

## **FTC-II-9**

### **SYSTEM NAME:**

Claimants Under Federal Tort Claims Act and Military Personnel and Civilian Employees' Claims Act-FTC.

### **SECURITY CLASSIFICATION:**

Not applicable.

### **SYSTEM LOCATION:**

Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580. See Appendix III for other locations where records may be maintained or accessed.

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

Individuals who have claimed reimbursement from FTC under Federal Tort Claims Act and Military Personnel and Civilian Employees' Claims Act.

### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Personal information relating to incidents in which the FTC may be liable for property damage, loss, or personal injuries; reimbursement applications; internal memoranda; and witness statements

### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Federal Tort Claims Act, 28 U.S.C. 1346(b), 28 U.S.C. 2671-2680; Military Personnel and Civilian Employees' Claims Act, 31 U.S.C. 3721.

### **PURPOSE(S):**

To consider claims made under the above-cited statutes; to investigate those claims; to determine appropriate responses to those claims; and to maintain records outlining all considerations and actions related to those claims.

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

Records in this system:

(1) May be referred to Department of Justice, General Services Administration, or other federal agency when the matter comes within the jurisdiction of such agency; and

(2) May be used in discussions and correspondence with insurance companies, with other persons or entities that may be liable, with potential witnesses or others having knowledge of the matter.

See also Appendix I for other ways that the Privacy Act permits the FTC to use or disclose system records outside the agency.

#### DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None, except as authorized under 5 U.S.C. 552a(b)(12) when trying to collect a claim of the Government. See Appendix I.

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

##### STORAGE:

Paper records stored in file folders; temporary electronic files.

##### RETRIEVABILITY:

Indexed by individual's name.

##### SAFEGUARDS:

Access is restricted to agency personnel or contractors whose responsibilities require access. Paper records are maintained in lockable rooms or file cabinets. Access to electronic records is controlled by "user ID" and password combination and/or other appropriate access or network controls (e.g., firewalls). FTC buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

##### RETENTION AND DISPOSAL:

Records are retained for 6 years and 3 months after the matter has been resolved, and then destroyed, as provided in General Records Schedule 6, issued by the National Archives and Records Administration, except any claims files that are affected by court order or subject to litigation proceedings, which are destroyed when the court order is lifted or the litigation is concluded, or when the files are 6 years and 3 months old, whichever is later.

##### SYSTEM MANAGER(S) AND ADDRESS:

Deputy General Counsel for Legal Counsel, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

Assistant Chief Financial Officer for Financial Systems, Internal Control and Policy,

Financial Management Office, Federal Trade Commission, 600 Pennsylvania Avenue, N.W.  
20580.

**NOTIFICATION PROCEDURE; RECORD ACCESS PROCEDURES; AND CONTESTING  
RECORD PROCEDURES:**

See Appendix II.

**RECORD SOURCE CATEGORIES:**

Individual about whom the record pertains (claimant); FTC employee involved in  
incident; other FTC employees or other persons having knowledge of the circumstances; official  
police report (if any); and insurance company representing claimant (if any).

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.