

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101; 8 U.S.C. 1324b; and 28 CFR Part 44.

PURPOSE OF THE SYSTEM:

The purpose of this system is to maintain records of correspondence pertaining to immigration-related employment discrimination from persons outside the Department and copies of the OSC responses to the correspondence.

Employees and officials of the Department may access the system to ensure proper disposition of incoming mail; to determine the status and content of responses to correspondence; to respond to inquiries from OSC personnel, Office of Legislative Affairs, and from Congressional offices regarding the status of correspondence; to prepare budget requests and various reports on the work product of OSC; and to carry out any other authorized internal duties.

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

(1) A record relating to a case or matter, or any facts derived therefrom, may be disseminated in a proceeding before a court or adjudicative body before which OSC is authorized to appear, when the United States, or any agency or subdivision thereof, is a part of litigation or has an interest in litigation and such records are determined by OSC to be arguably relevant to the litigation; (2) a record relating to a case or matter may be disseminated to an actual or potential party of litigation or the party's attorney (a) to negotiate or discuss such matters as settlement of the case or matter or (b) to conduct a formal or informal discovery proceeding; (3) a record may be disseminated to volunteer student workers and students working under a work-study program as is necessary to enable them to perform their assigned duties; (4) information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy; (5) information may be disclosed as is necessary to respond to inquiries by Members of Congress on behalf of individual constituents that are subjects of OSC records; and (6) records may be disclosed to the National Archives and Records Administration and to the General Services Administration in records management

inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

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

Information in the system is *indexed, and* stored in file jackets and on computer disks or tapes.

RETRIEVABILITY:

Entries are arranged alphabetically and are retrieved from the computer by names of the individuals covered by this system of records. Information may also be retrieved from file jackets by an assigned number appearing in the manual index.

SAFEGUARDS:

Information in manual and computer form is safeguarded and protected in accordance with applicable Department security regulations for systems of records. Only those employees with the need to know in order to perform their duties will be able to access the information. Access to the records in the computer system is restricted by use of password encryption; access to records in both the manual and computer system is restricted by locks on storage facilities.

RETENTION AND DISPOSAL:

Citizen correspondence unrelated to matters within the jurisdiction of OSC is destroyed after appropriate disposition and within ninety days from the date of correspondence. All other records are disposed of in accordance with General Records Schedule 14, items 3, 4, and 7.

SYSTEM MANAGER(S) AND ADDRESS:

Special Counsel for Immigration Related Unfair Employment Practices, U.S. Department of Justice, Post Office Box 65490, NW., Washington, DC 20035.

NOTIFICATION PROCEDURE:

Same as above.

RECORD ACCESS PROCEDURES:

Direct the request to the system manager listed above. Clearly mark the envelope and letter "Privacy Access Request;" provide the full name and notarized signature of the individual who is the subject of the record, his/her date and place of birth, or any other identifying number or information which may assist in locating the record; and a return address.

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information should direct their request to the System Manager listed above, stating clearly and concisely

what information is being contested, the reasons for contesting it, and the proposed amendment to the information.

RECORD SOURCE CATEGORIES:

Sources of information contained in this system are the original correspondents, persons acting on behalf of original correspondents, and employees and officials of the Department responsible for the disposition of the correspondence.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

JUSTICE/PRC-004**SYSTEM NAME:**

Labor and Pension Case, Legal File and General Correspondence System.

SYSTEM LOCATION:

All Labor and Pension cases, most legal files and some general correspondence material is located at: Commission Headquarters, 5550 Friendship Blvd., Chevy Chase, Md. 20815. The balance of the general correspondence material is located at the Commission's Regional Offices, the addresses of which are specified in the Inmate and Supervisions System.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All applicants for exemptions under 29 U.S.C. 504 and 29 U.S.C. 1111, all persons litigating with the U.S. Parole Commission, all persons corresponding with the Commission on subjects not amenable to being filed in an inmate or supervision file identified by an individual, and all Congressmen inquiring about constituents.

