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(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 31st day of October 1995.

For the Nuclear Regulatory Commission.

John W. Craig,

Deputy Director, Division of Engineering Technology, Office of Nuclear Regulatory Research.

[FR Doc. 95-28154 Filed 11-14-95; 8:45 am]

BILLING CODE 7590-01-P

PENSION BENEFIT GUARANTY CORPORATION

Privacy Act of 1974; Systems of Records

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of changes to systems of records, including proposed new and revised routine uses.

SUMMARY: The Pension Benefit Guaranty Corporation is proposing several new and revised routine uses of records in its systems of records maintained pursuant to the Privacy Act of 1974, as amended, and is making a number of other technical and clarifying changes to those systems. The changes include dividing one system of records into two systems of records and deleting a system of records.

DATES: Comments on new and revised routine uses must be received on or before December 15, 1995. New and revised routine uses, the division of PBGC-5 into PBGC-5 and PBGC-12, and the deletion of PBGC-7 will become effective January 1, 1996, without further notice, unless comments result in a contrary determination and a notice is published to that effect.

ADDRESSES: Comments may be mailed to the Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or hand-delivered to Suite 340 at the above address between 9:00 a.m. and 5:00 p.m., Monday through Friday. Comments will be available for inspection at the PBGC's Communications and Public Affairs Department, Suite 240, at the above address between 9:00 a.m. and 4:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: D. Bruce Campbell, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4123 (202-326-4179 for TTY and TDD). For access to any of the PBGC's

systems of records, contact E. William FitzGerald, Disclosure Officer, Communications and Public Affairs Department, at the above address, 202-326-4040. (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: The PBGC maintains 11 Privacy Act systems of records.¹ Each of these systems of records contains "routine uses" describing situations in which the PBGC may disclose information about an individual without his or her consent. In addition, the PBGC specifies general routine uses that apply to most systems of records. (This notice places a "G" in front of the general routine uses to distinguish them from the routine uses within the individual systems of records.)

This notice proposes several new routine uses of records, revises certain existing routine uses of records, and makes a number of technical and clarifying changes. For the convenience of the public, the revised systems of records are published in full below with changes, other than corrections and minor editing, italicized.

General Routine Uses

The PBGC is proposing several unrelated changes in the general routine uses. Under G2 ("Disclosure When Requesting Information"), the PBGC is expanding the sources to which it may disclose information for the purpose of obtaining information relevant to PBGC decisions concerning hiring or retention of employees, retention of security clearances and letting of contracts.

Under G3 ("Disclosure of Existence of Record Information"), the PBGC may disclose that a system of records includes information relevant to certain decisions of another federal agency, regardless of whether the other agency has requested information from the PBGC.

The PBGC will split general routine use 4 into G4 ("Disclosure in Litigation"), and G5 ("Disclosure to the Department of Justice in Litigation"), and clarify the conditions under which disclosure is permitted. Disclosure will be limited to proceedings before a court or other adjudicative body, but will no

¹ PBGC-1, Correspondence Between PBGC and Persons Outside PBGC—PBGC; PBGC-2, Disbursements—PBGC; PBGC-3, Employee Payroll, Leave and Attendance Records—PBGC; PBGC-4, Employee Travel Records—PBGC; PBGC-5, Personnel Records—PBGC; PBGC-6, Plan Participant and Beneficiary Data—PBGC; PBGC-7, Equal Employment Opportunity Discrimination Complaints—PBGC; PBGC-8, Employee Adverse Action Files—PBGC; PBGC-9, Plan Participant and Beneficiary Address Identification File—PBGC; PBGC-10, Administrative Appeals File—PBGC; and PBGC-11, Call Detail Records—PBGC.

longer be limited to "litigation with the individual who is the subject of the record."

The PBGC has modified G8 ("Disclosure to Labor Organizations") to permit disclosure to an official of a labor organization only when "necessary" for the labor organization properly to perform its duties as the collective bargaining representative of PBGC employees. Disclosure is "necessary" when the information sought by the labor organization bears a logical and significant connection with subjects within the scope of collective bargaining and when no adequate alternative source of the information is available to the labor organization. The PBGC is also incorporating G8 by reference into PBGC-3, PBGC-4, PBGC-5, PBGC-8, and PBGC-11.

Systems of Records and Specific Routine Uses

The PBGC is dividing PBGC-5 into two systems of records, PBGC-5 (retitled Personnel Files—PBGC) and PBGC-12 (Personnel Security Investigation Records—PBGC). The PBGC's proposed rule amending 29 CFR Part 2607 to conform with this change appears elsewhere in today's Federal Register. The PBGC is deleting PBGC-7, Equal Employment Opportunity Records—PBGC, because it duplicates an existing governmentwide systems of records published by the EEOC (EEOC—GOVT-1, 56 FR 10900, March 14, 1991).

