

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

Paper records are maintained in file folders stored within locking filing cabinets or locked rooms in secured facilities with controlled access. Electronic records are stored in computers, removable drives, storage devices, electronic databases, and other electronic media under the control of the FLRA, and in other Federal agency systems pursuant to interagency sharing agreements.

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

Records may be retrieved by name, SSN, ECI, birth date, organizational code, or other assigned person.

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

Records are maintained in accordance with General Records Schedule (GRS) 1.0 "Finance", and GRS 2.0 "Human Resources," which are approved by the National Archives and Records Administration. The system generally maintains temporary records, and retention periods vary based on the type of record under each item and the needs of the agency. Paper records are disposed of by shredding, and records maintained on electronic media are degaussed or erased in accordance with the applicable records retention schedule and NARA guidelines.

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

The records maintained in this system are safeguarded in accordance with FLRA security and privacy rules and policies. During normal hours of operations, paper records are maintained in locked files cabinets under the control of authorized personnel. Information technology systems follow the National Institute of Standards and Technology privacy and security standards developed to comply with the Privacy Act of 1974 as amended, 5 U.S.C. 552a; the Paperwork Reduction Act of 1995, Public Law 104-13; the Federal Information Security Modernization Act of 2014, Public Law 113-283, as codified at 44 U.S.C. 3551 *et seq.*; and the Federal Information Processing Standard 199, Standards for Security Categorization of Federal Information and Information Systems. Computer servers on which electronic records are stored are located in secured FLRA and DOI facilities with physical, technical and administrative levels of security to prevent unauthorized access to FLRA and DOI network and information assets. Security controls include encryption, firewalls, audit logs, and network system security

monitoring. Electronic data is protected through user identification, passwords, database permissions and software controls. Access to records in the system is limited to authorized personnel who have a need to access the records in the performance of their official duties, and each person's access is restricted to only the functions and data necessary to perform that person's job responsibilities. System administrators and authorized users for both the FLRA and DOI are trained and required to follow established internal security protocols and must complete all security, privacy, and records management training, and sign Rules of Behavior for each agency.

**RECORD ACCESS PROCEDURES:**

Individuals wishing access to records about them should contact the System Manager. Individuals must furnish the following information for their records to be located and identified:

- a. Full name.
- b. Date of birth.

Individuals requesting access must comply with the FLRA's Privacy Act regulations regarding access to records (5 CFR 2412.5).

**CONTESTING RECORD PROCEDURES:**

Individuals wishing to request amendment of records about them should contact the System Manager. Individuals must furnish the following information for their records to be located and identified:

- a. Full name.
- b. Date of birth.

Individuals requesting amendment must follow the FLRA's Privacy Act regulations regarding amendment of records (5 CFR 2412.10).

**NOTIFICATION PROCEDURES:**

Individuals wishing to determine whether this system of records contains information about them should contact the System Manager. Individuals must furnish the following for their records to be located and identified:

- a. Full name.
- b. Date of birth.

Individuals making inquiries must comply with the FLRA's Privacy Act regulations regarding the existence of records (5 CFR 2412.4).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

This system of records was last published at 45 FR 85316 (Dec. 24, 1980); 63 FR 1110 (Jan. 8, 1998).

**Office of Inspector General Investigative Files, FLRA/OIG-1.****SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Office of Inspector General (OIG), Federal Labor Relations Authority, 1400 K Street, NW., Washington, DC 20424.

**SYSTEM MANAGER:**

Inspector General, Federal Labor Relations Authority, 1400 K Street NW., Washington, DC 20424.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

The Inspector General Act of 1978, as amended, 5 U.S.C. Appendix 3.

**PURPOSE OF THE SYSTEM:**

These records are maintained to fulfill the purposes of the Inspector General Act of 1978, as amended and to fulfill responsibilities assigned by that Act concerning investigative activities.

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

Subjects of OIG investigations relating to the programs and operations of the FLRA. Subject individuals include, but are not limited to, current and former employees; contractors, subcontractors, their agents or employees; and others whose actions affect the FLRA, its programs, and operations.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Correspondence relating to the investigation; internal staff memoranda; copies of subpoenas issued during the investigation, affidavits, statements from witnesses, transcripts of testimony taken in the investigation and accompanying exhibits; documents, records, or copies obtained during the investigation; interview notes, investigative notes, staff working papers, draft materials, and other documents and records relating to the investigation; opening reports, progress reports, and closing reports; and other investigatory information or data relating to alleged or suspected criminal, civil, or administrative violations or similar wrongdoing by subject individuals.

