

**SYSTEM LOCATION:**

Office of Human Capital Management (Headquarters), Denver Human Capital Management Operations Division and Disaster Loan Making Centers (DLMC). See Appendix A.

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

SBA employees.

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

Employee name and their identification card numbers.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES, THESE RECORDS MAY BE USED, DISCLOSED OR REFERRED:**

a. To a Congressional office from an individual's record, when that office is inquiring on the individual's behalf; the Member's access rights are no greater than the individual's.

b. To SBA volunteers, contractors, interns, grantees, experts and who have been engaged by SBA to assist in the performance of a service related to this system of records and who need access to the records in order to perform this activity. Recipients of these records shall be required to comply with the requirements of the Privacy Act of 1974, *as amended*, 5 U.S.C. 552a.

c. To the Department of Justice (DOJ) when any of the following is a party to litigation or has an interest in such litigation, and the use of such records by DOJ is deemed by SBA to be relevant and necessary to the litigation, provided, however, that in each case, SBA determines the disclosure of the records to DOJ is a use of the information contained in the records that is compatible with the purpose for which the records were collected: SBA, or any component thereof; any SBA employee in their official capacity; any SBA employee in their individual capacity where DOJ has agreed to represent the employee; or The United States Government, where SBA determines that litigation is likely to affect SBA or any of its components.

d. In a proceeding before a court, or adjudicative body, or a dispute resolution body before which SBA is authorized to appear or before which any of the following is a party to litigation or has an interest in litigation, provided, however, that SBA determines that the use of such records is relevant and necessary to the litigation, and that, in each case, SBA determines that disclosure of the records to a court or other adjudicative

body is a use of the information contained in the records that is a compatible purpose for which the records were collected: SBA, or any SBA component; any SBA employee in their official capacity; any SBA employee in their individual capacity where DOJ has agreed to represent the employee; or The United States Government, where SBA determines that litigation is likely to affect SBA or any of its components.

e. To appropriate agencies, entities, and persons when: SBA suspects or has confirmed that the security or confidentiality of information in the system records has been compromised; SBA has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identify theft or fraud, or harm to the security of integrity of this system or other systems or programs (whether maintained by the Agency or entity) that rely upon the compromised information; and the disclosure made to such agencies, entities and persons is reasonably necessary to assist in connection with SBA's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

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

Paper and electronic files.

**RETRIEVAL:**

By name or identification card number.

**SAFEGUARDS:**

Access and use is limited to persons with official need to know; computers are protected by password and user identification codes.

**RETENTION AND DISPOSAL:**

In accordance with National Archives and Records Administration General Records Retention Schedule 1.6.

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

Assistant Administrator/Human Capital Management (HQ) and DLMC Directors. See Appendix A.

**NOTIFICATION PROCEDURES:**

Individuals may make record inquiries in person or in writing to the Systems Manager or PA Officer.

**ACCESS PROCEDURES:**

Systems Manager or PA Officer will determine procedures.

**CONTESTING PROCEDURES:**

Notify officials listed above and state reason(s) for contesting and proposed amendment(s) sought.

**SOURCE CATEGORIES:**

Subject employee, individuals and agency personnel records.

**SBA 11****SYSTEM NAME:**

ENTREPRENEURIAL DEVELOPMENT—MANAGEMENT INFORMATION SYSTEM—SBA 11

**SYSTEM LOCATION:**

Headquarters (HQ).

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

Individuals using SBA's business counseling and assistance services.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Individual and business information on SBA clients.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Public Law 85-536, 15 U.S.C. 631 (Small Business Act), sec. 7(j)(1), (Business Counseling), 15 U.S.C. 648 sec. 21 (Small Business Development Centers), 15 U.S.C. 656 sec. 29 (Women's Business Centers), Public Law 106-50 (Veterans' Entrepreneurship and Small Business Development Act of 1999), 44 U.S.C. 3101 (Records Management by Federal Agencies) and Public Law 103-62 (Government Performance and Results Act).

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES, THESE RECORDS MAY BE USED, DISCLOSED OR REFERRED:**

a. To the Agency service provider (resource partner) who initially collected the information.

b. To a Congressional office from an individual's record, when that office is inquiring on the individual's behalf; the Member's access rights are no greater than the individual's.

c. To SBA volunteers, contractors, interns, grantees, experts and who have been engaged by SBA to assist in the performance of a service related to this system of records and who need access to the records in order to perform this activity. Recipients of these records shall be required to comply with the requirements of the Privacy Act of 1974, *as amended*, 5 U.S.C. 552a.