The PBGC is also proposing several changes in the specific routine uses applicable to the individual systems of records. In PBGC-6, the PBGC is amending routine use 5 to permit the PBGC to disclose information to the Federal Aviation Administration to obtain information relevant to a disability determination. Routine uses 6, 7, 8, 9, and 10 will permit disclosure of certain information needed to locate participants and beneficiaries to the Internal Revenue Service, the Social Security Administration, certain labor organizations, private locator services, the United States Postal Service, and to certain other participants and beneficiaries.

In PBGC-8, the PBGC proposes to permit disclosure to the Federal Labor Relations Authority ("FLRA") and the Equal Employment Opportunity Commission ("EEOC") to carry out their authorized functions.

In PBGC-10, routine use 5 will allow the PBGC's Appeals Board to disclose information to certain labor organizations to obtain information relevant to resolving an appeal.

In new PBGC-12, routine use 1 will permit certain disclosures about an

investigation to obtain information from a source. Routine use 2 will permit disclosure of information to the Office of Personnel Management, the Merit Systems Protections Board, the FLRA, or the EEOC to carry out their authorized functions.

Technical and Clarifying Changes

The PBGC is also making a number of technical and clarifying changes to its existing systems of records. Among other things, the PBGC is: (1) updating certain record retention and disposal practices to reflect the PBGC's record control schedules and the National Archives and Record Administration's general records schedules; (2) changing certain system manager(s) and addresses to reflect organizational changes and the move of PBGC offices to a new address; and (3) providing for disclosure to consumer reporting agencies in certain systems in accordance with 31 U.S.C. 3711(f) (5 U.S.C. 552a(b)(12)).

Issued in Washington, DC this 8th day of November, 1995.

Martin Slate,

Executive Director, Pension Benefit Guaranty Corporation.

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Prefatory Statement of General Routine Uses

The following routine uses are incorporated by reference into various systems of records, as set forth below.

G1. Routine Use—Law Enforcement: In the event that a system of records maintained by the PBGC to carry out its functions indicates a violation or potential violation of law, whether criminal, civil, or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be disclosed 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

statute, or rule, regulation, or order issued pursuant thereto.

G2. Routine Use—Disclosure When Requesting Information: A record from this system of records may be disclosed to a federal, state, or local agency or to another public or private source maintaining civil, criminal, or other relevant enforcement information or other pertinent information, if and to the extent necessary to obtain information relevant to a PBGC decision concerning the hiring or retention of an employee, the retention of a security clearance, or the letting of a contract.

G3. Routine Use—Disclosure of Existence of Record Information: With the approval of the Director, Human Resources Department (or his or her designee), the fact that this system of records includes information relevant to a federal agency's decision in connection with the hiring or retention of an employee, the retention of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit may be disclosed to that federal agency.

G4. Routine Use—Disclosure in Litigation: A record from this system of records may be disclosed in a proceeding before a court or other adjudicative body in which the PBGC, an employee of the PBGC in his or her official capacity, or an employee of the PBGC in his or her individual capacity if the PBGC (or the Department of Justice ("DOJ")) has agreed to represent him or her is a party, or the United States or any other federal agency is a party and the PBGC determines that it has an interest in the proceeding, if the PBGC determines that the record is relevant to the proceeding and that the use is compatible with the purpose for which the PBGC collected the information.

G5. Routine Use—Disclosure to the Department of Justice in Litigation: When the PBGC, an employee of the PBGC in his or her official capacity, or an employee of the PBGC in his or her individual capacity whom the PBGC has agreed to represent is a party to a proceeding before a court or other adjudicative body, or the United States or any other federal agency is a party and the PBGC determines that it has an interest in the proceeding, a record from this system of records may be disclosed to the DOJ if the PBGC is consulting with the DOJ regarding the proceeding or has decided that the DOJ will represent the PBGC, or its interest, in the proceeding and the PBGC determines that the record is relevant to the proceeding and that the use is compatible with the purpose for which the PBGC collected the information.

G6. Routine Use—Disclosure to OMB: A record from this system of records may be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

G7. Routine Use—Congressional Inquiries: A record from this system of records may be disclosed to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

G8. Routine Use—Disclosure to Labor Organizations: A record from this system of records may be disclosed to an official of a labor organization recognized under 5 U.S.C. Chapter 71 when necessary for the labor organization to perform properly its duties as the collective bargaining representative of PBGC employees in the bargaining unit.

PBGC-1

SYSTEM NAME:

Correspondence Between the PBGC and Persons Outside the PBGC—PBGC.

SYSTEM CLASSIFICATION:

Not Applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have corresponded with the PBGC and with components of the PBGC and individuals who have received replies in response to their correspondence with the PBGC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence containing the name and address of the correspondent and other information regarding various aspects of the PBGC and Title IV of the Employee Retirement Income Security Act of 1974, as amended.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1302.

