

provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

We will summarize written responses to this notice and address them in our submission for OMB approval. As a result of your comments, we will make any necessary adjustments to the burden in our submission to OMB.

**Public Comment Procedures:** The MMS's practice is to make comments, including names and addresses of respondents, available for public review. If you wish your name and/or address to be withheld, you must state this prominently at the beginning of your comment. The MMS will honor this request to the extent allowable by law; however, anonymous comments will not be considered. There may be circumstances in which we would withhold from the record a respondent's identity, as allowable by the law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure "would constitute an unwarranted invasion of privacy." Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

**MMS Information Collection Clearance Officer:** Arlene Bajusz (202) 208-7744.

Dated: December 6, 2006.

**Melinda Mayes,**

*Acting Chief, Office of Offshore Regulatory Programs.*

[FR Doc. E6-21140 Filed 12-12-06; 8:45 am]

**BILLING CODE 4310-MR-P**

## **NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

### **National Endowment for the Arts; Arts Advisory Panel**

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that five meetings of the Arts Advisory Panel to the National Council on the Arts will be held at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506 as follows (ending times are approximate):

**State and Regional Partnerships** (Partnership Agreements review): January 4-5, 2007 in Room 716. This meeting, from 9 a.m. to 10:15 a.m. and 12:30 p.m. to 5:30 p.m. on January 4th, and from 9 a.m. to 2 p.m. on January 5th, will be open. A policy discussion will be held from 11:30 a.m. to 12:30 p.m. on January 5th.

**Visual Arts** (application review): January 9-10, 2007 in Room 730. This meeting, from 9 a.m. to 5:30 p.m. on January 9th and from 9 a.m. to 3 p.m. on January 10th, will be closed.

**Media Arts** (application review): January 10-12, 2007 in Room 716. This meeting, from 9 a.m. to 6 p.m. on January 10th and 11th and from 9 a.m. to 5:30 p.m. on January 12th, will be closed.

**Folk and Traditional Arts** (nominations review) January 16-19, 2007 in Room 716. This meeting, from 9 a.m. to 6:30 p.m. on January 16th and 17th, from 9 a.m. to 5:30 p.m. on January 18th, and from 9 a.m. to 3:30 p.m. on January 19th, will be closed.

**State and Regional Partnerships** (Partnership Agreements review): January 24-25, 2007 in Room 716. This meeting, from 9:30 a.m. to 6 p.m. on January 24th, and from 8:30 a.m. to 3:30 p.m. on January 25th, will be open. A policy discussion will be held from 1 p.m. to 2:30 p.m. on January 25th.

The closed portions of meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of April 8, 2005, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of Title 5, United States Code.

Any person may observe meetings, or portions thereof, of advisory panels that are open to the public, and if time allows, may be permitted to participate in the panel's discussions at the discretion of the panel chairman. If you need special accommodations due to a disability, please contact the Office of AccessAbility, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-5532, TDY-TDD 202/682-5496, at least seven (7) days prior to the meeting.

Further information with reference to these meetings can be obtained from Ms. Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC 20506, or call 202/682-5691.

Dated: December 7, 2006.

**Kathy Plowitz-Worden,**

*Panel Coordinator, Panel Operations, National Endowment for the Arts.*

[FR Doc. E6-21203 Filed 12-12-06; 8:45 am]

**BILLING CODE 7537-01-P**

## **NATIONAL LABOR RELATIONS BOARD**

### **Privacy Act of 1974; Publication of Notices of Systems of Records**

**AGENCY:** National Labor Relations Board (NLRB).

**ACTION:** Notification of the establishment of twelve systems of records, nine of which consist of an electronic case tracking system and associated paper or electronic files, and the remaining three systems consist of electronic case tracking systems only.

**SUMMARY:** Pursuant to the provisions of the Privacy Act of 1974, 5 U.S.C. 552a, the Agency publishes this notice of its intention to establish twelve systems of records. Nine of these systems consist of an electronic case tracking system and associated paper or electronic files, and the remaining systems, NLRB-22, NLRB-26, and NLRB-31, consist of electronic case tracking systems only. The electronic case tracking systems and associated paper or electronic files permit the accurate and timely collection, retrieval, and retention of information maintained by offices of the Agency, regarding those offices' handling of matters before them, including unfair labor practice, representation, or Freedom of Information Act cases.

All persons are advised that, in the absence of submitted comments considered by the Agency as warranting modification of the notices as here proposed, it is the intention of the Agency that the notices shall be effective upon expiration of the comment period without further action.

**DATES:** Written comments must be submitted no later than January 22, 2007.

**ADDRESSES:** All persons who desire to submit written comments for consideration by the Agency in connection with the proposed notices of systems of records shall file them with the Privacy Officer, National Labor Relations Board, Room 7608, 1099 14th Street, NW., Washington, DC 20570-0001. Comments on these notices may also be submitted electronically to [PrivacyActComments@nrlrb.gov](mailto:PrivacyActComments@nrlrb.gov).

Copies of all such comments will be available for examination during normal

business hours (8:30 a.m. to 5 p.m. Monday through Friday, excluding federal holidays) in the Agency's Reading Room, located in the Case Records Unit, National Labor Relations Board, Room 9201, 1099 14th Street, NW., Washington, DC 20570-0001.

**FOR FURTHER INFORMATION CONTACT:**

Tommie Gregg, Sr., Privacy Officer, National Labor Relations Board, Room 7608, 1099 14th Street, NW., Washington, DC 20570-0001, (202) 273-2833, [Tommie.Greggsr@nlrb.gov](mailto:Tommie.Greggsr@nlrb.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to subsection (k)(2) of the Privacy Act, 5 U.S.C. 552a(k)(2), the Agency proposes to exempt several of the systems of records (or portions of some systems) from the following subsections of the Privacy Act: (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I), and (f). The Agency's notice of proposed rulemaking setting forth this proposed exemption appears elsewhere in today's issue of the **Federal Register**.

A report of the proposal to establish these systems of records was filed pursuant to 5 U.S.C. § 552a(r) with Congress and the Office of Management and Budget.

**General Prefatory Information**

A. All references to the Agency's "unfair labor practice cases" in these notices include the portion of such cases known as "compliance," during which the Agency seeks effectuation of remedial provisions of a settlement agreement, Board order, or court judgment enforcing a Board order. (See NLRB Casehandling Manual, Part Three—Compliance Proceedings, § 10500.1).

B. Standard Routine Uses of the Records. The following routine uses apply to and are incorporated by reference into most of the systems of records published below, as described below for each system.

