

licensee completes the initial registration of such protected data as ITIN's. Access to privacy protected data is available only to those persons whose jobs require such access. Data resident on network servers are backed-up on to magnetic media. Back-up tapes are stored on-site and at an off-site storage location.

**RETENTION AND DISPOSAL:**

Records are maintained for eleven years after an individual ceases to be a licensee. Electronic records are destroyed physically (electronic storage media) or by electronic erasure.

**SYSTEMS MANAGER(S) AND ADDRESS:**

Chief, Wireless Telecommunications Bureau (WTB), Federal Communications Commission (FCC), 445 12th Street, SW., Room 3-C122, Washington, DC 20554.

**NOTIFICATION PROCEDURE:**

Address inquiries to the system manager.

**RECORD ACCESS PROCEDURES:**

Address inquiries to the system manager.

**CONTESTING RECORD PROCEDURES:**

Address inquiries to the system manager.

**RECORD SOURCE CATEGORIES:**

Individual conducting business with the FCC.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**FCC/WTB-5****SYSTEM NAME:**

Application Review List for Present or Former Licensees, Operators, or Unlicensed Persons Operating Radio Equipment Improperly.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Wireless Telecommunications Bureau (WTB), Federal Communications Commission (FCC), 445 12th Street, SW., Room 3-C122, Washington, DC 20554.

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

1. Individuals who are or have been licensed under parts 13, 22, 24, 27, 74, 80, 87, 90, 95, 97, and 101 of FCC Rules, and who have operated in violation of the Federal Communications Commission's (FCC) rules or the Communications Act of 1934, as amended;

2. Unlicensed persons who have operated radio transmitting equipment; and

3. Persons who have had a license revoked or have had an application dismissed or denied, and are prohibited from filing another application within one year.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Information in this system includes: name, address, date of birth (if known), authorization code of staff member who placed name in the file, and date the name was placed in the file.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

47 U.S.C. 301, 303, 309(e), and 312.

**PURPOSE(S):**

The records are used by selected staff and field employees to determine whether the application of these individuals should be granted, dismissed, or set for hearing.

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

Information about individuals in this system of records may routinely be disclosed under the following conditions:

1. Adjudication and Litigation—where by careful review, the agency determines that the records are both relevant and necessary to litigation and the use of such records is deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records, these records may be used by a court or adjudicative body in a proceeding when: (a) The agency or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States Government is a party to litigation or has an interest in such litigation;

2. Law Enforcement and Investigation—where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be shared with appropriate Federal, State, or local authorities either for purposes of obtaining additional information relevant to a FCC decision or for referring the record for investigation, enforcement, or prosecution by another agency;

3. Congressional Inquiries—when requested by a Congressional office in response to an inquiry by an individual made to the Congressional office for their own records; and

4. Government-wide Program Management and Oversight—when requested by the National Archives and Records Administration for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906; when the U.S. Department of Justice is contacted in order to obtain that department's advice regarding disclosure obligations under the Freedom of Information Act; or when the Office of Management and Budget is contacted in order to obtain that office's advice regarding obligations under the Privacy Act.

In each of these cases, the FCC will determine whether disclosure of the records is compatible with the purpose for which the records were collected.

**DISCLOSURE TO CONSUMER REPORTING****AGENCIES:**

None.

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

Records are stored on magnetic tape and computer printout(s).

**RETRIEVABILITY:**

Information is filed alphabetically by name of individual in a computer and is retrieved periodically through computer printout.

**SAFEGUARDS:**

Access to the computer database(s) is controlled by passwords; the computer(s) is located in a secured office; and the printouts are available only to selected staff personnel.

**RETENTION AND DISPOSAL:**

The printouts are destroyed by machine shredding when a new list is distributed. The computer tapes are retained for four back-up cycles, and on the fifth update, the oldest tape is destroyed by burning.

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

Chief, Wireless Telecommunications Bureau (WTB), Federal Communications Commission (FCC), 445 12th Street, SW., Room 3-C122, Washington, DC 20554.

**NOTIFICATION PROCEDURE:**

Under the authority granted to heads of agencies by 5 U.S.C. 552a(k), the FCC has determined (47 CFR 0.561) that this system of records is exempt from disclosing its notification procedure for this system of records.

**RECORD ACCESS PROCEDURES:**

Under the authority granted to heads of agencies by 5 U.S.C. 552a(k), the FCC

has determined (47 CFR 0.561) that this system of records is exempt from disclosing its record access procedures for this system of records.