**RECORD SOURCE CATEGORIES:**

Employees or other individuals on whom the record is maintained, non-target witnesses, FLRA and non-FLRA records.

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

In addition to the disclosure generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information in these records may be used pursuant to 5 U.S.C. 552a(b)(3):

a. To other agencies, offices, establishments, and authorities, whether Federal, State, local, foreign, or self-regulatory (including, but not limited to, organizations such as professional associations or licensing boards), authorized or with the responsibility to investigate, litigate, prosecute, enforce, or implement a statute, rule, regulation, or order, where the record or information, by itself or in connection with other records or information,

(1) Indicates a violation or potential violation of law, whether criminal, civil, administrative, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, or;

(2) Indicates a violation or potential violation of a professional, licensing, or similar regulation, rule or order, or otherwise reflects on the qualifications or fitness of an individual licensed or seeking to be licensed.

b. To any source, private or governmental, to the extent necessary to secure from such source information relevant to and sought in furtherance of a legitimate investigation or audit of the OIG.

c. To agencies, offices, or establishments of the executive, legislative, or judicial branches of Federal, State, Tribal, or local government where disclosure is requested in connection with the award of a contract or other determination relating to a government procurement, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decisions on the matter, including, but not limited to, disclosure to any Federal agency responsible for considering suspension or debarment actions where such record would be germane to a determination of the propriety or necessity of such action, or any Federal contract board of appeals in cases relating to an agency procurement.

d. To the Office of Personnel Management, the Office of Government Ethics, the Merit Systems Protection Board, the Office of Special Counsel, or the Equal Employment Opportunity Commission, of records or portions thereof relevant and necessary to carrying out their authorized functions, such as, but not limited to, rendering advice requested by the OIG, investigations of alleged or prohibited personnel practices (including discriminatory practices), appeals before official agencies, offices, panels, boards, or courts, and authorized studies or reviews of civil service or merit systems or affirmative action programs.

e. To independent auditors or other private firms with which the OIG has contracted to carry out an independent audit or investigation, or to analyze, collate, aggregate or otherwise refine data collected in the system of records, subject to the requirement that such contractors shall maintain Privacy Act safeguards with respect to such records.

f. To the Department of Justice and for disclosure by the Department of Justice or the FLRA,

(1) To the extent relevant and necessary in connection with litigation in proceedings before a court or other adjudicative body, where the government is a party to or has an interest in the litigation, and the litigation is likely to affect the agency or any component thereof, including where the agency, or an agency component, or an agency official or employee in his or her official capacity, or an individual agency official or employee whom the Department of Justice has agreed to represent, is a defendant; or

(2) For purposes of obtaining advice concerning the accessibility of a record or information under the Privacy Act or the Freedom of Information Act.

g. To a congressional office from the record of a subject individual in response to an inquiry from the congressional office made at the request of that individual, but only to the extent that the record would be legally accessible to that individual.

h. To any direct recipient of Federal funds, such as a contractor, where such record reflects serious inadequacies with a recipient's personnel and disclosure of the record is for purposes of permitting a recipient to take corrective action beneficial to the government.

i. To debt-collection contractors for the purpose of collecting debts owed to the government as authorized by the Debt Collection Act of 1982, 31 U.S.C. 3718.

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

k. To another Federal agency or Federal entity, when the FLRA 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.

l. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the federal government, when necessary to accomplish an agency function related to this system of records.

m. To such recipients and under such circumstances and procedures as are mandated by federal statute or treaty.

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

These records may be in either paper or electronic form, consisting of files, audio or video recordings, disks, flash drives, or other electronic storage media.

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

The records are retrieved by the name of the subject of the investigation or by a unique control number assigned to each investigation.

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

Under approved FLRA records schedule N1-480-01-1:

OIG investigative files meeting one or more of the following criteria are kept indefinitely: (1) Cases involving senior agency personnel such as the Chairman; the Members; the Chief Counsels; the General Counsel; the Chief Administrative Law Judge; the Solicitor; the Executive Director; the Executive Director of the Federal Service Impasses Panel; or other senior officials who are either appointed officers or career employees; (2) cases resulting in extensive media coverage, either nationally or regionally; (3) cases resulting in further investigation by Congress; (4) cases involving substantial amounts of money (over \$5,000); or (5) cases resulting in substantive changes in FLRA policies and procedures.

