

For the Nuclear Regulatory Commission.

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## **OFFICE OF PERSONNEL MANAGEMENT**

### **Privacy Act of 1974; System of Records**

**AGENCY:** Office of the Chief Financial Officer, Office of Personnel Management.

**ACTION:** Notice of a New System of Records.

**SUMMARY:** In accordance with the Privacy Act of 1974, the Office of Personnel Management (OPM) proposes to add a new system of records, titled "OPM/Internal-23 Financial Management Records." This system of records contains financial records that OPM collects, maintains, and uses to manage its critical financial responsibilities. This system of records will be included in OPM's inventory of record systems.

**DATES:** Please submit comments on or before June 2, 2021. This new system is effective upon publication in today's **Federal Register**, with the exception of the routine uses, which are effective June 7, 2021.

**ADDRESSES:** You may submit written comments via the Federal Rulemaking Portal: <http://www.regulations.gov>. All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** For general questions, please contact: Rochelle Bayard, Associate Chief Financial Officer, Office of Personnel Management, at 202-606-1918 or [OPMFinApps@opm.gov](mailto:OPMFinApps@opm.gov). For privacy questions, please contact: Kellie Cosgrove Riley, Chief Privacy Officer, Office of Personnel Management at [privacy@opm.gov](mailto:privacy@opm.gov).

**SUPPLEMENTARY INFORMATION:** The Office of Personnel Management (OPM) is establishing the OPM/Internal 23 Financial Management Records system of records in order to clarify and

provide greater transparency regarding its financial records. OPM's Office of the Chief Financial Officer (OCFO) uses the records covered by this SORN in support of its financial management responsibilities, and to successfully implement OPM OCFO's internal and external budget and finance responsibilities.

The records in this system of records are used to meet accounting and financial reporting requirements and are a comprehensive source of financial, budget, and performance information to OPM program offices. They include records pertaining to purchasing, accounts receivables, accounts payable, disbursements, and other budget activities. The records are used for billing and collection, project costing, and funds control as well as to update budgets, financial plans, and the general ledger. The records are also critical to required financial auditing and reporting requirements.

The records include those that are used to support the acquisition management lifecycle, from requisitioning through source selection, award, post award management, blanket purchase agreements, interagency agreements, and closeout.

This system of records does not include those records used to administer the pay, leave, and travel requirements of OPM or the administration of the fare subsidy program, which are included in the OPM Internal-5 Pay, Leave, and Travel system of records. It also does not include records that are used to enable travel service providers under contract to the Federal Government to authorize, issue, or account for travel and travel reimbursements provided to individuals on official Federal Government business, which are covered under GSA/GOVT-4 Contracted Travel Services Program, 74 FR 26700 (June 3, 2009), and GSA/GOVT-4. Contracted Travel Services Program, 74 FR 28048 (June 12, 2009).

**SYSTEM NAME AND NUMBER:**

Financial Management Records, OPM/Internal-23.

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

The Office of the Chief Financial Officer, Office of Personnel Management is responsible for the records in this system of records. Records are located at 1900 E Street NW, Washington, DC and, pursuant to an inter-agency agreement with the Department of Transportation, Federal Aviation Authority, in Oklahoma City, Oklahoma.

**SYSTEM MANAGER(S):**

Associate Chief Financial Officer for Financial Strategy and Operations, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-1100.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

31 U.S.C. Title 31, Subtitles II and III; Public Law 101-576; Public Law 104-208; OMB Circular A-123; OMB Memorandum 16-11; OMB Memorandum 13-08, Executive Order 9397, as amended by Executive Order 13478.

**PURPOSE(S) OF THE SYSTEM:**

The purpose of this system of records is to permit OPM to collect and maintain records to administer its financial management responsibilities. This includes conducting all activities related to accounts receivable and accounts payable, budgeting, purchasing, acquisitions, reimbursement, settlements, and debt collections for OPM. The records are also used to meet financial auditing and reporting requirements, both within OPM and external to OPM, such as to other Federal and private sector entities as required and necessary in accordance with existing laws and regulations; and to support the acquisition management lifecycle, from requisitioning through source selection, award, post award management, blanket purchase agreements, interagency agreements, and closeout.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals to whom OPM has a financial obligation, including current and former federal employees, vendors, contractors, experts, and others who are owed monies from OPM; and individuals who are indebted to OPM, including those who receive goods and services from OPM, those indebted for advancements or overpayments, and those who are otherwise financially liable to OPM.