PURPOSE(S):

This system of records is maintained for programmatic and regulatory purposes (including use in adjudicatory proceedings).

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

General Routine Uses G1 through G7 (see Prefatory Statement of General

Routine Uses) apply to this system of records.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

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

STORAGE:

Records are maintained manually in file folders *and/or in automated form.*

RETRIEVABILITY:

Records are indexed by name of correspondent or plan.

SAFEGUARDS:

Manual records are kept in file cabinets in areas of restricted access that are locked after office hours; access to automated records is restricted.

RETENTION AND DISPOSAL:

General requests for information that do not involve administrative action, policy decisions, or special research are destroyed 1 year after reply. Correspondence with regard to specific matters is transferred to the Washington National Federal Records Center 1 year after the end of the fiscal year in which the correspondence was received or sent, and destroyed when 15 years old. Correspondence with members of Congress is destroyed 1 year after the end of the fiscal year in which it is received or sent.

SYSTEM MANAGER(S) AND ADDRESS:

Correspondence is kept by the director of the department to which the correspondence was addressed or the director of the department who replied. These department directors are: General Counsel, Office of the General Counsel; Inspector General, Office of Inspector General; Director, Corporate Policy and Research Department; Director, Communications and Public Affairs Department; Director, Financial Operations Department; Director, Corporate Budget Department; Director, Procurement Department; Director, Contract and Controls Review Department; Director, Information Resources Management Department; Director, Insurance Operations Department; Director, Facilities and Services Department; Director, Human Resources Department; Director, Corporate Finance and Negotiations Department; and Director, Participant and Employer Appeals Department. Correspondence addressed to or replied to by the Office of the Executive Director is kept by the Deputy Executive Director and Chief Operating Officer. The

PBGC's address is: 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

Individuals writing to the PBGC and the PBGC's responses.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-2

SYSTEM NAME:

Disbursements—PBGC.

SECURITY CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who are consultants and vendors to the PBGC.

CATEGORIES OF RECORDS IN THE SYSTEMS:

Payment vouchers, including SF 1082.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1302.

PURPOSE(S):

This system of records is maintained for use in determining amounts to be paid and in effecting payments by the Department of the Treasury to consultants and vendors.

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

1. A record from this system of records may be transmitted to the United States Department of Treasury to effect payments to consultants and vendors.

General Routine Uses G1 through G7 (see Prefatory Statement of General Routine Uses) apply to this system of records.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Information may be disclosed to a consumer reporting agency in accordance with 31 U.S.C. 3711(f) (5 U.S.C. 552a(b)(12)).

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

Records are maintained manually in file folders.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

Records are kept in file cabinets in areas of restricted access that are locked after office hours.

RETENTION AND DISPOSAL:

Records created after June 30, 1975, are destroyed 6 years and 3 months after date of voucher.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Financial Operation Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

Individuals who are consultants and vendors to the PBGC.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-3**SYSTEM NAME:**

Employee Payroll, Leave, and Attendance Records—PBGC.

SECURITY CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees of the PBGC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Names; addresses; social security numbers and employee numbers; earnings records; leave status and data; jury duty data; military leave data; time and attendance records, including number of regular, overtime, holiday, and compensatory hours worked; co-owner and/or beneficiary of bonds; marital status and number of dependents; and notifications of

personnel actions. The records listed herein are included only as pertinent or applicable to the individual employee.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1302.

PURPOSE(S):

This system of records is maintained to perform functions involving employee leave, attendance, and payments, including determinations relating to the amounts to be paid to employees, the distribution of pay according to employee directions (for savings bonds and allotments, to financial institutions, and for other authorized purposes), and tax withholdings and other authorized deductions, and for statistical purposes.

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

1. A record from this system of records may be disclosed to the United States Department of Labor to effect payments to employees.

General Routine Uses G1 through G8 (see Prefatory Statement of General Routine Uses) apply to this system of records.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Information may be disclosed to a consumer reporting agency in accordance with 31 U.S.C. 3711(f) (5 U.S.C. 552a(b)(12)).

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

Records are maintained manually in file folders and/or in automated form.

RETRIEVABILITY:

Records are indexed by name and/or employee or social security number.

SAFEGUARDS:

Manual records are kept in file cabinets in areas of restricted access that are locked after office hours; access to automated records is restricted.

RETENTION AND DISPOSAL:

Records are maintained for various periods of time, as provided in National Archives and Records Administration General Records Schedule 2.

System manager(s) and address:

Director, Financial Operations Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

Subject individual and the Office of Personnel Management.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-4**SYSTEM NAME:**

Employee Travel Records—PBGC.

SYSTEM CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees of the PBGC who have filed travel vouchers and related documents.