*Records may be disclosed:*

1. To a federal, state, or local agency (including a bar association or other legal licensing authority), charged with the responsibility for investigating, defending, or pursuing violations of law or rule (civil, criminal, or regulatory in nature), in any case in which there is an indication of a violation or potential violation of law or rule;

2. In a federal, state, or local proceeding or hearing, which is administrative, judicial, or regulatory, in accordance with the procedures governing such disclosure and proceeding or hearing, including, but not limited to, National Labor Relations Board Rule § 102.118, 29 CFR § 102.118, and such records are determined by the

Agency to be arguably relevant to the litigation;

3. To the Agency's legal representative, including the Department of Justice and other outside counsel, where the Agency is a party in litigation or has an interest in litigation, including when any of the following is a party to litigation or has an interest in such litigation: (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 her or her individual capacity, where the Department of Justice has agreed or is considering a request 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;

4. To a party or his or her representative in an Agency administrative unfair labor practice or representation proceeding or related judicial proceeding, for the purpose of: (a) Negotiation or discussion on matters in furtherance of resolving the proceeding; (b) providing such persons with information concerning the progress or results of the Agency administrative or judicial proceeding; or (c) ensuring due process in the Agency's administrative proceedings by disclosing copies of all documents referenced by the Agency's Casehandling Manual, Part One, Unfair Labor Practice Proceedings § 11842 (.1-.3), or releasing documents in accordance with the Board's Rules and Regulations;

5. To any person who, during the course of an Agency administrative unfair labor practice or representation proceeding or related judicial proceeding, is a source for information or assists in such proceeding, to the extent necessary to obtain relevant information or assistance or for a reason compatible with the purpose for which the record was collected;

6. To a federal, state, local, or foreign agency or agent, in order to: (a) Aid in the Agency's collection, administration, and disbursement of remedial funds owed under the NLRA; or (b) assist in collecting an overdue debt owed to the United States by an unfair labor practice respondent;

7. To individuals who need the information in connection with the processing of an internal Agency grievance;

8. To an arbitrator to resolve disputes under a negotiated Agency grievance arbitration procedure;

9. To officials of labor organizations recognized under 5 U.S.C., chapter 71, when disclosure is not prohibited by

law, and the data is normally maintained by the Agency in the regular course of business and is necessary for a full and proper discussion, understanding, and negotiation of subjects within the scope of collective bargaining. The foregoing shall have the identical meaning as 5 U.S.C. 7114(b)(4);

10. To a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the constituent about whom the records are maintained;

11. To the public, news media, and other individuals and organizations, concerning unfair labor practice or representation proceedings, limited as follows: Administrative unfair labor practice or representation hearings are usually open to the public, pursuant to 29 CFR 102.34 and 102.64, and formal documents (those documents traditionally considered by the Agency to be publicly available) are made available for public inspection under the Freedom of Information Act (FOIA), 5 U.S.C. 552. Additionally, Board decisions are posted on the Agency's Web site at <http://www.nlrb.gov>, see 5 U.S.C. 552(a)(2)(A) and (E), and may be distributed to publishers. Party and party-representative contact information is also made available to the public on the Agency's Web site. Information that would not be exempt from disclosure under the FOIA may also be released to the news media, in order to provide information on events in an administrative or judicial proceeding. Such information that would not be exempt from disclosure under the FOIA is also used to respond to inquiries from governmental, non-profit, business, labor, and legal organizations, as well as academic researchers, concerning pending related legislation and Agency performance;

12. To FOIA requesters, when the Agency discloses requested documents under the circumstances of the Agency's discretionary release policy, set forth in the Agency's FOIA Manual (available on the Agency's Web site at <http://www.nlrb.gov>);

13. To the following federal agencies: (a) The Office of Management and Budget in order to obtain advice regarding the Agency's obligations under the Privacy Act, or to assist with the Agency's budget requests; (b) the Department of Justice in order to obtain advice regarding the Agency's obligations under the Freedom of Information Act; or (c) the National Archives and Records Administration, in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906;

14. To contractors, for the purpose of reproduction, by typing, photocopying, or other means, of any record within the system for use by the Agency;

15. To contractors and other federal agencies, for the purpose of assisting the Agency in further development and continuing maintenance of electronic case tracking systems; and

16. To agencies of the United States Government, or to foreign or international law enforcement or administrative authorities, in order to comply with requirements imposed by, or to claim rights conferred in, international agreements and arrangements in which the United States participates.

Dated: Washington, DC November 15, 2006.

By direction of the Board.

**Lester A. Heltzer**,

*Executive Secretary.*

NLRB-21, Judicial Case Management System-Pending Case List (JCMS-PCL) and Associated Headquarters Files

NLRB-22, Judicial Case Management System-eRoom (JCMS-eRoom)

NLRB-23, Solicitor's System (SOL) and Associated Headquarters Files

NLRB-24, Trial Information Gathered on Electronic Records (TIGER) and Associated Agency Files

NLRB-25, Case Activity Tracking System (CATS) and Associated Regional Office Files

NLRB-26, Litigation Information on the Network (LION)

NLRB-27, Special Litigation Branch Case Tracking System (SPLIT) and Associated Headquarters Files

NLRB-28, Regional Advice and Injunction Litigation System (RAILS) and Associated Headquarters Files

NLRB-29, Work in Progress Database (WIP) and Associated Headquarters Files

NLRB-30, Appeals Case Tracking System (ACTS) and Associated Headquarters Files

NLRB-31, Office of Appeals Extension of Time System (EOTS)

NLRB-32, Freedom of Information Act Tracking System (FTS) and Associated Agency Files

#### **NLRB-21**

##### **SYSTEM NAME:**

Judicial Case Management System-Pending Case List (JCMS-PCL) and Associated Headquarters Files.

##### **SECURITY CLASSIFICATION:**

None.

##### **SYSTEM LOCATION:**

Records are stored on paper and electronic media at Agency Headquarters, Office of the Executive Secretary, 1099 14th Street, NW., Washington, DC 20570. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to

official travel, JCMS-PCL may also be accessed from alternative worksites via the Internet, including employees' homes. Associated Headquarters 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:**

Individual Respondents in unfair labor practice cases before the members of the National Labor Relations Board ("the Board"); individual Employers in representation cases before the Board; current and former Agency employees assigned to cases.

##### **CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Summary information of unfair labor practice and representation cases before the Board (such as names of parties, case status, and Agency personnel assignments) is maintained in an electronic case tracking system, JCMS-PCL. (2) Associated Headquarters Files are paper records established and maintained for processing unfair labor practice and representation proceedings before the Board. These records include the Official Case Records maintained in the Agency's Headquarters. The paper records are administrative and court records (such as unfair labor practice charges, unfair labor practice complaints and answers, representation petitions, briefs, motions and orders), correspondence, legal research memoranda, and other related documents. These records include the names of parties, and Agency employees assigned to the cases. JCMS-PCL and Associated Headquarters Files may include parties' 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.

##### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 159, 160, 161; 44 U.S.C. 3101; and the Government Performance and Results Act of 1993, Pub.L. 103-62, 107 Stat. 285 (codified in sections of Titles 5, 31, and 39 of the U.S. Code).