**CATEGORIES OF RECORDS:**

- a. Name,
- b. Social Security number,
- c. Bank account information,
- d. Credit card number,
- e. Data Universal Numbering System (DUNS) number
- f. Employee identification number.
- g. Tax identification number.
- h. addresses and other general contact information, such as phone numbers, facsimile numbers, and email addresses.
- i. records of expenses, such as bills, receipts.
- j. records of payments.

k. invoices,

l. any other record necessary to document and make payment for a financial obligation owed to or from OPM.

Records in this system are subject to the Privacy Act only to the extent, if any, they are about an individual within the meaning of the Act, and not if they are about a business or other non-individual.

**RECORD SOURCE CATEGORIES:**

Records are obtained from individuals to whom OPM has a financial obligation, individuals who are indebted to OPM, OPM program offices, the Department of the Treasury, and the General Services Administration.

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

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside OPM as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

a. To the Department of Justice, including Offices of the U.S. Attorneys; another Federal agency conducting litigation or in proceedings before any court, adjudicative, or administrative body; another party in litigation before a court, adjudicative, or administrative body; or to a court, an adjudicative body, or an administrative body. Such disclosure is permitted only when it is relevant or necessary to the litigation or proceeding and one of the following is a party to the litigation or has an interest in such litigation:

- (1) OPM, or any component thereof;
- (2) Any employee or former employee of OPM in his or her official capacity;
- (3) Any employee or former employee of OPM in his or her individual capacity where the Department of Justice or OPM has agreed to represent the employee;
- (4) The United States, a Federal agency, or another party in litigation before a court, adjudicative, or administrative body, upon the OPM General Counsel's approval, pursuant to 5 CFR part 295 or otherwise.

b. To the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when a record, either on its face or in conjunction with other information, indicates or is relevant to a violation or potential violation of civil or criminal law or regulation.

c. To a member of Congress from the record of an individual in response to

an inquiry made at the request of the individual to whom the record pertains.

d. To the National Archives and Records Administration (NARA) for records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.

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

f. To another Federal agency or Federal entity, when OPM 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.

g. To contractors, grantees, experts, consultants, or volunteers performing or working on a contract, service, grant, cooperative agreement, or other assignment for OPM when OPM determines that it is necessary to accomplish an agency function related to this system of records. Individuals provided information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to OPM employees.

h. To an external auditor for the purpose of performing audit or oversight operations as authorized by law, but only such information as is necessary and relevant to such audit or oversight function.

i. To the Equal Employment Opportunity Commission, the Merit Systems Protection Board, the Federal Labor Relations Authority, or other person or entity responsible for the administration of the Federal Labor-Management Program, for the purpose of processing any corrective actions, presiding over grievances, or conducting administrative hearings or appeals, or if needed in the performance of similar authorized duties.

j. To the United States Department of the Treasury to verify eligibility for payment and to effect disbursement of authorized payments.

k. To the United States Department of the Treasury in order to identify programs and activities susceptible to improper payments in accordance with the Improper Payment Information Act of 2002 and the Improper Payments Elimination and Recovery Act of 2010.

l. To the General Service Administration's Federal Procurement Data System, a central

repository for statistical information on Government contracting, information pertaining to OPM's acquisition activities for the purpose of providing public access to Government-wide data about agency contract actions.

m. To a Federal, state, or local agency for the purpose of adjudicating an individual's eligibility for a benefit or for any other legally mandated purpose in accordance with its authorizing statute or regulation where an approved Computer Matching Agreement or other information sharing agreement is in place between OPM and the agency.

n. To another Federal agency to obtain financial management services for OPM under a cross-servicing or inter-agency agreement, including for budgeting, purchasing, procurement, reimbursement, reporting, and collection functions.

o. To the Department of Justice, another Federal agency, or a debt collection agency for any purpose related to collecting a debt owed to the Federal government.

p. To consumer reporting agencies, as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)), pursuant to 5 U.S.C. 552a(b)(12) and in accordance with 31 U.S.C. 3711(e).

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

The records in this system of records are stored electronically in an automated application database and storage area network and in paper in locked offices or cabinets with restricted access.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

The records may be retrieved by name, DUNs, Social Security number, tax identification number, or other personal identifier available in this system of records.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

The records in this system of records are retained and disposed of in

accordance with General Records Schedule 1.1. The record requires that the records be destroyed six years after final payment or cancellation, but longer retention is authorized if required for business use.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Records in the system are protected from unauthorized access and misuse through various administrative, technical and physical security measures in compliance with the Federal Information Security Modernization Act (Pub. L. 113–283), associated OMB policies, and applicable standards and guidance from the National Institute of Standards and Technology (NIST). Electronic records are located in a secured information technology hosting facility and are available only to authorized personnel whose duties require access. Paper records are located in locked offices and locked cabinets with restricted access.