CATEGORIES OF RECORDS IN THE SYSTEM:

Travel vouchers and related documents filed by employees of the PBGC.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. Chapter 57; 29 U.S.C. 1302.

PURPOSE(S):

This system of records is maintained to perform functions related to travel on behalf of the PBGC, including determinations involving travel authorization and arrangements and documentation of travel advances and reimbursements.

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

1. A record from this system of records may be disclosed to the United States Department of Treasury to effect reimbursement of employees for travel expenses.

General Routine Uses G1 through G8 (see Prefatory Statement of General Routine Uses) apply to this system of records.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Information may be disclosed to a consumer reporting agency in accordance with 31 U.S.C. 3711(f) (5 U.S.C. 552a(b)(12)).

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

Records are maintained manually in file folders.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

Records are kept in file cabinets in areas of restricted access that are locked after office hours.

RETENTION AND DISPOSAL:

Records are maintained for various periods of time, as provided in National Archives and Records Administration General Records Schedule 9.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Financial Operations Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

PBGC employee vouchers.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-5**SYSTEM NAME:**

Personnel Files—PBGC.

SYSTEM CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees and applicants for employment with the PBGC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personnel records that the PBGC maintains, including applications and related information for attorneys maintained by the Office of the General Counsel. (Records included in the permanent Official Personnel Folder are maintained as a system of records by the Office of Personnel Management (OPM/GOVT-1) and are not included in this system of records.)

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1302.

PURPOSE(S):

This system of records is used in carrying out authorized personnel functions, including the evaluation of qualifications; determinations about status, eligibility, and rights and benefits under pertinent laws and regulations governing federal employment; and computations of length of service.

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

General Routine Uses G1 through G8 (see Prefatory Statement of General Routine Uses) apply to this system of records.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

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

Records are maintained manually in file folders and/or in automated form.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

Manual records are kept in areas of restricted access that are locked after office hours; access to automated records is restricted.

RETENTION AND DISPOSAL:

Temporary personnel file records are destroyed when the employee leaves the PBGC or 1 year after the file was established, whichever is sooner. Applications for employment are destroyed after the receipt of an OPM inspection report or 2 years after date of application, whichever is sooner. Applications for training are destroyed 5 years after date of application. Records relating to claims for retirement and life insurance benefits are maintained for 1 year after a final determination on a claim for benefits and then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Human Resources Department, and Administrative Officer, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

Subject individuals, present and past employers, and references given by any subject individuals.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-6**SYSTEM NAME:**

Plan Participant and Beneficiary Data—PBGC.

SYSTEM CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026 and/or field benefit administrator, plan administrator, and paying agent worksites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Participants and beneficiaries in terminating and terminated pension plans covered by Title IV of the Employee Retirement Income Security Act of 1974, as amended ("ERISA").

CATEGORIES OF RECORDS IN THE SYSTEM:

Names, addresses, telephone numbers, sex, social security numbers and other Social Security Administration information, dates of birth, dates of hire, salary, marital status (including domestic relations orders), time of plan participation, eligibility status, pay status, benefit data, health-related information, insurance information where plan benefits are guaranteed by private insurers, and initial and final PBGC determinations (29 CFR 2606.22 and 2606.60). The records listed herein are included only as pertinent or applicable to the individual plan participant or beneficiary.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1055, 1056(d)(3), 1302, 1321, 1322, 1322a, 1341, 1342 and 1350.

PURPOSE(S):

This system of records is maintained for use in determining eligibility for benefits under plans covered by Title IV of ERISA, including determinations as to the participants and beneficiaries entitled to benefits and the amounts of such benefits to be paid, and in making benefit payments and collecting benefit overpayments.

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

1. A record from this system of records may be disclosed to third parties, such as banks, insurance companies, or trustees, to make benefit payments to plan participants and beneficiaries.

2. A record from this system of records may be disclosed, in furtherance of proceedings under Title IV of ERISA, to a contributing sponsor (or other employer who maintained the plan), including any predecessor or successor, and any member of the same controlled group.

3. A record from this system of records may be disclosed, upon request for a purpose authorized under Title IV of ERISA, to an official of a labor organization recognized as the collective bargaining representative of the individual about whom a request is made.

4. Names, addresses, and telephone numbers of participants and beneficiaries and information pertaining to debts owed by such participants and beneficiaries to the PBGC may be disclosed to a debt collection agency or firm to collect a claim. Disclosure shall be made only under a contract that binds any such contractor or employee of such contractor to the criminal penalties of the Privacy Act. The information so disclosed shall be used exclusively pursuant to the terms and conditions of such contract and shall be used solely for the purposes prescribed therein. The contract shall provide that the information so disclosed shall be returned at the conclusion of the debt collection effort.

5. The name and social security number of a participant employed or formerly employed as a pilot by a commercial airline may be disclosed to the Federal Aviation Administration ("FAA") to obtain information relevant to the participant's eligibility or continued eligibility for disability benefits.