##### **PURPOSE:**

JCMS-PCL is an electronic case tracking system used by the Offices of the Board (Members and their staffs, the Office of Representation Appeals, the Office of the Solicitor, and the Office of the Executive Secretary) to facilitate the accurate and timely collection, retrieval, and retention of information regarding the processing of unfair labor practice and representation cases before the Board. The information and activities

tracked by the system may be generated by the parties' filing of briefs, motions, and other documents, or by deliberative, analytical processes undertaken by Board employees assigned to cases. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public. Limited information from JCMS-PCL is imported into NLRB-25, the Case Activity Tracking System (CATS), which is a system of records that tracks cases for the Agency's Regional Offices. Party and party-representative contact information from JCMS-PCL is also made available to the public on the Agency's Web site at <http://www.nlrb.gov>. Associated Headquarters Files are paper files maintained to adjudicate or otherwise resolve matters handled by the Board. These records include the Official Case Records maintained in the Agency's Headquarters. Other offices of the Agency, including the Division of Judges located at Agency Headquarters and the Division of Enforcement Litigation's Appellate Court Branch, also use these records for case processing purposes. JCMS-PCL and Associated Headquarters Files may also be used to assist in evaluating Agency employees.

##### **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 the names of individual Respondents in unfair labor practice cases before the Board; names of individual Employers in representation cases before the Board; 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 JCMS-PCL 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:**

JCMS-PCL 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 Headquarters Files are disposed of in accordance with the Agency's Disposition Standards Records, as approved by NARA.

**SYSTEM MANAGER AND ADDRESS:**

Executive Secretary, National Labor Relations Board, Room 11600, 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

§ 102.117a(a) (as newly designated in accompanying proposed amended regulations).

**RECORD 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 § 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

**CONTESTING RECORD 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 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 parties in unfair labor practice and representation cases; party representatives; witnesses in Board proceedings; and individual Agency employees. Record source categories also include documents relating to the processing of unfair labor practice or representation cases by the Board, such as unfair labor practice charges and complaints, representation petitions, administrative law judge determinations, Board decisions, and decisions from United States courts of appeal. JCMS-PCL also receives electronic data from NLRB-22, JCMS-eRoom.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(k)(2), the Agency has exempted portions of this system, including records relating to requests pursuant to Section 10(j) of the NLRA (29 U.S.C. 160(j)), requests to pursue federal court contempt proceedings, and certain requests that the Board initiate litigation or intervene in non-Agency litigation, 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).

**NLRB-22****SYSTEM NAME:**

Judicial Case Management System-eRoom (JCMS-eRoom)

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Records are stored on electronic media at Agency Headquarters, Office of the Executive Secretary, 1099 14th Street, NW., Washington, DC 20570. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, JCMS-eRoom may also be accessed from alternative worksites via the Internet, including employees' homes. All appropriate safeguards will be taken at these sites.

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

Individual Charged Parties and Respondents in unfair labor practice cases before the five-member National Labor Relations Board ("the Board"); individual Employers in representation cases before the Board; current and former Agency employees assigned to cases.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Summary information of unfair labor practice and representation cases before the Board (such as names of parties, case status, and Agency personnel assignments) is maintained in an electronic case tracking system, JCMS-eRoom. JCMS-eRoom also provides a collaborative electronic space where documents are contained in a structured repository. These records include the names of parties, and Agency employees assigned to the cases.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 159, 160, 161; 44 U.S.C. 3101.

**PURPOSE:**

JCMS-eRoom is an electronic case tracking system used by the Offices of the Board (Members and their staffs, the Office of Representation Appeals, the Office of the Solicitor, and the Office of the Executive Secretary) to facilitate the accurate and timely collection, retrieval, and retention of information regarding the processing of unfair labor practice and representation cases before the Board. JCMS-eRoom is also used by Board employees to electronically collaborate on the drafting of decisions and disposition of cases. The information and activities tracked by the system may be generated by the parties' filing of briefs, motions, and other documents, or by deliberative, analytical processes undertaken by Board employees assigned to cases. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources. Limited information from JCMS-eRoom is imported into NLRB-21, JCMS-PCL.

JCMS-eRoom may also be used to assist in evaluating Agency employees.

**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 electronic media.

**RETRIEVABILITY:**

Data may be retrieved by the names of individual Charged Parties and Respondents in unfair labor practice cases before the Board; names of individual Employers in representation cases before the Board; 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. 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 access JCMS-eRoom 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:**

JCMS-eRoom 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.

**SYSTEM MANAGER AND ADDRESS:**

Executive Secretary, National Labor Relations Board, Room 11600, 1099 14th Street, NW., Washington, DC 20570-0001.

**NOTIFICATION PROCEDURES:**

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 102.117a(a) (as newly designated in accompanying proposed amended regulations).

**RECORD ACCESS PROCEDURE:**

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 C.F.R. 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

**CONTESTING RECORD PROCEDURE:**

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 102.117a(d) (as newly designated in accompanying proposed amended regulations).

**RECORDS SOURCE CATEGORIES:**

Record source categories include parties in unfair labor practice and representation cases; party representatives; witnesses in Board proceedings; and individual Agency employees. Record source categories also include documents relating to the processing of unfair labor practice or representation cases by the Board, such as unfair labor practice charges and complaints, representation petitions, administrative law judge determinations, Board decisions, and decisions from United States courts of appeal.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**NLRB-23**

**SYSTEM NAME:**

Solicitors System (SOL) and Associated Headquarters Files.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Records are stored on paper and electronic media at Agency Headquarters, Office of the Solicitor, 1099 14th Street, NW., Washington, DC 20570. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, Associated Headquarters 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:**

Individual Charged Parties and Respondents in unfair labor practice case matters regarding which the Office of the Solicitor advises the five-member National Labor Relations Board ("the Board"); individual Employers in representation case matters regarding which the Office of the Solicitor advises the Board; non-Agency attorneys who are the subjects of disciplinary proceedings under Section 102.177 of the Board's Rules and Regulations; individuals who have filed petitions for rulemaking with the Board; current and former Agency employees assigned to cases.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Summary information (such as names of parties, case status, and Agency personnel assignments) of matters regarding which the Office of the Solicitor advises the Board (including limited unfair labor practice and representation case matters, requests to initiate litigation or intervene in non-Board litigation, cases under Section 102.177 of the Board's Rules and Regulations, and petitions for rulemaking) is maintained in an electronic case tracking system, SOL. (2) Associated Headquarters Files are paper records established and maintained for processing the matters regarding which the Office of the Solicitor advises the Board. The paper records are administrative and court records (such as unfair labor practice charges, unfair labor practice complaints and answers, representation petitions, briefs, motions and orders), Section 102.177 charges and complaints, petitions for rulemaking, correspondence, and intra-agency memoranda (such as requests for authorization from the Board to initiate court litigation, legal research memoranda, and other related documents). These records include the names of parties and Agency employees assigned to the cases. SOL and

Associated Headquarters Files may include parties' 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.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 159, 160, 161; 44 U.S.C. 3101.

