

NLRB-16

System name: Investigative Services Case Files.

Security classification:

None.

System location:

Office of contractors of the Agency.

Categories of individuals covered by the system:

Individuals sought by the Agency for purpose of effecting compliance with the National Labor Relations Act and Board Orders and court decrees issued thereunder.

Categories of records in the system:

Records consist of investigative reports on efforts to trace individuals, entities, and assets, and include copies of interview reports, public documents, and certain confidential data gathered.

Authority for maintenance of the system:

5 U.S.C. 552a(m)(1) and 29 U.S.C. 153(d) and 160.

Purpose(s):

These records are used to effect compliance with the National Labor Relations Act and Board Orders and court decrees issued thereunder.

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

These records and information in these records may be used in disclosing information to:

1. A congressional office in response to an inquiry from congressional office made at the request of the subject individual.
2. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency, or any component thereof, (b) any employee of the Agency in his or her official capacity, (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, where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

3. The Department of Justice for use in litigation when either (a) the Agency, or any component thereof, (b) any employee of the Agency is his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Department of Justice has agreed to represent the employee, or (d) the United States, where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

4. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto or to any agency in connection with its oversight review responsibility.

Disclosure to consumer reporting agencies:

None.

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

Storage:

Paper records are kept in file holders in locked filing cabinets in offices of contractors of the Agency. Automated information storage and retrieval systems may also be used by individual contractors.

Retrievability:

Records are maintained alphabetically by name, or may be retrieved by other personal identifier.

Safeguards:

Access to and use of the records is limited to authorized persons on a need-to-know basis.

Retention and disposal:

The records are retained by the contractor for no more than 3 years after the case is closed, and are destroyed upon notification from the Agency.

System manager(s) and address:

Assistant General Counsel, Contempt Litigation Branch, Division of Enforcement Litigation, National Labor Relations Board, 1099 14<sup>th</sup> Street, NW, Washington, DC 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 02.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.11(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Public records, state, and local law enforcement authorities, third party informants, and Agency personnel.