6. Names and social security numbers of plan participants and beneficiaries may be disclosed to the Internal Revenue Service ("IRS") to obtain current addresses from tax return information and to the Social Security Administration ("SSA") to obtain current addresses under the SSA's Letter Forwarding Service. Such information will be disclosed only if the PBGC has no address for an individual or if mail sent to the individual at the last known address is returned as undeliverable.

7. Names and last known addresses may be disclosed to an official of a labor

organization recognized as the collective bargaining representative of participants for posting in union halls or for other means of publication to obtain current addresses of participants and beneficiaries. Such information will be disclosed only if the PBGC has no address for an individual or if mail sent to the individual at the last known address is returned as undeliverable.

8. Names, social security numbers, last known addresses, and dates of birth and death may be disclosed to private firms and agencies that provide locator services, including credit reporting agencies and debt collection firms or agencies, to locate participants and beneficiaries. Such information will be disclosed only if the PBGC has no address for an individual or if mail sent to the individual at the last known address is returned as undeliverable. Disclosure shall be made only under a contract that binds the firm or agency providing the service and its employees to the criminal penalties of the Privacy Act. The information so disclosed shall be used exclusively pursuant to the terms and conditions of such contract and shall be used solely for the purposes prescribed therein. The contract shall provide that the information so disclosed shall be returned at the conclusion of the locating effort.

9. Names and last known addresses may be disclosed to licensees of the United States Postal Service ("USPS") to obtain current addresses under the USPS's National Change of Address Program. Such information will be disclosed only if the PBGC has no address for an individual or if mail sent to the individual at the last known address is returned as undeliverable. Disclosure shall be made only under a contract that binds the licensee of the Postal Service and its employees to the criminal penalties of the Privacy Act. The information so disclosed shall be used exclusively pursuant to the terms and conditions of such contract and shall be used solely for the purposes prescribed therein. The contract shall provide that the information so disclosed shall be returned at the conclusion of the locating effort.

10. Names and last known addresses may be disclosed to other participants in, and beneficiaries under, a pension plan to obtain the current addresses of individuals. Such information will be disclosed only if the PBGC has no address for an individual or if mail sent to the individual at the last known address is returned as undeliverable.

General Routine Uses G1 and G4 through G7 (see Prefatory Statement of

General Routine Uses) apply to this system of records.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Information may be disclosed to a consumer reporting agency in accordance with 31 U.S.C. 3711(f) (5 U.S.C. 552a(b)(12)).

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

STORAGE:

Records are maintained manually in file folders and/or in automated form.

RETRIEVABILITY:

Records are indexed by plan and participant and/or beneficiary name.

SAFEGUARDS:

Manual records are kept in areas of restricted access that are locked after office hours; access to automated records is restricted.

RETENTION AND DISPOSAL:

Records for plan participants are transferred to the Washington National Federal Records Center 6 months after either the final payment to a participant and/or beneficiary or the PBGC's final determination that a participant or beneficiary is not entitled to any benefits and are destroyed 7 years after such payment or determination.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Insurance Operations Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORDS PROCEDURE:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

Plan administrators, participants and beneficiaries, the FAA, the SSA, labor organization officials, firms or agencies providing locator services, and USPS licensees.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-7

System deleted.

PBGC-8

SYSTEM NAME:

Employee Relations Files—PBGC.

SYSTEM CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

PBGC employees with respect to whom the PBGC has initiated a reduction in force or a disciplinary or performance-based action and PBGC employees who have initiated grievances.

CATEGORIES OF RECORDS IN THE SYSTEM:

Notices of reductions in force or disciplinary or performance-based actions and employees' replies to such notices, employees' notices of grievance and appeal, investigative reports, records of proceedings, appeal decisions, and related information. (*Records of actions proposed or taken in accordance with 5 CFR Part 315 (Subpart H or I) or Part 752 are maintained as a system of records by the Office of Personnel Management ("OPM") (OPM/GOVT-3) and are not included in this system of records.*)

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1302.

PURPOSE(S):

This system of records is maintained for use in decisionmaking involving grievances and appeals by PBGC employees regarding compensation, benefits, or other terms and conditions of employment, including terms and conditions of employment under an applicable collective bargaining agreement, and reductions in force and certain disciplinary and performance-based actions involving PBGC employees.

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

1. A record from this system of records may be disclosed to the OPM, the Merit Systems Protection Board, the Federal Labor Relations Authority, or the Equal Employment Opportunity Commission to carry out its authorized functions (under 5 U.S.C. 1103, 1204, 7105, and 42 U.S.C. 2000e-4, in that order).

General Routine Uses G1 through G8 (see Prefatory Statement of General Routine Uses) apply to this system of records.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

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

Records are retained manually in file folders.

