inquiries/requests/comments and communications from members of the public, including industry representatives, counsel, and others.

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. 552a(b)(3) as follows:

1. When (1) it is suspected or confirmed that the security or confidentiality of information in the system of records has been compromised; (2) the SEC has determined that as a 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 SEC or another agency or entity) that rely upon the compromised information; and (3) the disclosure is made to such agencies, entities, and persons who are reasonably necessary to assist in connection with the SEC's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

2. To respond to inquiries from the White House, Congressional committees or offices, the General Accountability Office, General Services Administration or the National Archives and Records Administration, or others charged with monitoring the work of the Commission or conducting records management inspections.
3. To provide information to other federal or state government agencies, or securities self-regulatory organizations which have direct jurisdiction over the subject matter of the inquiry/request/comment or communication.
4. As a data source for the production of summary statistics and analytical studies in support of the function for which the records are collected and maintained or for statistics relating to personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act.
5. To coordinate with or assist in law enforcement and regulatory activities of the Commission and other federal, state, local, or foreign law enforcement or regulatory agencies, securities self-regulatory organizations, and foreign securities authorities.
6. To respond to a subpoena, court order, or request for discovery, in connection with any relevant litigation or proceeding where the federal securities laws are at issue or in which the Commission, or past or present members of its staff, is a party or otherwise involved in an official capacity.
7. To provide information to a federal, state, local, or foreign government or foreign securities authority, in response to its request, in connection with civil, criminal, or other enforcement information, 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.
8. A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.
9. To interns, grantees, experts and contractors 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.

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

STORAGE:

Records are maintained in electronic format, and paper form. Electronic records are stored in computerized databases. Paper records are stored in locked file rooms or file cabinets.

RETRIEVABILITY:

Records may be retrieved by any of the following: individual name, receipt date, entity name if provided, telephone number or email address if provided, the subject matter, or other indexed information.

SAFEGUARDS:

Records are safeguarded in a secured environment. Buildings where records are stored have security cameras and 24 hour security guard service. Access is limited to those personnel whose official duties require access. Computerized records are safeguarded through use of access codes and information technology security.

RETENTION AND DISPOSAL:

These records will be maintained until they become inactive, at which time they will be retired or destroyed in accordance with records schedules of the United States Securities and Exchange Commission and as approved by the National Archives and Records Administration.

SYSTEM MANAGERS AND ADDRESSES:

Deputy Associate Director, Office of Broker-Dealer Finances, and Senior Special Counsel, Office of Interpretation and Guidance, Division of Trading and Markets, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-7561.

NOTIFICATION PROCEDURE:

All requests to determine whether this system of records contains a record pertaining to the requesting individual may be directed to the FOIA/PA Officer, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-5100.

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 FOIA/PA Officer, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-5100.

CONTESTING RECORD PROCEDURES:

See Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Information collected is received from individuals primarily through telephone calls, emails, facsimiles, or letters to the Division of Trading and Markets or other Commission offices.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.