

NLRB-32

System name:

Freedom of Information Act Tracking System (FTS) and Associated Agency Files.

Security classification:

None.

System location:

Records are stored on paper and electronic media at Agency Headquarters and the Regional Offices. See attached Appendix for addresses. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, FTS may also be accessed from alternative worksites via the Internet, including employees' homes. Associated Agency Files (or copies of such files) also may be temporarily located at alternative worksites. All appropriate safeguards will be taken at these sites.

Categories of individuals covered by the system:

Individuals making FOIA requests for documents maintained by the Agency and those requesters appealing initial agency FOIA determinations ("FOIA appellants"); individual parties in Agency and related judicial proceedings named in FOIA requests; current and former Agency employees assigned to process FOIA requests and appeals.

Categories of records in the system:

(1) Summary information of FOIA requests and appeals made to the Agency (such as requester contact information, assumption of fees information, request information, appeal information, and Agency personnel assigned to process FOIA requests) is maintained in an electronic case tracking system, FTS.

(2) Associated Agency Files are paper records concerning the processing of initial FOIA requests to the Agency and appeals of those initial determinations. The paper records are administrative records (such as FOIA requests, initial Agency determinations, documents responsive to the FOIA requests, documents withheld from FOIA requesters, final Agency determinations on appeal, and bills to the requesters for chargeable fees), correspondence, legal research memoranda, and other related documents. Both FTS and the Associated Agency Files may include FOIA requesters' and FOIA appellants' home addresses and home telephone numbers, if such information is provided to the Agency. Portions of these records include civil investigatory and law enforcement information contained in the requested documents at issue.

Authority for maintenance of the system:

5 U.S.C. 552; 44 U.S.C. 3101.

Purpose:

FTS is an electronic case tracking system used by the Legal Research Section, the Regional Offices, the Office of Appeals, the Office of the Executive Secretary, and the Office of the Solicitor to facilitate the accurate and timely collection, retrieval, and retention of information to track FOIA requests from the public for documents maintained by the Agency, as well as appeals of Agency FOIA determinations. The information and activities tracked by the system may be generated by the parties' filing of FOIA requests, the issuance of initial FOIA determinations, the parties' filing of FOIA appeals, and the Agency's final determinations. FTS is used to track the processing of FOIA requests from initial receipt of requests through Agency determination on appeal, the nature of records sought, exemptions claimed by the Agency in initial determinations, processing time, and any fee charges. This database stores current and historical information, and is used to generate data for managing the Agency's resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public. The Associated Agency Files are paper files maintained to document FOIA requests and FOIA appeals handled by the Agency. FTS and the Associated Agency Files may also be used to assist in evaluating Agency employee performance.

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

The standard routine uses applying to this system are listed in the General Prefatory Statement to this document.

Disclosure to consumer reporting agencies:

None.

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

Storage:

Data is maintained on paper and electronic media.

Retrievability:

Data may be retrieved by individual names of those making FOIA requests and FOIA appeals to the Agency; names of parties in Agency or related judicial proceedings named in FOIA requests, names of current and former Agency employees assigned to cases; as well as by non-personal identifiers, such as case numbers assigned by the Agency.

Safeguards:

Access to Agency working and storage areas is restricted to Agency employees who have a need to use the information in order to perform their duties, custodial personnel, Federal Protective Service personnel, and other contractor and security personnel. All other persons are required to be escorted in Agency areas.

Associated Headquarters Files are maintained in staffed or locked areas during working hours. The facilities are protected from unauthorized access during non-working hours by the Federal Protective Service or other security personnel. Those Agency Headquarters employees who telecommute and may possess Associated Headquarters Files (or copies of such files) at alternative worksites or who may access FTS from alternative worksites are instructed as to keeping such information in a secure manner.

Electronic system-based access controls are in place to prevent data misuse. Access to electronic information is controlled by administrators who determine users' authorized access based on each user's office and position within the office. Access criteria, procedures, controls, and responsibilities are documented and consistent with the policies stated in a memorandum titled "NLRB Access Control Standards, Password Management," and dated January 23, 2002. All network users are also warned at the time of each network login that the system is for use by authorized users only, and that unauthorized or improper use is a violation of law.

Retention and disposal:

FTS information will be retained and disposed of in accordance with appropriate Agency schedules that will be submitted to the National Archives and Records Administration (NARA) for its approval. Associated Agency Files are disposed of in accordance with the Agency's Disposition Standards Records, as approved by NARA.

System manager and address:

Assistant General Counsel/Freedom of Information Officer, Legal Research and Policy Planning Branch, Division of Advice, National Labor Relations Board, Room 10600, 1099 14th Street, NW., Washington, DC 20570-0001.

Notification procedures:

For records not exempted under 5 U.S.C. 552a(k)(2) of the Privacy Act, an individual may inquire as to whether this system contains a record pertaining to such individual by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR Sec. 102.117a(a) (as newly designated in accompanying proposed amended regulations).

Records access procedure:

For records not exempted under 5 U.S.C. 552a(k)(2) of the Privacy Act, an individual seeking to gain access to records in this system pertaining to such individual should contact the System Manager in accordance with the procedures set forth in 29 CFR Sec. 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

Contesting records procedure:

For records not exempted under 5 U.S.C. 552a(k)(2) of the Privacy Act, an individual may request amendment of a record in this system pertaining to such individual by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR Sec. 102.117a(d) (as newly designated in accompanying proposed amended regulations).

Records source categories:

For records not exempted under 5 U.S.C. 552a(k)(2) of the Privacy Act, record source categories include Agency employees processing FOIA requests, FOIA requesters and appellants, and documents relating to the processing of a FOIA request.

Exemptions claimed for the system:

Pursuant to 5 U.S.C. 552a(k)(2), the Agency has exempted portions of this system, including investigatory material compiled for law enforcement purposes and requested under the FOIA, from the following provisions of the Privacy Act: 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I), and (f).