**PURPOSE:**

SOL is an electronic case tracking system used by the Office of the Solicitor to facilitate the accurate and timely collection, retrieval, and retention of information regarding the processing of unfair labor practice, representation, and other case matters regarding which the Office of the Solicitor advises the Board. The information and activities tracked by the system may be generated by the parties' filing of briefs, motions, and other documents, or by deliberative, analytical processes undertaken by Board employees assigned to cases. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, and preparing quarterly and annual reports of casehandling activities. Associated Headquarters Files are paper files maintained to aid in resolving matters advised on by the Solicitor's Office. The Associated Headquarters Files may also be used to assist in evaluating Agency employees.

**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 the names of individual Charged Parties and Respondents in unfair labor practice case matters regarding which the Office of the Solicitor advises the Board; names of individual Employers in representation case matters regarding which the Office of the Solicitor advises the Board; names of non-Agency attorneys who are the subjects of

disciplinary proceedings under Board Rule and Regulation Section 102.177; names of individuals who have filed petitions for rulemaking with the Board; 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 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:**

SOL 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 Headquarters Files are disposed of in accordance with the Agency's Disposition Standards Records, as approved by NARA.

**SYSTEM MANAGER AND ADDRESS:**

Solicitor, National Labor Relations Board, Room 11800, 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 102.117a(a) (as newly designated in accompanying proposed amended regulations).

**RECORD 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 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

**CONTESTING RECORD 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 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 parties in unfair labor practice cases, representation cases, Section 102.177 cases, and petitions for rulemaking; party representatives; witnesses in Board proceedings; and individual Agency employees. Record source categories also include documents relating to the processing of cases regarding which the Solicitor is advising the Board, such as unfair labor practice charges and complaints, representation petitions, administrative law judge determinations, Board decisions, and decisions from United States courts of appeal.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(k)(2), the Agency has exempted portions of this system, including records relating to requests pursuant to Section 10(j) of the NLRA (29 U.S.C. 160(j)), requests to pursue federal court contempt proceedings, and certain requests that the Board initiate litigation or intervene in non-Agency litigation, from the following provisions of the Privacy Act: U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I), and (f).

**NLRB-24****SYSTEM NAME:**

Trial Information Gathered on Electronic Records (TIGER) and Associated Agency Files.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Records are stored on electronic media at Agency Headquarters, Division of Judges, and on paper and electronic media at the Division of Judges' satellite offices in San Francisco, California, New York, New York, and Atlanta, Georgia. See attached Appendix for addresses. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, TIGER 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:**

Individual Respondents in pending unfair labor practice cases before the Division of Judges and individual Employers in pending representation cases before the Division of Judges; Agency Administrative Law Judges assigned to pending cases.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Summary information of pending unfair labor practice and representation cases before the Division of Judges (such as names of parties, case status, and Agency Administrative Law Judges assigned to cases) is maintained in an electronic case tracking system, TIGER. (2) Associated Agency Files are paper records established and maintained for processing unfair labor practice and representation cases before the Division of Judges. The paper records are administrative records (such as unfair labor practice charges, unfair labor practice complaints and answers, representation petitions, briefs, motions and orders), correspondence, legal memoranda, and other related documents. These records include the names of parties and Agency Administrative Law Judges assigned to the cases. Some of these paper records are electronically scanned and placed in an eRoom for the Division of Judges to use in resolving cases. Both TIGER and the Associated Agency Files may include parties' home addresses and home telephone numbers, if such information is provided to the Agency.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 554(d), 556, 557, 3105; 29 U.S.C. 153(d), 159, 160, 161; 44 U.S.C. 3101.

**PURPOSE:**

TIGER is an electronic case tracking system used by the Agency's Division of Judges to facilitate the accurate and timely collection, retrieval, and retention of information regarding unfair labor practice and representation cases before the Division. The information and activities tracked by the system may be generated by the parties' filing of briefs, motions, and other documents, or by deliberative, analytical processes undertaken by the Agency's Administrative Law Judges or their staffs. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public. Associated Agency Files are paper files maintained to adjudicate or otherwise resolve matters handled by the Division of Judges.

**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 names of individual Respondents in pending unfair labor practice cases before the Division of Judges; names of individual Employers in pending representation cases before the Division of Judges; individual numeric codes for Agency Administrative Law Judges assigned to pending 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 Agency 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 employees who telecommute and may possess Associated Agency Files (or copies of such files) at alternative worksites or who may access TIGER 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:**

TIGER 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:**

Chief Administrative Law Judge, Division of Judges, National Labor Relations Board, Room 5400, 1099 14th Street, NW., Washington, DC 20570-0001.

**NOTIFICATION PROCEDURE:**

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 102.117a(a) (as newly designated in accompanying proposed amended regulations).

**RECORD ACCESS PROCEDURE:**

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 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

**CONTESTING RECORD PROCEDURE:**

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 102.117a(d) (as newly designated in accompanying proposed amended regulations).

**RECORDS SOURCE CATEGORIES:**

Record source categories include parties in unfair labor practice and representation cases; party representatives; and witnesses in Board proceedings. Record source categories also include official documents from the record of unfair labor practice and representation cases before the Division of Judges, such as unfair labor practice charges and complaints, representation petitions, exhibits to administrative proceedings, administrative law judge determinations, Board decisions, and decisions from United States courts of appeal.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**NLRB-25**

**SYSTEM NAME:**

Case Activity Tracking System (CATS) and Associated Regional Office 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, CATS may also be accessed from alternative worksites via the Internet, including employees' homes. Associated Regional Office 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:**

Individual parties in unfair labor practice and representation cases before the Agency's Regional Offices; current and former Agency employees assigned to cases.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Summary information of unfair labor practice and representation cases before the Regional Offices (such as names of parties, case status, and Agency personnel assignments) is maintained in the electronic case tracking system, CATS. (2) Associated Regional Office Files are paper and electronic records established and maintained for processing unfair labor practice and representation proceedings before the Regional Offices. The paper records are administrative and court records (such as unfair labor practice charges, unfair labor practice complaints and answers, representation petitions, briefs, motions and orders), correspondence, legal research memoranda, and other related documents. These records include the names of parties and current and former Agency employees assigned to cases. Both CATS and the Associated Regional Office Files may include parties' home addresses and home telephone numbers, if such information is provided to the Agency. These records include civil investigatory and law enforcement information.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 153(d), 159, 160, 161; 44 U.S.C. 3101; and the Government Performance and Results Act of 1993, Pub.L. 103-62, 107 Stat. 285 (codified in sections of Titles 5, 31, and 39 of the U.S. Code).

