

Federal Communications Commission (FCC or Commission) proposes to alter a system of records, FCC/Central-6, "Personnel Investigation Records." The altered system of records will incorporate the provisions of FCC/OMD-4, "Security Office Control Files," including the addition of two routine uses from FCC/OMD-4; revision of one routine use; and addition of one new routine use incorporating the data elements and uses for the Workplace Violence Form; and make other edits and revisions as necessary. The FCC will cancel FCC/OMB-4.

DATES: In accordance with 5 U.S.C. 552a (e)(4) and (e)(11), any interested person may submit written comments concerning the proposed altered system of records on or before February 14, 2003. The Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act to review the system may submit comments on or before February 24, 2003. The proposed system shall become effective without further notice February 24, 2003 unless the FCC receives comments that would require a contrary determination. As required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, the FCC has submitted reports on this proposed altered system to OMB and both Houses of Congress.

ADDRESSES: Comments should be sent to Les Smith, Privacy Act Clerk, Performance Evaluation and Records Management (PERM), Room 1-A804, Federal Communications Commission (FCC), 445 12th Street, SW., Washington, DC 20554, (202) 418-0217, or via the Internet at lesmith@fcc.gov.

FOR FURTHER INFORMATION: Contact Les Smith, Performance Evaluation and Records Management (PERM), Room 1-A804, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554, (202) 418-0217 or via the Internet at lesmith@fcc.gov; or Eric Botker, Security Office, Associate Managing Director-Administrative Operations (AMD-AO), Security Operations Center, Federal Communications Commission (FCC), 445 12th Street, SW., Room 1-B458, Washington, DC 20554, (202) 418-7884 or via the Internet at ebotker@fcc.gov.

SUPPLEMENTARY INFORMATION: As required by the *Privacy Act of 1974*, as amended, 5 U.S.C. 552a (e)(4) and (e)(11), this document sets forth notice of the proposed altered system of records maintained by the FCC; addition of two routine uses to FCC/Central-6 that were formerly in FCC/OMD-4; revision of one routine use in FCC/Central-6 to incorporate elements

formerly in FCC/OMD-4; addition of one new routine use to incorporate uses in the Workplace Violence Form; and cancellation of one system of records, FCC/OMD-4. This agency previously gave complete notice of the two systems of records covered under this Notice by publication in the **Federal Register** on October 23, 2000, 65 FR 63468. This notice is a summary of more detailed information, which may be viewed at the location given in the **ADDRESSES** section above. The purposes for altering FCC/Central-6, "Personnel Investigation Records" are to merge FCC/OMD-4, "Security Office Control Files" into this system of records to eliminate possible duplications of functions and records; to add new data elements, new purposes, and one new routine use; to update the statutory authority to maintain the information that the Commission may collect when the Workplace Violence Form is introduced; and otherwise to alter, update, and revise this system of records as necessary.

The FCC proposes to achieve these purposes by altering this system of records, FCC/Central-6, "Personnel Investigation Records with these changes:

The incorporation of the data elements of another system of records, FCC/OMD-4, "Security Office Control Files," into FCC/Central-6;

The elimination of FCC/OMD-4;

The transfer of two routine uses formerly in FCC/OMD-4 to address new and/or revised uses:

Routine use (7) allows disclosure to the security officers of an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to their request(s) for verification of security clearances of FCC employees to have access to classified data or areas where their official duties require such access.

Routine use (8) allows disclosure to request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant or pertinent enforcement information or records, such as licenses, if necessary to obtain information relevant to a Commission 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 grant or other benefit.

The revision of one routine use to incorporate uses formerly in FCC/OMD-4:

Routine use (5) allows disclosure to designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government, and the District of

Columbia Government, in response to their request, when such agency, office, or establishment conducts an investigation of the individual for the purpose of hiring, firing, or retention, granting a security clearance, making a determination of qualifications, suitability, or loyalty to the United States Government, or access to classified information or restricted areas, or classifying jobs, letting of a contract, or 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 purpose.

The addition of one new routine use to include the data elements, information, and purposes for the Workplace Violence Form:

Routine use (9) allows disclosure to the Merit System Protection Board (MSPB) during the course of the MSPB's investigation of the individual's appeal, following the Commission's adverse action against the individual.

The alteration, revision, or modification of various data elements in FCC/Central-6, including editorial changes to update, simplify, or clarify, as necessary, this system of records.

The FCC Security Officer and the Personnel Security Specialist in the Security Office will use the records in FCC/Central-6 to provide investigative information to determine compliance with Federal regulations and/or an individual's suitability and fitness for Federal employment, access to classified information or restricted areas, position sensitivity, security clearances, evaluations of qualifications, and loyalty to the U.S.; to evaluate qualifications and suitability to perform contractual services for the U.S. Government; to document such determinations; to respond to an inquiry conducted under the President's Program to Eliminate Waste and Fraud in the Government; to take action on, or respond to a complaint about a threat, harassment, intimidation, violence, or other inappropriate behavior involving one or more FCC employees and/or contract employees; and to counsel employees.

Records in this system will be available for public inspection at the location given above. The functions in this system of records will be performed by the FCC Security Officer and the Personnel Security Specialist in the Security Office.

This notice meets the requirement documenting the change in the Commission's system of records, and provides the public, Congress, and the Office of Management and Budget (OMB) an opportunity to comment.