CATEGORIES OF RECORDS IN THE SYSTEM:

Pursuant to 29 U.S.C. 504 and 1111, the Commission processes applications of persons convicted of certain crimes for exemptions to allow their employment in the Labor or pension plan fields. The files contain memoranda, correspondence, and legal documents with information of a personal nature, i.e., family history, employment history, income and wealth, etc., and of a criminal history nature, i.e., record of arrests and convictions, and details as to the crime which barred employment. The final decision of the Commission in each case is a public document under the Freedom of Information Act. The General Counsel's Office of the Parole Commission maintains work files for each inmate or person on supervision who is litigating with the Commission. These files contain *personal and* criminal history type data regarding

inmates, and internal communications among attorneys, Commissioners and others developing the Commission's legal position in these cases. Files of the Commission's correspondence with Congressmen who inquire about constituents who have paroles or revocations pending or other subjects are maintained in the Chairman's Office and in the regions. Files of correspondence, notes, and memoranda concerning parole revocation, rescission, and related problems are also maintained in those locations. Some of this material duplicates material in the inmate files and contain criminal history type information about individuals.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

These files are maintained pursuant to 18 U.S.C. 4201, 5005-5041, 28 CFR Part O, Subpart V, 28 CFR Parts 2 and 4, 29 U.S.C. 504, 1111, and all statutory sections and procedural rules allowing inmates, persons under supervision, or others to litigate with the Parole Commission.

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

Within the Parole Commission material in this system is used respectively by *General Counsel's* Office staff and Commission Members in processing exemption applications. The legal file material is used by *General Counsel's* Office staff in asserting the litigative position of the Commission. The general correspondence is used by the Commission personnel in responding to Congressmen, and by Commission Members and others in transacting the day-to-day business of the Commission. Final pension and labor case decisions are used by the *Commission, the Justice,* and Labor Departments, and the public to establish precedents in this field of *administrative law.*

In the event that material in this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred to the appropriate agency, whether Federal, State, or local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. A record from this system of records may be disclosed to a Federal, State or local agency maintaining civil, criminal or other relevant information if

necessary to obtain information relevant to an agency decision relating to pension or labor matters. A record from this system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Release of information to the News Media:

Information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available from systems of records maintained by the U.S. Parole Commission unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress:

Information contained in systems of records maintained by the U.S. Parole Commission, not otherwise required to be released pursuant to 5 U.S.C. 552, may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and in response to a communication from the individual who is the subject of the record.

Release of information to the National Archives and Records Administration (NARA) and to the General Services Administration (GSA):

A record may be disclosed as a routine use to the NARA & GSA in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

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

STORAGE:

All data is on documents or other papers on bound files. Labor and pension case material is in the *General Counsel's* Office or the Chairman's Office at Headquarters, except for final decisions which are in the Freedom of Information Act reading room. Legal files are in the *General Counsel's* Office at Headquarters. General correspondence is in the Chairman's Office, the office of his staff at

Headquarters, and the offices of each *Regional* Commissioner.

RETRIEVABILITY:

Labor, pension, and legal file material is indexed or filed by name of applicant or litigant, respectively. General correspondence is indexed or filed by subject, time sequence or individuals to whom the item refer.

SAFEGUARDS:

Material is available only to Commission employees on a "need to know" basis. Storage locations are supervised by day and locked at night. Only disclosure made therefrom is to other agencies of the Department of Justice, the U.S. Probation Office, Federal enforcement agencies or the Congress. Disclosure to congressmen in response to inquiries concerning constituents is subject to the exemptions of the Freedom of Information Act. The Commission *decisions* in labor and pension cases are public information under the Freedom of Information Act.

RETENTION AND DISPOSAL:

Records are maintained for 10 years after the fiscal decision of the court, and are shredded or destroyed electronically thereafter.

SYSTEM MANAGER(S) AND ADDRESS:

General Counsel, United States Parole Commission, 5550 Friendship Blvd., Chevy Chase, MD 20815.

RECORD SOURCE CATEGORIES:

a. Applicants for exemptions under 29 U.S.C. 504 and 29 U.S.C. 1111; b. U.S. Department of Labor; c. Administrative Law Judges and others connected with labor or pension cases; d. Litigants proceeding against Parole Commission; e. The Commission's legal staff and other Commission personnel; f. Congressmen and others making inquiries of Commission; g. Commission Members and employees responding to inquiries, corresponding with others, preparing speeches, policy statements and other means of contact with other branches of the Federal Government, State, and local governments; and the public.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has exempted this system from subsections (c)(3) and (4), (d), (e)(2) and (3), (e)(4) (G) and (H), (e)(8), (f) and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(f)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b),

(c) and (e) and have been published in the Federal Register.