RETRIEVABILITY:

Records are indexed by employee name.

SAFEGUARDS:

Records are kept in lockable file cabinets that are locked after office hours in areas of restricted access.

RETENTION AND DISPOSAL:

Files are destroyed 4 years after the case is closed.

SYSTEM MANAGER(S) AND ADDRESS:

Director, *Human Resources Department*, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

Records in this system of records are provided by an affected employee, the employee's supervisors, and other PBGC employees and from investigations and interviews.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-9**SYSTEM NAME:**

Plan Participant and Beneficiary Address Identification File—PBGC.

SYSTEM CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Certain participants and beneficiaries in terminating and terminated pension plans covered by Title IV of the Employee Retirement Income Security Act of 1974, as amended.

CATEGORIES OF RECORDS IN THE SYSTEM:

Names, social security numbers, addresses, and names of pension plans.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

26 U.S.C. 6103 and 26 CFR 301.6103(l)(2)-3; 29 U.S.C. 1055, 1056(d)(3), 1302, 1321, 1322, 1322a, 1341, 1342, and 1350.

PURPOSE(S):

This system of records is maintained to locate participants and beneficiaries under pension plans covered by Title IV of ERISA.

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

1. A record from this system of records may be disclosed only to a person to whom disclosure is permitted by 26 U.S.C. 6103 and 26 CFR 301.6103(i)-1.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

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

Records are maintained manually in file folders and/or in automated form.

RETRIEVABILITY:

Records are indexed by participant or beneficiary name and social security number.

SAFEGUARDS:

Records are kept in locked file cabinets in areas of restricted access under procedures that meet IRS safeguarding standards.

RETENTION AND DISPOSAL:

Records of a participant or beneficiary who verifies the address are transferred to PBGC-6. All other records are retained for 2 years from the date the request was sent to the IRS and then are sent to the IRS for disposal or are destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Director, *Insurance Operations Department*, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

PBGC-6 and the IRS.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-10**SYSTEM NAME:**

Administrative Appeals File—PBGC.

SYSTEM CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Participants and beneficiaries in terminated pension plans covered by Title IV of the Employee Retirement Income Security Act of 1974, as amended, who have filed *administrative* appeals with the PBGC's *Appeals Board* pursuant to 29 CFR 2606.1(b)(5), (6), (7), (8), or (9), Rules for Administrative Review of Agency Decisions.

CATEGORIES OF RECORDS IN THE SYSTEM:

Names of pension plans, names of participants and beneficiaries, and personal information such as addresses, social security numbers, sex, dates of birth, dates of hire, salary, marital status (*including domestic relations orders*), medical records, dates of commencement of plan participation or employment, statements regarding employment, dates of termination of plan participation or retirement, benefit payment data, pay status, Social Security Administration ("SSA") *information*, insurance claims and awards, workman's compensation awards, calculations of benefit amounts, calculations of amounts subject to recapture, correspondence *and other information* relating to appeals, and *initial and final* PBGC determinations (29 CFR 2606.22 and 2606.60). The records listed herein are included only as pertinent or applicable to the individual participant and/or beneficiary.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1055, 1056(d)(3), 1302, 1321, 1322, 1322a, 1341, 1342, 1345, and 1350.

PURPOSE(S):

This system of records is maintained for use in appeals of matters specified in 29 CFR 2606.1(b)(5), (6), (7), and (8) and in subsequent agency actions.

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

1. A record from this system of records may be disclosed to third parties who may be aggrieved by the decision of the Appeals Board under 29 CFR 2606.58, including disclosure to the

contributing sponsor (or other employer who maintained the plan) including any predecessor or successor, and any member of the same controlled group.

2. A record from this system of records may be disclosed, *upon* request, to a representative who has a power of attorney for the subject individual, if necessary under 29 CFR 2606.6.

3. A record from this system of records may be disclosed to third parties, such as banks, insurance companies, and trustees, *to make benefit payments* to plan participants and beneficiaries.

4. A record from this system of records may be disclosed to third parties, such as contractors and expert witnesses, *to obtain expert analysis of an issue necessary to resolve an appeal.*

5. *The name and social security number of a participant may be disclosed to an official of a labor organization recognized as the collective bargaining representative of the participant to obtain information relevant to the resolution of an appeal.*

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAIN AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Records are maintained manually in file folders and/or in automated form.

RETRIEVABILITY:

Records are indexed by participant or beneficiary name, plan name, and appeal number or *extension request number.*

SAFEGUARDS:

Manual records are kept in lockable file cabinets that are locked after office hours in areas of restricted access; access to *automated* records is restricted.

RETENTION AND DISPOSAL:

Records for a closed appeal file are retained for *1 full fiscal year* after the Appeals Board's final determination. Thereafter, the closed appeal file is transferred to the Washington National Federal Records Center and destroyed 6 years later.