**PURPOSE:**

CATS is an electronic case tracking system used by the Division of Operations Management and the Regional Offices of the Agency to facilitate the accurate and timely collection, retrieval, and retention of information regarding unfair labor practice and representation cases handled by the Agency. The information and activities tracked by the system may be generated by the parties' filing of unfair labor practice charges, representation petitions, briefs, motions, and other documents, or by deliberative, analytical processes undertaken by the Agency's employees. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public. Limited information in CATS is exported into JCMS-PCL. The Associated Regional Office Files are paper files maintained to litigate or otherwise resolve matters handled by the Agency. The Associated

Regional Office Files may be temporarily transferred to offices at Agency Headquarters, in order to aid in resolving cases handled by those offices. In addition, some Regional Office Files are electronically scanned and placed in an eRoom for the Agency's use in resolving cases. CATS and the Associated Regional Office 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 names of individual parties in unfair labor practice and representation cases before the Agency's Regional Offices; names of current and former Agency employees assigned to those 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. Regional Office 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 employees who telecommute and may possess Regional Office Files (or copies of such files) at alternative worksites or who may access CATS 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:**

CATS 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. Regional Office Files are disposed of in accordance with the Agency's Disposition Standards Records, as approved by NARA.

**SYSTEM MANAGER AND ADDRESS:**

Associate General Counsel, Division of Operations Management, National Labor Relations Board, Room 10200, 1099 14th Street, NW., Washington, DC 20570-0001.

**NOTIFICATION PROCEDURE:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**RECORD ACCESS PROCEDURE:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**CONTESTING RECORD PROCEDURE:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**RECORDS SOURCE CATEGORIES:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(k)(2), the Agency has exempted this system 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).

**NLRB-26**

**SYSTEM NAME:**

Litigation Information on the Network (LION).

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Records are stored on electronic media at Agency Headquarters, Appellate Court Branch, Division of Enforcement Litigation, 1099 14th Street, NW., Washington, DC 20570.

Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, LION may also be accessed from alternative worksites via the Internet, including employees' homes. All appropriate safeguards will be taken at these sites.

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

Individual Respondents before the Board in cases handled by the Appellate Court Branch; individual Charging Parties who have filed petitions for review in the federal courts of appeals; individual parties who have intervened in federal courts of appeals proceedings handled by the Appellate Court Branch; current and former Agency legal technicians assigned to cases.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Summary information of cases handled by the Appellate Court Branch in the federal courts of appeals (such as names of parties, case status, Agency personnel assignments, brief due dates, oral argument dates, and court judgment dates) is maintained in an electronic case tracking system, LION. LION may include parties' home addresses and home telephone numbers, if such information is provided to the Agency. Any paper records associated with LION are placed within the Associated Headquarters Files for JCMS-PCL (NLRB-21).

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 159, 160(e) and (f); 44 U.S.C. 3101.

**PURPOSE:**

LION is an electronic case tracking system used by the Appellate Court Branch to facilitate the accurate and timely collection, retrieval, and retention of information regarding unfair labor practice cases referred to the Branch for enforcement or review in the federal courts of appeals, pursuant to section 10(e) and (f) of the National Labor Relations Act, 29 U.S.C. 160(e) and (f). The information and activities tracked by the system may be generated by the parties' filing of briefs, motions, and other documents, or by orders or other documents received from the courts of appeals. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public. Limited information from LION is exported into JCMS-PCL.

**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 electronic media.

**RETRIEVABILITY:**

Data may be retrieved by names of Individual Respondents before the Board in cases handled by the Appellate Court Branch; names of individual Charging Parties who have filed petitions for review in the federal courts of appeals; names of individual parties who have intervened in federal courts of appeals proceedings handled by the Appellate Court Branch; names of current and former Agency legal technicians; 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. 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 access LION 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:**

LION 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.

**SYSTEM MANAGER AND ADDRESS:**

Deputy Associate General Counsel, Appellate Court Branch, National Labor Relations Board, Room 8100, 1099 14th Street, NW., Washington, DC 20570-0001.

**NOTIFICATION PROCEDURE:**

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 102.117a(a) (as newly designated in accompanying proposed amended regulations).

**RECORD ACCESS PROCEDURE:**

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 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

**CONTESTING RECORD PROCEDURE:**

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 102.117a(d) (as newly designated in accompanying proposed amended regulations).

**RECORDS SOURCE CATEGORIES:**

Record source categories include parties in unfair labor practice cases, and official documents from the administrative and court records of unfair labor practice cases handled by the Appellate Court Branch, such as unfair labor practice charges and complaints, exhibits to administrative proceedings, administrative law judge determinations, Board decisions, and decisions from United States courts of appeal.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**NLRB-27**

**SYSTEM NAME:**

Special Litigation Branch Case Tracking System (SPLIT) and Associated Headquarters Files.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Records are stored on paper and electronic media at Agency Headquarters, Special Litigation Branch, Division of Enforcement Litigation, 1099 14th Street, NW., Washington, DC 20570. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, Associated Headquarters 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:**

Individual parties or potential parties in matters referred to or handled by the Special Litigation Branch of the Division of Enforcement Litigation; current and former Agency employees assigned to cases.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Summary information of matters handled by the Special Litigation Branch (such as names of parties, case status, case type, due dates for court filings, and Agency personnel assignments) is maintained in an electronic case tracking system, SPLIT. (2) Associated Headquarters Files are paper records established and maintained for processing Special Litigation Branch matters. The paper records are administrative and court records (such as unfair labor practice and court complaints and answers, transcripts, exhibits, briefs, motions, Board decisions, court opinions and orders made in the adjudication of cases, and case-docketing information), correspondence, legal research memoranda, and other related documents. Both SPLIT and the Associated Headquarters Files may include parties' 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.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 153(d), 159, 160, 161; 44 U.S.C. 3101.

**PURPOSE:**

SPLIT is an electronic case tracking system used by the Special Litigation

Branch to facilitate the accurate and timely collection, retrieval, and retention of information regarding the Branch's cases, including those brought under the National Labor Relations Act, the Equal Access to Justice Act, the Freedom of Information Act, the Bankruptcy Code, the Privacy Act, and actions brought to mandate or prohibit specific conduct by the Board, the General Counsel and other Agency personnel. The information and activities tracked by the system may be generated by the parties' filing of briefs, motions, and other documents, by orders or other documents received from the Agency, bankruptcy courts, district courts, and courts of appeals, or by analytical processes undertaken by Board employees assigned to cases. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public. The Associated Headquarters Files are paper files maintained to litigate or otherwise resolve matters handled by the Branch. SPLIT and the Associated Headquarters 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 names of individual parties or potential parties in matters referred to or handled by the Special Litigation Branch; names of current and former Agency employees assigned to cases; as well as by non-personal identifiers, such as case names and numbers assigned by the Branch.

**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 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:**

SPLIT 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 Headquarters Files are disposed of in accordance with the Agency's Disposition Standards Records, as approved by NARA.

#### **SYSTEM MANAGER AND ADDRESS:**

Assistant General Counsel, Special Litigation Branch, National Labor Relations Board, Room 8600, 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 102.117a(a) (as newly designated in accompanying proposed amended regulations).