**RECORD ACCESS PROCEDURES:**

Individuals seeking notification of and access to their records in this system of records may submit a request in writing to the Office of Personnel Management, Office of Privacy and Information Management—FOIA, 1900 E Street NW, Washington, DC 20415–7900 or by emailing [foia@opm.gov](mailto:foia@opm.gov).

Individuals must furnish the following information for their records to be located:

1. Full name.
2. Social Security number or Tax identification number.
3. The type of information requested.
4. The address to which the information should be sent.

Individuals requesting access must also comply with OPM's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297).

**CONTESTING RECORD PROCEDURES:**

Individuals wishing to request amendment of records about them should write to the Office of Personnel Management, Office of Privacy and Information Management—FOIA, 1900 E Street NW, Washington, DC 20415–7900.

Individuals must furnish the following information in writing for their records to be located:

1. Full name.
2. Social Security number or Tax identification number.
3. Precise identification of the information to be amended.

Individuals requesting amendment must also follow OPM's Privacy Act

regulations regarding verification of identity and amendment to records (5 CFR 297).

**NOTIFICATION PROCEDURES:**

See “Record Access Procedure.”

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

None.

Office of Personnel Management.

**Alexys Stanley,**  
*Regulatory Affairs Analyst.*

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**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34–91673; File No. SR–ICEEU–2021–008]

**Self-Regulatory Organizations; ICE Clear Europe Limited; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Amendments to the ICE Clear Europe Delivery Procedures**

April 26, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),<sup>1</sup> and Rule 19b–4 thereunder,<sup>2</sup> notice is hereby given that on April 19, 2021, ICE Clear Europe Limited (“ICE Clear Europe” or the “Clearing House”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule changes described in Items I, II and III below, which Items have been prepared primarily by ICE Clear Europe. ICE Clear Europe filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act<sup>3</sup> and Rule 19b–4(f)(4)(ii)<sup>4</sup> thereunder, such that the proposed rule was immediately effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

**I. Clearing Agency’s Statement of the Terms of Substance of the Proposed Rule Change**

The principal purpose of the proposed amendments is for ICE Clear Europe to amend its Delivery Procedures (the “Delivery Procedures”) in connection with the transition of the trading of Deliverable EU Emissions

Contracts from ICE Futures Europe to ICE Endex.<sup>5</sup>

**II. Clearing Agency’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

In its filing with the Commission, ICE Clear Europe included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. ICE Clear Europe has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

*(A) Clearing Agency’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

(a) Purpose

ICE Clear Europe is proposing to amend Part A of its Delivery Procedures in connection with the contemplated transition of the trading of Deliverable EU Emissions Contracts from ICE Futures Europe to ICE Endex Markets B.V (“ICE Endex”).<sup>6</sup> The transition is expected to occur in June 2021.<sup>7</sup> The Deliverable EU Emissions Contracts being transitioned will be the EUA Futures and Options, EUA Daily Futures and EUAA Futures. Following the transition, the contracts will continue to be cleared by ICE Clear Europe. ICE Clear Europe is also removing from Part A provisions relating to CER Contracts and Auction Contracts, which are no longer traded on ICE Futures Europe.

Changes would be made throughout Part A to reference ICE Endex as the relevant exchange in lieu of ICE Futures Europe, including to refer to the relevant contracts as “ICE Endex Deliverable EU Emissions Contracts.” In connection with the removal of the CER Contracts, the Clearing House is proposing to remove the definitions of Auction, Auctioneer Seller, Certified Emission Reduction or CER, CER Contract, CER Delivery Amount, CER Transfer Request, Kyoto Protocol, Linking Directive and UNFCCC Independent Transaction Log and related concepts. The defined term “Account” would be renamed “Registry Account” (with references to CERs removed), with conforming changes made throughout Part A.

<sup>5</sup> Capitalized terms used but not defined herein have the meaning specified in the ICE Clear Europe Clearing Rules (the “Rules”).

<sup>6</sup> See ICE Futures Europe Circular 21/012 (Feb 8, 2021).

<sup>7</sup> See ICE Futures Europe Circular 21/025 (Feb. 25, 2021).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b–4.

<sup>3</sup> 15 U.S.C. 78s(b)(3)(a).

<sup>4</sup> 17 CFR 240.19b–4(f)(4)(ii).