SYSTEM MANAGER(S) AND ADDRESS:

Clerk of the Appeals Board, *Participant and Employer Appeals Department*, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

Information in this system of records may be received from the plan administrator, the *contributing sponsor* (or other employer who maintained the plan), *including any predecessor, successor, or member of the same controlled group*, the labor organization recognized as the collective bargaining representative of a participant, the SSA, *a third party affected by the decision*, and the participant or beneficiary.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-11**SYSTEM NAME:**

Call Detail Records—PBGC.

SYSTEM CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees, contract employees and consultants of the PBGC, and officials of a labor organization representing PBGC employees who have made long distance or other toll calls from PBGC telephones *or by using telephone calling cards issued to the PBGC.*

CATEGORIES OF RECORDS IN THE SYSTEM:

Records relating to use of PBGC telephones *and telephone calling cards* to place toll calls *and receive calls*; records indicating assignment of telephone extension numbers *and telephone calling cards* to employees and other covered individuals; records relating to location of telephone extensions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1302.

PURPOSE(S):

This system of records is maintained to control the costs of operating the PBGC's telephone system by, among other things, monitoring telephone usage by PBGC employees and other covered individuals and obtaining reimbursement for unauthorized toll calls.

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

1. A record from this system of records may be disclosed to contract employees and consultants of the PBGC and officials of a labor organization representing PBGC employees to determine individual responsibility for telephone calls, but only to the extent that such disclosures consist of comprehensive lists of called numbers and length of calls.

General Routine Uses G1, G3, G4, G5, G7, and G8 (see Prefatory Statement of General Routine Uses) apply to this system of records.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Information may be disclosed to a consumer reporting agency *in accordance with 31 U.S.C. 3711(f)* (5 U.S.C. 552a(b)(12)).

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

STORAGE:

Records are maintained manually in file folders and in *automated* form.

RETRIEVABILITY:

Records are retrieved by name of employee or other covered individual, telephone extension number, *telephone calling card number*, or telephone number called.

SAFEGUARDS:

Manual records are kept in areas of restricted access that are locked after office hours; access to *automated records* is restricted.

RETENTION AND DISPOSAL:

Records are retained for 2 years and then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Facilities and Services Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

Telephone and *telephone calling card* assignment records; call detail listings; private telephone billing information.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

PBGC-12

SYSTEM NAME:

Personnel Security Investigation Records—PBGC [formerly included within PBGC-5].

SECURITY CLASSIFICATION:

Not applicable.

SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees and applicants for employment with the PBGC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Investigatory material regarding an individual's character, conduct, and behavior, including: records of arrests and convictions for violations of law; reports of interviews with the subject of the investigation and with persons such as present and former supervisors, neighbors, co-workers, associates, and educators; reports about the qualifications of an individual for a specific position; reports of inquiries to law enforcement agencies, employers, and educational institutions; reports of action after an Office of Personnel Management ("OPM") or Federal Bureau of Investigation field investigation; and other information or correspondence relating to or developed from the above.

This system of records is distinct from the OPM's Privacy Act system of records, OPM/Central-9 (Personnel Investigation Records), which covers records of personnel security investigations initiated by the OPM with respect to employees or applicants for employment with the PBGC.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 5.2(c) and (d); 29 U.S.C. 1302.

PURPOSE(S):

This system of records is maintained to document investigations of individuals' character, conduct, and behavior. Records are used, in accordance with federal personnel regulations, in making determinations relating to an individual's suitability and fitness for PBGC employment, access to information, and security clearance.

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

1. A record from this system of records may be disclosed to any source from which information is requested in the course of an investigation, to the

extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, or identify the type of information requested.

2. A record from this system of records may be disclosed to the OPM, the Merit Systems Protection Board, the Federal Labor Relations Authority, or the Equal Employment Opportunity Commission to carry out its authorized functions (under 5 U.S.C. 1103, 1204, and 7105, and 42 U.S.C. 2000e-4, in that order).

General Routine Uses G1 through G8 (see Prefatory Statement of General Routine Uses) apply to this system of records.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

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

STORAGE:

Records are maintained manually in file folders.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

Records are kept in file cabinets in areas of restricted access that are locked after office hours.

RETENTION AND DISPOSAL:

Records in cases in which favorable determinations are made are destroyed promptly after the determination. Records of cases in which unfavorable determinations are made are destroyed 1 year after issuance if litigation has not been initiated and otherwise upon completion of litigation.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Human Resources Department, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026.