#### **RECORD 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 § 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

#### **CONTESTING RECORD 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 § 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 parties in cases and potential cases before the Special Litigation Branch, and administrative and court records in matters handled by the Special Litigation Branch (such as unfair labor practice complaints, transcripts, exhibits, briefs, motions, Board decisions, court opinions and orders made in the adjudication of cases, and case-docketing information), correspondence, legal research memoranda, and other related documents.

#### **EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(k)(2), the Agency has exempted portions of this system, including records relating to investigative subpoena enforcement cases, injunction and mandamus actions regarding Agency cases under investigation, bankruptcy claims in cases under investigation, Freedom of Information Act cases involving investigatory records, and certain requests that the Board initiate litigation or intervene in non-Agency litigation, 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).

#### **NLRB-28**

#### **SYSTEM NAME:**

Regional Advice and Injunction Litigation System (RAILS) and Associated Headquarters Files.

#### **SECURITY CLASSIFICATION:**

None.

#### **SYSTEM LOCATION:**

Records are stored on paper and electronic media at Agency Headquarters, Division of Advice, 1099

14th Street, NW., Washington, DC 20570. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, RAILS may also be accessed from alternative worksites via the Internet, including employees' homes. Associated Headquarters 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:**

Individual Charged Parties and individual Respondents in unfair labor practice cases referred to the Regional Advice and Injunction Litigation Branches of the Division of Advice, including cases involving temporary injunctive relief under Section 10(j) and (l) of the National Labor Relations Act, 29 U.S.C. 169 (j), (l); current and former Agency employees assigned to cases.

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Summary information of unfair labor practice cases (such as names of parties, case status, and Agency personnel assignments) is maintained in an electronic case tracking system, RAILS. (2) Associated Headquarters Files are paper records established and maintained for processing Regional Advice and Injunction Litigation Branch cases. The paper records are administrative and court records (such as unfair labor practice charges, unfair labor practice complaints and answers, transcripts, exhibits, briefs, motions, Board decisions, court opinions and orders made in the adjudication of cases, and case-docketing information), correspondence, legal research memoranda, and other related documents. Both RAILS and the Associated Headquarters Files may include parties' home addresses and home telephone numbers, if such information is provided to the Agency. These records include civil investigatory and law enforcement information.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 153(d), 160(j) and (l), 161; 44 U.S.C. 3101.

#### **PURPOSE:**

RAILS is an electronic case tracking system used by the Regional Advice and Injunction Litigation Branches to facilitate the accurate and timely collection, retrieval, and retention of information regarding unfair labor practice cases referred to the Branch, including cases involving temporary injunctive relief under Section 10(j) and (l) of the National Labor Relations Act,

29 U.S.C. 160(j) and (l). The information and activities tracked by the system may be generated by the parties' filing of unfair labor practice charges, briefs, motions, and other documents, or by deliberative, analytical processes undertaken by Agency employees. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public. The Associated Headquarters Files are paper files maintained to litigate or otherwise resolve matters handled by the Branches. RAILS and the Associated Headquarters 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 names of individual Charged Parties and individual Respondents in unfair labor practice cases referred to the Regional Advice Branch; names of individual Charged Parties and individual Respondents in unfair labor practice cases involving temporary injunctive relief under Section 10(j) and (l) of the National Labor Relations Act referred to the Injunction Litigation Branch; names of current and former Agency employees assigned to cases; and 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 RAILS 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:**

RAILS 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 Headquarters Files are disposed of in accordance with the Agency's Disposition Standards Records, as approved by NARA.

**SYSTEM MANAGER AND ADDRESS:**

Associate General Counsel, Division of Advice, National Labor Relations Board, Room 10400, 1099 14th Street, NW., Washington, DC 20570-0001.

**NOTIFICATION PROCEDURE:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**RECORD ACCESS PROCEDURE:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**CONTESTING RECORD PROCEDURE:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**RECORDS SOURCE CATEGORIES:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(k)(2), the Agency has exempted this system 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).

**NLRB-29**

**SYSTEM NAME:**

Work in Progress (WIP) and Associated Headquarters Files.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Records are stored on paper and electronic media at Agency Headquarters, Division of Advice, Office of Legal Research and Policy Planning, 1099 14th Street, NW., Washington, DC 20570. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, Associated Headquarters 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:**

Individual parties in cases decided by the Board and related court cases; current and former Agency employees assigned to cases.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Summary information of the Agency's internal legal research database of Board and related court decisions, including summaries and classifications of those decisions, names of parties in decisions, work completion status, and Agency personnel assignments, is maintained in an electronic case tracking system, WIP. (2) Associated Headquarters Files are paper records established and maintained to create summaries and classifications of Board and related court decisions. The paper records include the names of current and former Agency employees assigned to create the summaries and classifications, as well as Board and federal court decisions.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 153(d), 160; 44 U.S.C. 3101.

**PURPOSE:**

WIP is an electronic case tracking system used by the Legal Research and Policy Planning Branch to collect, classify and summarize decisions issued by the Board and courts, as well as to store, maintain and retrieve the classifications and summaries. The information and activities tracked by the system may be generated by the issuance of Board and court decisions, or by the commencement or completion of work by Agency employees. This

database stores current and historical information, and is used to generate data for case assignment. The classifications and summaries are also published in the Classified Index of National Labor Relations Board Decisions and Related Court Decisions, as well as on a public electronic research database called CITENET. The Associated Headquarters Files are paper files maintained to aid in preparing the classifications and summaries. WIP and the Associated Headquarters 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 those listed in the General Prefatory Statement to this document, items numbered 7–10 and 12–15 only.

**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 names of individual parties in cases decided by the Board and related court cases; current and former Agency employees assigned to cases; as well as by non-personal identifiers, such as Agency case numbers.

**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 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:**

WIP 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 Headquarters Files are disposed of in accordance with the Agency's Disposition Standards Records, as approved by NARA.

**SYSTEM MANAGER AND ADDRESS:**

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

**NOTIFICATION PROCEDURE:**

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 102.117a(a) (as newly designated in accompanying proposed amended regulations).

**RECORD ACCESS PROCEDURE:**

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 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

**CONTESTING RECORD PROCEDURE:**

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 102.117a(d) (as newly designated in accompanying proposed amended regulations).

