

**#..SEC-18**

**System name:**

Applications for Relief From Disqualification Filed Under the Securities Act of 1933 and the Commission's Rules of Practice.

**System location:**

Securities and Exchange Commission, Washington, DC 20549. Applications for relief from disqualification under Regulation A may be maintained by the SEC Regional and District Offices.

**Categories of individuals covered by the system:**

The records contain information with respect to attorneys, accountants, and other professionals seeking relief from SEC orders suspending or barring them from appearing or practicing before the SEC or imposing some other sanction or requirements under the Commission's rules of practice and information concerning officers, directors, principal shareholders, promoters, partners, underwriters, and other persons associated with the registrant who are seeking to vacate or modify any disqualification imposed by the Commission.

**Categories of records in the system:**

Records contain information pertaining to SEC orders which temporarily or permanently suspend attorneys, accountants, and other professionals from appearing or practicing before the SEC or otherwise sanction them pursuant to the Commission's rules of practice. Also contain the individual's application for relief of disqualification under the rules of practice and applications for relief from disqualifications under the Securities Act of 1933.

**Authority for maintenance of the system:**

Title 15, United States Code, sections 77c, 77s, 78w, 79t, 77sss, 80a-37, and 80b-11; 17 CFR 202.2(e); 17 CFR 230.252(f).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

These records and the information contained in these records may be used for the following:

1. By the Commission's staff to process requests for relief from SEC orders or disqualification or disqualifications imposed by or from provisions of applicable Federal securities laws and rules promulgated thereunder.
2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Records are maintained in hard copy form in individual files.

**Retrievability:**

Records are accessed by name of individual or issuer or registrant.

**Safeguards:**

Applications for relief from disability under Regulations A and F of the Securities Act of 1933 are made available to the public. Information regarding Rule 2(e) of the Commission's rules of practice is non-public. Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. All records are kept in an office that is locked at night and in a building having a 24-hour security guard.

**Retention and disposal:**

These records are controlled by file number and maintained in-house, until final action on appeal is taken, then transferred to the Federal Records Center for storage. They are destroyed ten years after the date of the final action, in accordance with the Commission's formal Records Control Schedule outlined at 17 CFR 200.80f.

**System manager(s) and address:**

1. Applications for relief of disqualifications under the Securities Act of 1933: Director, Division of Corporation Finance, Securities and Exchange Commission, 450 Fifth Street NW, Washington, DC 20549. 2. Applications for relief of disqualifications imposed under the Commission's rules of practice: General Counsel, Securities and Exchange Commission, 450 Fifth Street NW, Washington, DC 20549.

**Notification procedure:**

All requests to determine whether this system of records contains a record pertaining to the requesting individual may be directed to the Privacy Act Officer, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop O-5, Alexandria, VA 22312-2413.

**Record access procedures:**

Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact the Privacy Act Officer, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop O-5, Alexandria, VA 22312-2413.

**Contesting record procedures:**

See Record access procedures above.

**Record source categories:**

Information concerning individuals is extracted from applications filed with the Commission for relief from disqualifications.