

OPM/Central-8, Privacy Act/Freedom of Information Act (PA/FOIA) Case Records

64 FR 53424 (10/1/1999), Prefatory Statement of Routine Uses, 87 FR 5874 (2/2/2022)

This unofficial consolidation of OPM/Central-8 is from the U.S. Office of Personnel Management Privacy Website at <https://www.opm.gov/privacy>.

SYSTEM LOCATION:

Offices of the Office of Personnel Management, 1900 E Street NW., Washington, DC 20415-0001 and OPM field service centers.

SYSTEM MANAGER(S):

The system manager for PA/FOIA requests is: FOIA/PA Officer, Office of the Chief Information Officer, Office of Personnel Management, 1900 E Street NW., Washington DC 20415-7900.

The system manager for PA/FOIA appeals is: Office of the General Counsel, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415-1300.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains records and related correspondence on individuals who have filed with OPM:

- a. Requests for information under the provisions of the Freedom of Information Act (5 U.S.C. 552), including requests for review of initial denials of such requests.
- b. Requests under the provisions of the Privacy Act (5 U.S.C. 552a) for records about themselves, including:
 - (1) Requests for notification of the existence of records about them.
 - (2) Requests for access to these records.
 - (3) Requests for amendment of these records.
 - (4) Requests for review of initial denials of such requests for notification, access, and amendment.
 - (5) Requests for an accounting of disclosure of records about them.

Note: Since these PA/FOIA case records contain inquiries and requests regarding any of OPM's other systems of records subject to the Privacy Act, information about individuals from any of these other systems may become part of this PA/FOIA Case Records system.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains correspondence and other documents related to requests made by individuals to OPM for:

- a. Information under the provisions of the Freedom of Information Act (5 U.S.C. 552), including requests for review of initial denials of such requests.
- b. Information under provisions of the Privacy Act (5 U.S.C. 552a) and requests for review of initial denials of such requests made under OPM's Privacy Act regulations including requests for:
 - (1) Notification of the existence of records about them.
 - (2) Access to records about them.
 - (3) Amendment of records about them.
 - (4) Review of initial denials of such requests for notification, access, or amendment.
 - (5) Requests for an accounting of disclosure of records about them.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Includes the Following with any Revisions and Amendments: The Privacy Act of 1974 (5 U.S.C. 552a), the Freedom of Information Act, as amended (5 U.S.C. 552), and 5 U.S.C. 301.

PURPOSE(S) OF THE SYSTEM:

These records are maintained to process an individual's request made under the provisions of the Freedom of Information and Privacy Acts. The records are also used by OPM to prepare its reports to the Office of Management and Budget and the Department of Justice required by the Privacy and Freedom of Information Acts.

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

Routine uses 1 and 3 through 10 of the Prefatory Statement of OPM's system notices (60 FR 63075, effective January 17, 1996) apply to the records maintained within this system. The following routine uses are specific to this system of records only:

- a. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.
- b. To disclose information to an agency, subject to law, rule, or regulation enforced by OPM having been found in violation of such law, rule, or regulation, in order to achieve compliance with OPM instructions.
- c. To disclose information to Federal agencies (e.g., Department of Justice) in order to obtain advice and recommendations concerning matters on which the agency has specialized experience or particular competence, for use by OPM in making required determinations under the Freedom of Information Act or the Privacy Act of 1974.
- d. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose of the request, and to identify the type of information requested), where necessary to obtain information relevant to an OPM decision concerning a Privacy or Freedom of Information Act request.
- e. To disclose to the Federal agency involved, an OPM decision on an appeal from an initial denial of a request involving OPM-controlled records.
- To appropriate agencies, entities and persons when (1) OPM suspects or has confirmed that there has been a breach of the system of records, (2) OPM has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, OPM (including its information systems, programs and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with OPM's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.
- To another Federal agency or Federal entity, when OPM determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

These records are maintained on one of the following: paper copies in file folders, electronic copies on Local Area Network (LAN) servers or diskettes, or microfilm.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are retrieved by the name of the individual on whom they are maintained and year of the request.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

The records maintained on paper and microfilm are located in lockable metal filing cabinets or in a secured room, with access limited to personnel whose duties require access. Only authorized personnel have access to the records on the LAN and diskettes.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

These records are maintained for varying periods of time, in accordance with NARA General Records Schedule 14. Paper records are destroyed by shredding or burning; microfilm and electronic records are erased or deleted.

NOTIFICATION PROCEDURES:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager or the program office where their original Privacy Act or Freedom of Information Act requests were sent, or from where they received responses to such requests. Individuals must furnish the following information for their records to be located and identified:

- a. Name.
- b. Date of birth.
- c. Approximate dates of Privacy Act or Freedom of Information Act correspondence between OPM and the individual.

RECORD ACCESS PROCEDURES:

Material from other OPM systems of records which are exempt from certain Privacy Act requirements may be included in this system as part of a PA/FOIA case record. Such material retains its exemption if it is included in this system of records. The section of this notice titled Systems Exempted from Certain Provisions of the Act explains the exemptions for this system.

Individuals wishing to request access to their records should contact the system manager or the program office where their original Privacy Act or Freedom of Information Act request was sent or from which they received responses to such requests. Individuals must furnish the following information for their records to be located and identified:

- a. Name.
- b. Date of birth.
- c. Approximate dates of Privacy Act or Freedom of Information Act correspondence between OPM and the individual.

Individuals requesting access must also comply with OPM's Privacy Act regulations regarding verification of identity and access to records (5 CFR part 297).

CONTESTING RECORD PROCEDURES:

Material from other OPM systems of records which are exempt from certain Privacy Act requirements may be included in this system as part of a PA/FOIA case record. Such material retains its exemption if it is included in this system of records. The section of this notice titled Systems Exempted from Certain Provisions of the Act explains the exemptions for this system. Individuals wishing to request amendment to their records should contact the system manager or the program

office where their original Privacy Act or Freedom of Information Act requests were sent or from which they received responses to such requests.

Individuals must furnish the following information for their records to be located and identified:

- a. Name.
- b. Date of birth.
- c. Appropriate dates of Privacy Act or Freedom of Information Act correspondence between OPM and the individual.

Individuals requesting amendment must also comply with OPM's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR part 297).

Note: The amendment provisions of this system are not intended to permit an individual a second opportunity to request amendment of a record which was the subject of the initial Privacy Act amendment request which created the record in this system. That is, after an individual has requested amendment of a specific record in an OPM system under provisions of the Privacy Act, that specific record may itself become part of this system of PA/FOIA Case Records. An individual may not subsequently request amendment of that specific record again, simply because a copy of the record has become part of this second system of PA/FOIA Case Records.

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained from—

- a. The individual to whom the information applies.
- b. Officials of OPM.
- c. Official documents of OPM.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

OPM has claimed exemptions for several of its other systems of records under 5 U.S.C. 552a (k)(1), (2), (3), (4), (5), (6), and (7). During the course of a PA/FOIA action, exempt materials from those other systems may become part of the case records in this system. To the extent that copies of exempt records from those other systems are entered into these PA/FOIA case records, the office has claimed the same exemptions for the records as they have in the original primary systems of records which they are a part.