



Privacy Act of 1974
System of Records Notice
U.S. RAILROAD RETIREMENT BOARD

Name	RRB-43: Investigation Files
<i>Federal Register</i>	12-27-2007 Vol. 72, No. 247. pp. 73523-25
<i>Effective Date</i>	2-5-2008
<i>System Location</i>	Office of Inspector General, U.S. Railroad Retirement Board, 844 N. Rush Street, Chicago, Illinois 60611-2092.
<i>Security Classification</i>	None.
<i>Categories of Individuals Covered by the System</i>	Any of the following categories of individuals on whom a complaint is made alleging a violation of law, regulation, or rule pertinent to the administration of programs by the RRB, or, with respect to RRB employees, alleging misconduct or conflict of interest in the discharge of their official duties: Current and former employees of the Retirement Railroad Board; contractors; subcontractors; consultants, applicants for, and current and former recipients of, benefits under the programs administered by the Railroad Retirement Board; officials and agents of railroad employers; members of the public who are alleged to have stolen or unlawfully received RRB benefit or salary or assisted in such activity; and others who furnish information, products, or services to the RRB.
<i>Categories of Records in the System</i>	Letters, memoranda, and other documents alleging a violation of law, regulation or rule, or alleging misconduct, or conflict of interest; reports of investigations to resolve allegations with related exhibits, statements, affidavits or records obtained during the investigation; recommendations on actions to be taken; transcripts of, and documentation concerning requests and approval for, consensual monitoring of communications; photographs, video and audio recordings made as part of the investigation; reports from law enforcement agencies; prior criminal or noncriminal records as they relate to the investigation; reports of actions taken by management personnel regarding misconduct; reports of legal actions resulting from violations referred to the Department of Justice or other law enforcement agencies for prosecution.
<i>Authority for Maintenance of the System</i>	Inspector General Act of 1978; Pub. L. 95-452, 5 U.S.C. App., as amended
<i>Purpose(s)</i>	The Office of Inspector General maintains this system of records to carry out its statutory responsibilities under the Inspector General Act. These responsibilities include a mandate to investigate allegations of fraud, waste, and abuse related to the programs and operations of the RRB and to refer such matters to the Department of Justice for prosecution.
<i>Routine Uses of Records Maintained in the System,</i>	a. Records may be disclosed to the Department of Justice or other law enforcement authorities in connection with actual or potential



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<i>Including Categories of Users and Purposes of Such Uses</i>	criminal prosecution or civil litigation initiated by the RRB, or in connection with requests by RRB for legal advice. b. Records may be disclosed to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee or the issuance of a security clearance, provided that the subject individual is not an individual on whom the RRB has obtained information in conjunction with its administration of the Railroad Retirement Act, the Railroad Unemployment Act, the Milwaukee Railroad Restructuring Act, or the Rock Island Railroad Transition and Employee Assistance Act. c. (Standard Disclosure 1.) d. (Standard Disclosure 7.) e. Records may be disclosed to members of the President's Council on Integrity and Efficiency for the preparation of reports to the President and Congress on the activities of the Inspector General. f. Records may be disclosed to members of the President's Council on Integrity and Efficiency, or the Department of Justice, as necessary, for the purpose of conducting qualitative assessment reviews of the investigative operations of RRB -OIG to ensure that adequate internal safeguards and management procedures are maintained.
<i>Disclosure to Consumer Reporting Agencies</i>	None.
<i>Policies and Practices for Storing, Retrieving, Accessing, Retaining, and Disposing of Records in the System</i>	
<i>Storage</i>	Paper and electronic media.
<i>Retrievability</i>	Name, SSN, RRB Claim Number, and assigned number, all of which are cross-referenced to the other information.
<i>Safeguards</i>	General access is restricted to the Inspector General and members of his staff; disclosure within the agency is on a limited need-to-know basis; files and paper documents are maintained in locked file cabinets located in areas not accessible to the public. Office is locked during non-business hours. Access to computers which store the electronic index is restricted to authorized personnel, and on-line query safeguards include a password unlock system.
<i>Retention and Disposal</i>	Paper files are retained for 10 years after the investigation has been closed before they are destroyed by shredding. They are destroyed



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<i>System Manager(s) and Address</i>	Assistant Inspector General, Office of Inspector General, U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.
<i>Notification Procedure</i>	Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name, claim number, and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information. Many records in this system are exempt from the notification requirements under 5 U.S.C. 552a(k) listed under "Exemptions Claimed for the System." To the extent that records in this system of records are not subject to exemption, they are subject to notification. A determination whether an exemption applies shall be made at the time a request for notification is received.
<i>Record Access Procedure</i>	Requests for access to the record of an individual and requests to contest such a record should be in writing addressed to the System Manager identified above, including the full name, claim number, and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.
<i>Contesting Record Procedure</i>	See notification section above.
<i>Record Source Categories</i>	The subject; the complainant; third parties, including but not limited to employers and financial institutions; local, state, and federal agencies; and other RRB record systems.
<i>Exemptions Claimed for the System</i>	<p>Pursuant to 5 U.S.C. 552a(j)(2) records in this system of records which are compiled for the purposes of criminal investigations are exempted from the requirements under 5 U.S.C. 552a(c)(3) and (4) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(1), (2), (3), (4), (G), (H), and (I), (5) and (8) (Agency Requirements), (f) (Agency Rules), and (g) (Civil Remedies) of 5 U.S.C. 552a.</p> <p>Pursuant to 5 U.S.C. 552a(k)(2) records in this system of records which consist of investigatory material compiled for law enforcement purposes are exempted from the notice, access and contest</p>



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requirements under 5 U.S.C. 552a(c)(3), (d) (e)(1), (e)(4)(G), (H), and (I) and (f); however, if any individual is denied any right, privilege, or benefit to which the individual would otherwise be eligible as a result of the maintenance of such material, such material shall be provided to such individual except to the extent that disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence.

The reasons why the head of the Railroad Retirement Board decided to exempt this system of records under 5 U.S.C. 552a(k) are given in 20 C.F.R. 200(g).