d. To the Department of Justice (DOJ) when any of the following is a party to litigation or has an interest in such litigation, and the use of such records by DOJ is deemed by SBA to be relevant and necessary to the litigation,

provided, however, that in each case, SBA determines the disclosure of the records to DOJ is a use of the information contained in the records that is compatible with the purpose for which the records were collected: SBA, or any component thereof; any SBA employee in their official capacity; any SBA employee in their individual capacity where DOJ has agreed to represent the employee; or The United States Government, where SBA determines that litigation is likely to affect SBA or any of its components.

e. In a proceeding before a court, or adjudicative body, or a dispute resolution body before which SBA is authorized to appear or before which any of the following is a party to litigation or has an interest in litigation, provided, however, that SBA determines that the use of such records is relevant and necessary to the litigation, and that, in each case, SBA determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is a compatible purpose for which the records were collected: SBA, or any SBA component; any SBA employee in their official capacity; any SBA employee in their individual capacity where DOJ has agreed to represent the employee; or The United States Government, where SBA determines that litigation is likely to affect SBA or any of its components.

f. To appropriate agencies, entities, and persons when: SBA suspects or has confirmed that the security or confidentiality of information in the system records has been compromised; SBA has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identify theft or fraud, or harm to the security of integrity of this system or other systems or programs (whether maintained by the Agency or entity) that rely upon the compromised information; and the disclosure made to such agencies, entities and persons is reasonably necessary to assist in connection with SBA's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS:**

**STORAGE:**

Electronic form in secured database on a dedicated computer.

**RETRIEVAL:**

By SBA Customer Number and cross-referenced by individual or business name.

**SAFEGUARDS:**

Access and use over the Internet with a restricted numerical password. Access and use is limited to Federal officials with a need-to-know and to designated resource partners. SBA resource partners will have access only to those individuals that were collected by that particular resource partner. Designated program managers in HQ and district directors will have access to individual records only as needed for program management.

**RETENTION AND DISPOSAL:**

In accordance with EDMIS N1-309-03-06.

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

Associate Deputy Administrator for Entrepreneurial Development and designee in Headquarters.

**NOTIFICATION PROCEDURES:**

Individuals may make record inquiries in person or in writing to the Systems Manager or PA Officer.

**ACCESS PROCEDURES:**

The Systems Manager or PA Officer will determine procedures.

**CONTESTING PROCEDURES:**

Notify officials listed above and state reason(s) for contesting and proposed amendment(s) sought.

**SOURCE CATEGORIES:**

Subject individuals or businesses.

**SBA 12**

**SYSTEM NAME:**

EQUAL EMPLOYMENT OPPORTUNITY PRE-COMPLAINT COUNSELING—SBA 12

**SYSTEM LOCATION:**

Headquarters and Field Offices. *See* Appendix A.

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

Current/former SBA employees, members of a group (class complaints) who have requested counseling regarding employment discrimination.

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

Case files may include employee and interview statements. The Equal Employment Opportunity (EEO) Counselor's Report becomes part of the EEO Complaint case.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 CFR Part 1611.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES, THESE RECORDS MAY BE USED, DISCLOSED OR REFERRED:**

a. To report counseling activity to the Office of Equal Employment Opportunity and Civil Rights Compliance (EEO/CRC).

b. To a Congressional office from an individual's record, when that office is inquiring on the individual's behalf; the Member's access rights are no greater than the individual's.

c. To SBA volunteers, contractors, interns, grantees, experts and who have been engaged by SBA to assist in the performance of a service related to this system of records and who need access to the records in order to perform this activity. Recipients of these records shall be required to comply with the requirements of the Privacy Act of 1974, *as amended*, 5 U.S.C. 552a.

d. To the Department of Justice (DOJ) when any of the following is a party to litigation or has an interest in such litigation, and the use of such records by DOJ is deemed by SBA to be relevant and necessary to the litigation, provided, however, that in each case, SBA determines the disclosure of the records to DOJ is a use of the information contained in the records that is compatible with the purpose for which the records were collected: SBA, or any component thereof; any SBA employee in their official capacity; any SBA employee in their individual capacity where DOJ has agreed to represent the employee; or The United States Government, where SBA determines that litigation is likely to affect SBA or any of its components.

e. In a proceeding before a court, or adjudicative body, or a dispute resolution body before which SBA is authorized to appear or before which any of the following is a party to litigation or has an interest in litigation, provided, however, that SBA determines that the use of such records is relevant and necessary to the litigation, and that, in each case, SBA determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is a compatible purpose for which the records were collected: SBA, or any SBA component; any SBA employee in their official capacity; any SBA employee in their individual capacity where DOJ has agreed to represent the employee; or The United States Government, where SBA determines that litigation is likely to affect SBA or any of its components.

f. To appropriate agencies, entities, and persons when: SBA suspects or has