NOTIFICATION PROCEDURE:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

Information contained in this system of records is obtained from the following sources: (a) applications and other personnel and security forms, (b) personal interviews with the individual that is the subject of the investigation,

employers, references, neighbors, and associates, (c) investigative records and notices of personnel actions furnished by other federal agencies, (d) sources such as educational institutions, police departments, credit bureaus, probation officials, prison officials, and doctors, and (e) public records such as court filings and publications such as newspapers, magazines, and periodicals.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

This system of records is exempt from the access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G) through (l), and (f)) to the extent that disclosure would reveal the identity of a source who furnished information to the PBGC under an express promise of confidentiality or, prior to September 27, 1975, under an implied promise of confidentiality (5 U.S.C. 552a(k)(5)).

[FR Doc. 95-28201 Filed 11-14-95; 8:45 am]

BILLING CODE 7708-01-P

RAILROAD RETIREMENT BOARD

1996 Railroad Experience Rating Proclamations

AGENCY: Railroad Retirement Board.
ACTION: Notice.

SUMMARY: The Railroad Retirement Board is required by paragraph (1) of section 8(c) of the Railroad Unemployment Insurance Act (Act) (45 U.S.C. 358(c)(1)), as amended by Public Law 100-647, to proclaim by October 15 of each year certain system-wide factors used in calculating experience-based employer contribution rates for the following year. The Board is further required by section 8(c)(2) of the Act to publish the amounts so determined and proclaimed. Pursuant to section 8(c)(2), the Board gives notice of the following system-wide factors used in the computation of individual employer contribution rates for 1996:

(1) The balance to the credit of the Railroad Unemployment Insurance (RUI) Account, as of June 30, 1995, is \$184,398,531.65;

(2) The balance of any new loans to the Account, including accrued interest, is zero;

(3) The system compensation base is \$2,818,188,567.38;

(4) The system unallocated charge balance is -\$171,450,992.09;

(5) The pooled credit ratio is zero;

(6) The pooled charge ratio is zero;

(7) The surcharge rate is zero.

DATES: The balance in notice (1) and the determinations made in notices (3)

through (7) are based on data as of June 30, 1995. The balance in notice (2) is based on data as of September 30, 1995. The determinations made in notices (5) through (7) apply to the calculation, under section 8(a)(1)(C) of the Act, of employer contribution rates for 1996.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT:

Gerald E. Helmling, Chief of Experience Rating, Bureau of Unemployment and Sickness Insurance, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092, telephone (312) 751-4567.

Dated: November 6, 1995.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 95-28112 Filed 11-14-95; 8:45 am]

BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC-21484; 812-9826]

First American Investment Funds, Inc. and First Bank National Association; Notice of Application

November 8, 1995.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the "Act").

APPLICANTS: First American Investment Funds, Inc. ("FAIF") and First Bank National Association (the "Adviser").

RELEVANT ACT SECTIONS: Order requested under section 17(b) granting an exemption from section 17(a), and pursuant to section 17(d) and rule 17d-1.

SUMMARY OF APPLICATION: Applicants request an order under section 17(b) granting an exemption from section 17(a), and pursuant to section 17(d) and rule 17d-1 to permit the Stock Fund, a series of FAIF, to acquire all of the assets of the Limited Volatility Stock Fund, another series of FAIF. Because of certain affiliations, the two funds may not rely on rule 17a-8 under the Act.

FILING DATES: The application was filed on October 18, 1995.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a

copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on December 4, 1995, and should be accompanied by proof of service on the applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, N.W., Washington, D.C. 20549. Applicants: FAIF, 680 East Swedesford Road, Wayne, Pennsylvania 19087. The Adviser, First Bank Place, 601 Second Avenue South, Minneapolis, Minnesota 55480.

FOR FURTHER INFORMATION CONTACT:

Sarah A. Wagman, Staff Attorney, at (202) 942-0654, or Alison E. Baur, Branch Chief, at (202) 942-0564 (Office of Investment Company Regulation, Division of Investment Management).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

Applicants' Representations

1. FAIF is an open-end management investment company organized as a Maryland corporation and registered under the Act. FAIF currently offers twenty-two series of shares. The Adviser acts as investment adviser to each series. The Adviser is a wholly-owned subsidiary of First Bank System, Inc. ("FBS").

2. First Trust National Association ("First Trust") also is a wholly-owned subsidiary of FBS, and acts as custodian for FAIF. First Trust and its affiliates hold of record in their own name and in the name of their nominee more than 5% of the outstanding shares of the Limited Volatility Stock Fund and the Stock Fund, and they hold or share voting and/or investment discretion with respect to a portion of such shares. All such shares are held for the benefit of others in a trust, agency, custodial, or other fiduciary or representative capacity. First Trust and its affiliates do not have any economic interest in any of the shares.

3. Applicants propose that the Limited Volatility Stock Fund (the "Acquired Fund") be combined with and into the Stock Fund (the "Acquiring Fund;" the Acquired Fund and the Acquiring Fund collectively are referred to as the "Funds") in a tax-free reorganization (the "Reorganization"). In the Reorganization, the Acquiring