**CONTESTING RECORD PROCEDURE:**

Under the authority granted to heads of agencies by 5 U.S.C. 552a(k), the FCC has determined (47 CFR 0.561) that this system of records is exempt from disclosing its contesting record procedure for this system of records.

**RECORD SOURCE CATEGORIES:**

Under the authority granted to heads of agencies by 5 U.S.C. 552a(k), the FCC has determined (47 CFR 0.561) that this system of records is exempt from disclosing its record sources for this system of records.

**EXEMPTION FROM CERTAIN PROVISIONS OF THE ACT:**

This system of records is exempt from sections (c)(3), (d), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552a, and from 47 CFR 0.554–0.557 of the Commission's rules. These provisions concern the notification, record access, and contesting procedures described above, and also the publication of record sources. The system is exempt from these provisions because it contains the following types of information:

1. Investigative material compiled for law enforcement purposes as defined in Section (k)(2) of the Privacy Act;
2. Properly classified information, obtained from another Federal agency during the course of a personnel investigation, which pertains to national defense and foreign policy, as stated in Section (k)(1) of the Privacy Act; and
3. Investigative material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, as described in Section (k)(5) of the Privacy Act, as amended.

**FCC/WTB-6**

**SYSTEM NAME:**

Archival Radio Operator Records.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Wireless Telecommunications Bureau (WTB), Federal Communications Commission (FCC), 1270 Fairfield Road, Gettysburg, Pennsylvania 17325.

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

Individuals who applied for and/or received a radiotelephone (wireless) operator license or permit prior to the implementation of the Federal

Communications Commission's Universal Licensing System (ULS) in 2001.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Information includes: applications for radiotelephone (wireless) operator's license or permit prior to the implementation of the Federal Communications Commission's Universal Licensing System in 2001, and documents associated with these applications.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

47 U.S.C. 303(l), 303(m), and 318.

**PURPOSE(S):**

These archival records are used to:

1. Administer the Commission's radio operator program including applications and determinations of license applicant qualifications. Limited file materials concerning licensed radio operators are maintained in the FCC's computer database. The information in the license database will be available for public inspection.
2. Refer possible violations of law to the Federal Communication Commission's (FCC) Enforcement Bureau, Office of General Counsel (OGC), and to the appropriate agency charged with the responsibility of investigating or prosecuting such violation(s).

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

Information about individuals in this system of records may routinely be disclosed under the following conditions:

1. Public access—the licensee records will be publicly available and routinely used in accordance with Subsection b. of the Privacy Act; ITIN Numbers and material which is afforded confidential treatment pursuant to a request made under 47 CFR 0.459 will not be available for public inspection;
2. Adjudication and Litigation—where by careful review, the agency determines that the records are both relevant and necessary to litigation and the use of such records is deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records, these records may be used by a court or adjudicative body in a proceeding when: (a) The agency or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States

Government is a party to litigation or has an interest in such litigation;

3. Law Enforcement and Investigation—where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be shared with appropriate Federal, State, or local authorities either for purposes of obtaining additional information relevant to a FCC decision or for referring the record for investigation, enforcement, or prosecution by another agency;

4. Congressional Inquiries—when requested by a Congressional office in response to an inquiry by an individual made to the Congressional office for their own records;

5. Government-wide Program Management and Oversight—when requested by the National Archives and Records Administration for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906; when the U.S.

Department of Justice is contacted in order to obtain that department's advice regarding disclosure obligations under the Freedom of Information Act; or when the Office of Management and Budget is contacted in order to obtain that office's advice regarding obligations under the Privacy Act;

6. Employment, Clearances, Licensing, Contract, Grant, or other Benefits Decisions by the agency—disclosure may be made to a Federal, State, local, or foreign agency maintaining civil, criminal, or other relevant enforcement records, or other pertinent records, or to another public authority or professional organization, if necessary to obtain information relevant to an investigation concerning the retention of an employee or other personnel action (other than hiring), the retention of a security clearance, the letting of a contract, or the issuance or retention of a grant, or other benefit; and

7. Employment, Clearances, Licensing, Contract, Grant, or other Benefits Decisions by other than the agency—disclosure may be made to a Federal, State, local, foreign, tribal, or other public authority of the fact that this system of records contains information relevant to the retention of an employee, the retention of a security clearance, the letting of a contract, or the issuance or retention of a license, grant, or other benefit. The other agency or licensing organization may then make a request supported by the written consent of the individual for the entire records if it so chooses. No disclosure will be made unless the information has been determined to be sufficiently reliable to support a referral to another