**RECORDS SOURCE CATEGORIES:**

Record source categories include Board and federal court decisions, and

current and former Agency employees of the Legal Research and Policy Planning Branch.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**NLRB–30**

**SYSTEM NAME:**

Appeals Case Tracking System (ACTS) and Associated Headquarters Files.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Records are stored on paper and electronic media at Agency Headquarters, Office of Appeals, Division of Enforcement Litigation, 1099 14th Street, NW., Washington, DC 20570. Additionally, pursuant to the Agency's flexiplace and telecommuting programs, or due to official travel, ACTS may also be accessed from alternative worksites via the Internet, including employees' homes. Associated Headquarters 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:**

Individual parties in unfair labor practice cases in which appeals of Regional Directors' dismissals of charges or limited other decisions have been filed with the Office of Appeals; current and former Agency employees assigned to cases.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Summary information of appeals in unfair labor practice cases in which appeals of Regional Directors' dismissals of charges or limited other decisions have been filed with the Office of Appeals (such as names of parties, case status, and Agency personnel assignments) is maintained in an electronic case tracking system, ACTS. (2) Associated Headquarters Files are paper records used for processing appeals of Regional Directors' dismissals of unfair labor practice charges and limited other decisions by Regional Directors. The paper records are administrative records (such as unfair labor practice charges, party position statements, Regional Directors' determinations), correspondence, legal research memoranda, and other related documents. These records include the names of parties and current and former Agency employees assigned to cases. Both ACTS and the Associated Headquarters Files may include parties'

home addresses and home telephone numbers, if such information is provided to the Agency. These records include civil investigatory and law enforcement information.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**  
29 U.S.C. 153(d); 44 U.S.C. 3101.

**PURPOSE:**

ACTS is an electronic case tracking system used by the Office of Appeals to facilitate the accurate and timely collection, retrieval, and retention of information regarding appeals of decisions of Regional Directors, including decisions dismissing unfair labor practice charges, deferring proceedings to parties' contractual grievance-arbitration processes, or closing unfair labor practice cases upon compliance action. The information and activities tracked by the system may be generated by the parties' filing of appeals and position statements, or by deliberative, analytical processes undertaken by Agency employees. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public. The Associated Headquarters Files are paper files maintained to resolve matters handled by the Office of Appeals. ACTS and the Associated Headquarters 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 names of individual parties in unfair labor practice cases in which appeals of Regional Directors' dismissals of charges or limited other decisions have been filed with the Office of Appeals; 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 ACTS 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:**

ACTS 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 Headquarters Files are disposed of in accordance with the Agency's Disposition Standards Records, as approved by NARA.

**SYSTEM MANAGER AND ADDRESS:**

Director, Office of Appeals, National Labor Relations Board, Room 8820, 1099 14th Street, NW., Washington, DC 20570-0001.

**NOTIFICATION PROCEDURE:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**RECORD ACCESS PROCEDURE:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**CONTESTING RECORD PROCEDURE:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**RECORDS SOURCE CATEGORIES:**

This system is exempt from this provision of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Pursuant to 5 U.S.C. 552a(k)(2), the Agency has exempted this system 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).

**NLRB-31**

**SYSTEM NAME:**

Office of Appeals Extension of Time System (EOTS).

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Records are stored on electronic media at Agency Headquarters, Office of Appeals, Division of Enforcement Litigation, 1099 14th Street, NW., Washington, DC 20570-0001.

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

Individual Charged Parties in unfair labor practice proceedings in which charging parties have electronically requested extensions of time from the Office of Appeals to file appeals of dismissals of charges or limited other decisions of Regional Directors.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Summary information of cases in which Charging Parties in unfair labor practice proceedings who have electronically requested extensions of time to file appeals of dismissals of charges or limited other decisions of Regional Directors (such as names of parties, case status, and Agency personnel assignments) is maintained in an electronic case tracking system, EOTS. The system includes information relevant to extension of time requests such as the current due date for the appeal, the requested due date, the reasons for the requested extension of time, and whether the request has been granted or denied. EOTS may include individual parties' home addresses and home telephone numbers, if such information is provided to the Agency. Any paper records associated with EOTS are placed within the Associated Headquarters Files for ACTS (NLRB-30).

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 153(d); 44 U.S.C. 3101.

**PURPOSE:**

EOTS is an electronic case tracking system used by the Office of Appeals to enable parties in an unfair labor practice proceeding to request extensions of time to appeal decisions of Regional Directors dismissing unfair labor practice charges, deferring proceedings to parties' contractual grievance-arbitration processes, or closing unfair labor practice cases upon compliance action. The system is also used to notify Regional Offices that requests for extensions of time have been received. The information and activities tracked by the system may be generated by the parties' requests for extensions of time, or by the Office of Appeals' responses to those requests. This database stores current and historical information, and is used to generate data for managing the Agency's case processing and resources, creating the Agency's budget, preparing monthly and annual reports of casehandling activities, and providing requested statistical reports to the public.

**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 those listed in the General Prefatory Statement to this document, items numbered 4, 7-10, and 12-15 only.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

None.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSAL OF RECORDS IN THE SYSTEM:****STORAGE:**

Data is maintained on electronic media.

**RETRIEVABILITY:**

Data may be retrieved by names of individual Charged Parties in unfair labor practice proceedings in which charging parties have electronically requested extensions of time to file appeals of dismissals of charges or limited other decisions of Regional Directors; and 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. 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 access EOTS 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:**

EOTS 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.

**SYSTEM MANAGER AND ADDRESS:**

Director, Office of Appeals, National Labor Relations Board, Room 8820, 1099 14th Street, NW., Washington, DC 20570-0001.

**NOTIFICATION PROCEDURE:**

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 102.117a(a) (as newly designated in accompanying proposed amended regulations).

**RECORD ACCESS PROCEDURE:**

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 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

**CONTESTING RECORD PROCEDURE:**

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

102.117a(d) (as newly designated in accompanying proposed amended regulations).

**RECORDS SOURCE CATEGORIES:**

Record source categories include charging parties in unfair labor practice cases; party representatives; and also include official documents from the record of unfair labor practice charges, such as unfair labor practice charges and Regional Directors' dismissals.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**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 § 102.117a(a) (as newly designated in accompanying proposed amended regulations).

**RECORD 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 § 102.117a(b) and (c) (as newly designated in accompanying proposed amended regulations).

**CONTESTING RECORD 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 § 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).

Dated: Washington, DC.

By direction of the Board.  
Lester A. Heltzer,  
*Executive Secretary*

**Names and Addresses of NLRB Offices Referenced in Notice of Records Systems Shown Above**

NLRB Headquarters Offices, 1099 14th Street, NW, Washington, DC 20570-0001

*Offices of the Board*

Members of the Board

NLRB

Executive Secretary

Office of the Executive Secretary, Director

Office of Representation Appeals, Director

Division of Information

Solicitor

Inspector General

Office of Inspector General

Division of Judges, Chief Administrative Law Judge, 1099 14th Street, NW, Room 5400 East, Washington, DC 20570-0001

Associate Chief Administrative Law Judge, San Francisco Judges, 901 Market Street, Suite 300, San Francisco, California 94103-1779

Associate Chief Administrative Law Judge, New York Judges, 120 West 45th Street, 11th Floor, New York, New York 10036-5503

Associate Chief Administrative Law Judge, Atlanta Judges, Peachtree Summit Building, 401 W. Peachtree Street, NE, Suite 1708, Atlanta, Georgia 30308-3510