JUSTICE/PRC-005

SYSTEM NAME:

Office Operation and Personnel System.

SYSTEM LOCATION:

At each regional office as indicated in the "Inmate and Supervision File System Report" and at the U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, Md. 20815.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Present and former Commission Members and employees of the U.S. Parole Commission.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personnel records, leave records, property schedules, budgets and actual expense figures, obligation schedules, expense and travel vouchers, and the balance of the usual paperwork to run a Government office efficiently.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

All statutory sections, CFR sections, and OPM, MSPB, GSA, and OMB directives establishing procedures for government personnel, financial, and operational functions.

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

Day-to-day activity involving personnel, financial, procurement, maintenance, recordkeeping, mail delivery, and management functions.

Release of information to the News Media:

Information permitted to be released to the news media and the public pursuant to 28 CFR 50.2 may be made available from systems of records maintained by the Department of Justice unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

Release of information to Members of Congress:

Information contained in systems of records maintained by the U.S. Parole Commission, not otherwise required to be released pursuant to 5 U.S.C. 552; may be made available to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and in response to a communication

from the individual who is the subject of the record.

Release of information to the National Archives and Records Administration (NARA) and to the General Services Administration (GSA):

A record may be disclosed as a routine use to the NARA and GSA in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are in paper files or on computer printouts. They are stored in operations areas of offices.

RETRIEVABILITY:

Data of a personal nature is in employee personnel files, used by Commission personnel files, used by Commission personnel on a "need to know" basis. Each employee has a right to see his own file on request. Other files are used by Commission personnel on a "need to know" basis.

SAFEGUARDS:

Files are supervised by appropriate personnel during the working day and are locked in rooms at night.

RETENTION AND DISPOSAL:

Cutoff files at the end of the calendar year, held at the agency for one year then transferred to the Washington National Records Center. Destroy seven years after cutoff.

SYSTEM MANAGER(S) AND ADDRESS:

Executive Officer, U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, MD 20815.

NOTIFICATION PROCEDURE:

Same as the above.

RECORD ACCESS PROCEDURE:

Same as the above.

CONTESTING RECORD PROCEDURES:

Same as the above.

RECORD SOURCE CATEGORIES:

The U.S. Parole Commission, the Justice Management Division and all other contributing government agencies.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

JUSTICE-PRC-007

SYSTEM NAME:

Workload Record, Decision Result, and Annual Report System.

SYSTEM LOCATION:

U.S. Parole Commission Headquarters, 5550 Friendship Blvd., Chevy Chase, Md. 20815.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Any inmate and parolee or mandatory releasee who has been the subject of a decision for the period covered in the report for which the data is used (prior month, prior quarter, prior year or other period).

CATEGORIES OF RECORDS IN THE SYSTEM:

Certain original input forms indicate the inmate or person under supervision by name and register number and give the date and specific statistical detail as to the decision made. They include criminal history type of information regarding the persons in questions. The principle types of decisions covered are after initial or review hearings, after a record review, after Regional Appeal, after National Appeal, and after a decision reopening and modifying. The data is input into a computer and is used to provide the following: (a) A monthly report of workload containing number and type of hearings per region further broken out by institutions within regions and type of sentence; (b) Bimonthly report on decision results indicating, among other statistics, number and type of decisions within above, and below guidelines broken out by examiners making the decisions; (c) Other or substitute reports as needed; and (d) Together with land posted data on other items of statistical value, this data is being used to create the Annual Report of the Commission.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

18 U.S.C. 4201-4216, 5005-5041, 28 CFR Part O, Supart V, 28 CFR Part 2.

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

(a) These records are used internally to analyze work product, the performance of evaluators, and various types of procedures and hearings and to evaluate the guidelines and other Commission procedures.

(b) These records are used to prepare an annual report to the Attorney General, and Congress and the public indicating in quantitative and qualitative terms Commission activity and accomplishment.

(c) In the event that material in this system indicates a violation or potential violation of law, whether a civil, criminal or regulatory in nature, and whether arising by general statute, or by