All other OIG investigative files are destroyed 10 years after the end of the fiscal year in which the case closes.

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

Records are maintained in lockable metal file cabinets in lockable rooms and in password-protected automated systems. Access is restricted to individuals whose duties require access to the records. File cabinets and rooms are locked during non-duty hours.

**RECORD ACCESS PROCEDURES:**

Individuals wishing to request access to records about them should contact the System Manager. Individuals must furnish their full name in order for their records to be located and identified. Individuals wishing to request access to records must comply with the FLRA's Privacy Act regulations regarding access to records (5 CFR 2412.5).

**CONTESTING RECORD PROCEDURES:**

Individuals wishing to request an amendment to their records should contact the System Manager. Individuals must furnish their full name in order for their records to be located and identified. Individuals requesting amendment must also follow the FLRA's Privacy Act regulations regarding amendments to records (5 CFR 2412.10).

**NOTIFICATION PROCEDURES:**

Individuals inquiring whether this system contains information about them should contact the System Manager. Individuals must furnish their full name in order for their records to be located and identified. Individuals making inquiries must comply with the FLRA's Privacy Act regulations regarding existence of records (5 CFR 2412.4).

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(j)(2), records in this system are exempt from the provisions of 5 U.S.C. 552a, except subsections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i), to the extent the system of records relates in any way to the enforcement of criminal laws.

Pursuant to 5 U.S.C. 552a(k)(2), the system is exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f), to the extent the system of records consists of investigatory material compiled for law enforcement purposes, other than material within the scope of the exemption at 5 U.S.C. 552a(j)(2).

These exemptions are set forth in the Authority's Privacy Act regulations, 5 CFR part 2412, as amended; *see* 5 CFR 2412.16.

**HISTORY:**

This system of records was last published at 56 FR 33291 (July 19, 1991).

**Notice of New System of Records Freedom of Information Act Request and Appeal Files, FLRA/Internal-17.****SECURITY CLASSIFICATION:**

Not applicable.

**SYSTEM LOCATION:**

FLRA Headquarters and Regional Offices and the Environmental Protection Agency's National Computer Center located at 109 T.W. Alexander Drive, Durham, NC 27709.

**SYSTEM MANAGER:**

Chief FOIA Officer, Office of the Solicitor, Federal Labor Relations Authority, 1400 K St. NW., Washington, DC 20424.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Freedom of Information Act, 5 U.S.C. 552.

**PURPOSE OF THE SYSTEM:**

To provide the public with a single location to submit and track FOIA requests and appeals filed with the FLRA, to manage internal FOIA administration activities, and to collect data for annual reporting requirements to the Department of Justice.

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

All persons requesting information or filing appeals under the Freedom of Information Act.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

A copy of each Freedom of Information Act (FOIA) request received by the FLRA and a copy of all correspondence related to the request, including the requestors' names, mailing addresses, email addresses, phone numbers, Social Security Numbers, dates of birth, any aliases used by the requesters, alien numbers assigned to travelers crossing national borders, requesters' parents' names, user names and passwords for registered users, FOIA tracking numbers, dates requests are submitted and received, related appeals, and agency responses. Records also include communications with requesters, internal FOIA administrative documents (*e.g.*, billing invoices) and responsive records.

**RECORD SOURCE CATEGORIES:**

Information in this system of records is provided by FLRA employees and FOIA requestors.

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

In addition to the disclosure generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information in these records may be used pursuant to 5 U.S.C. 552a(b)(3):

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the FLRA becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

c. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body, when the FLRA determines that the records are arguably relevant to the proceeding, or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

d. To a Federal, State, local, or foreign agency or entity for the purpose of consulting with that agency or entity to enable the FLRA to make a determination as to the propriety of access to or correction of information, or for the purpose of verifying the identity of an individual or the accuracy of information submitted by an individual who has requested access to or amendment of information.

e. To a Federal agency or entity that furnished the record or information for the purpose of permitting that agency or entity to make a decision as to access to or correction of the record or information, or to a federal agency or entity for purposes of providing guidance or advice regarding the handling of particular requests.

f. To a submitter or subject of a record or information in order to obtain assistance to the FLRA in making a determination as to access or amendment.

g. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

h. To disclose information to the National Archives and Records Administration, the Office of Government Information Services (OGIS), to the extent necessary to fulfill its responsibilities in 5 U.S.C. 552(h), to review administrative agency policies,