*Offices of the General Counsel*

General Counsel

Associate General Counsel

Division of Operations Management

Associate General Counsel

Division of Advice

Associate General Counsel

Division of Enforcement Litigation, Director

Division of Administration, Director  
Equal Employment Opportunity

*NLRB Field Offices*

Regional Director, Region 1, 10 Causeway Street, Room 601, Boston, Massachusetts 02222-1072

Regional Director, Region 2, 26 Federal Plaza, Room 3614, New York, New York 10278-0104

Regional Director, Region 3, Niagara Center Building, 130 South Elmwood Avenue, 6th Floor, Buffalo, New York 14202-2465

Resident Officer, Leo W. O'Brien Federal Building, Clinton Avenue and N. Pearl Street, Room 342, Albany, New York 12207-2350

Regional Director, Region 4, 615 Chestnut Street, 7th Floor, Philadelphia, Pennsylvania 19106-4404

Regional Director, Region 5, The Appraisers Store Building, 103 South Gay Street, 8th Floor, Baltimore, Maryland 21202-4061????

Resident Officer, Washington Resident Office, 1099 14th Street, NW—Suite 5530, Washington, DC 20570-0001

Regional Director, Region 6, Two Chatham Center, 112 Washington Place, Suite 510, Pittsburgh Pennsylvania 15219-3458

Regional Director, Region 7, 477

Michigan Avenue—Room 300, Detroit, Michigan 48226-2569

Resident Officer, Grand Rapids Resident Office, 82 Ionia NW—Room 330, Grand Rapids, Michigan 49503-3022

Regional Director, Region 8, 1240 East 9th Street—Room 1695, Cleveland, Ohio 44199-2086

Regional Director, Region 9, John Weld Peck Federal Building, 550 Main Street—Room 3003, Cincinnati, Ohio 45202-3271

Regional Director, Region 10, 233 Peachtree Street NE, Harris Tower, Suite 1000, Atlanta, Georgia 30303-1531

Resident Officer, Ridge Park Place, Suite 3400, 1130 South 22nd Street, Birmingham, Alabama 35205-2870

Regional Director, Region 11, Republic Square, Suite 200, 4035 University Parkway, Winston Salem, North Carolina 27106-3323 or P.O. Box 11467, Winston-Salem, North Carolina 27116-1467

Regional Director, Region 12, 201 East Kennedy Boulevard, Suite 530, Tampa, Florida 33602-5824

Resident Officer, 550 Water Street, Suite 340, Jacksonville, Florida 32202-5177

Resident Officer, Federal Building, Room 1320, 511 SW 1st Avenue, Miami, Florida 33130-1623

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-263]

### Nuclear Management Company, LLC; Monticello Nuclear Generating Plant; Exemption

#### 1.0 Background

Nuclear Management Company, LLC (the licensee), is the holder of Facility Operating License No. DPR-22 which authorizes operation of Monticello Nuclear Generating Plant (MNGP). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of a boiling-water reactor located in Wright County in Minnesota.

#### 2.0 Request/Action

Appendix J to Title 10 of the Code of Federal Regulations (10 CFR) specifies the leakage rate test requirements, schedules, and acceptance criteria for tests of the leak-tight integrity of the primary reactor containment and systems and components that penetrate the containment. Option B, Paragraph III.A, of Appendix J requires that the overall integrated leakage rate must not exceed the allowable leakage (La) with margin, as specified in the plant's Technical Specifications. The overall integrated leakage rate, as specified in Appendix J, includes the contribution from main steam pathway leakage (*i.e.*, through the four main steam lines and the main steam drain line at MNGP). Option B, Paragraph III.B requires that the sum of the leakage rates of Type B and Type C local leakage rate tests be less than the performance criterion (La)

with margin, as specified in the Technical Specifications.

By letter dated September 15, 2005, the licensee requested exemption from Option B, Section III.A, requirements to exclude main steam isolation valve (MSIV) leakage from the overall integrated leak rate test measurement, and exemption from Section III.B requirements to exclude the MSIV leakage from the sum of the Type B and Type C tests. The licensee stated that the MNGP MSIV leakage effluent has a different pathway to the environment when compared to a typical containment penetration, *i.e.*, it is not directed into the secondary containment and filtered through the standby gas treatment system. Instead, the main steam leakage is collected and treated via an alternative leakage treatment pathway, having different mitigation characteristics.

In performing accident analyses, it is appropriate to group various leakage effluents according to the treatment they receive before being released to the environment (*e.g.*, from main steam pathways). Accordingly, the licensee's proposed exemption from the Appendix J requirements would more appropriately reflect the MNGP design which employs an alternative leakage treatment pathway. The calculated radiological consequences of the combined leakages were found to be within the criteria of 10 CFR 50.67 and GDC-19. The NRC staff reviewed the licensee's analyses and found them acceptable as described in a safety analysis accompanying an amendment regarding alternative source term methodology to be issued concurrently with this exemption. By separating the MSIV leakage acceptance criteria from the overall integrated leak rate test criteria, and from the Type B and C leakage sum limitation, the MNGP containment leakage testing program will be made more consistent with the limiting assumptions used in the associated accident consequences analyses. The amendment associated with this exemption will revise Technical Specification Surveillance Requirement 3.6.1.3.13 to limit the maximum allowable combined MSIV leakage to 200 standard cubic feet per hour, which is the analytical limit.

Based on the foregoing, the separation of the main steam pathways from the other containment leakage pathways is warranted because a separate radiological consequence term has been provided for these pathways. The revised design basis radiological consequence analyses address these pathways as individual factors,

exclusive of the primary containment leakage.

#### 3.0 Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 50 when (1) The exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. The licensee's exemption request was submitted in conjunction with an amendment application to employ the alternative source term (AST) methodology for design-basis accidents. The NRC staff had completed its review and is issuing the proposed amendment on the same date as this exemption. The exemption and amendment together would implement the AST methodology. The special circumstances associated with MSIV leakage testing are fully described in the licensee's September 15, 2005, application for amendment and exemption.

#### *Authorized by Law*

This exemption would exempt Nuclear Management Company from requirements in 10 CFR Part 50, Appendix J, thus (1) Excluding MSIV leakage in the overall integrated leakage rate test measurement required by Section III. A of Appendix J, Option B; and (2) excluding the sum of local leak rate test measurements required by Section III.B of Appendix J, Option B. As stated above, 10 CFR 50.12 allows the NRC to grant exemptions from the requirements of 10 CFR Part 50. The NRC staff has determined that granting of the licensee's proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, the exemption is authorized by law.

#### *No Undue Risk to Public Health and Safety*

The proposed exemption affects only the radiological dose analysis models and the way containment leak-tightness is measured. No new accident precursors are created by the exemption; accordingly, the probability of postulated accidents is not increased and the consequences of postulated accidents are not increased. Therefore, there is no undue risk to public health and safety as a result of the exemption.