

Federal Mediation and Conciliation Service

Privacy Act of 1974; System of Records

AGENCY: FMCS

ACTION: Notice of a New System of Records- FOIAxpress

SUMMARY: This SORN is submitted for a FOIA processing system new to FMCS that will enable requesters to submit, receive, and appeal their FOIA requests and decisions via an online portal.

DATES: October 1, 2020.

ADDRESSES: Office of General Counsel, 250 E Street, SW, Washington, DC 20427;
foia@fmcs.gov.

FOR FURTHER INFORMATION CONTACT: Anna Davis, Deputy General Counsel,
adavis@fmcs.gov

SUPPLEMENTARY INFORMATION: This describes a new system for receiving, processing, and storing FOIA requests and responses.

SYSTEM NAME AND NUMBER: FOIAxpress.

SYSTEM LOCATION: Federal Mediation and Conciliation Service, 250 E Street, SW,
Washington, DC 20427; AINS 806 W. Diamond Ave. Gaithersburg, MD 20878.

SYSTEM MANAGER(S): Sarah Cudahy, General Counsel, FMCS 250 E Street, SW,
Washington, DC 20427.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM: Federal Mediation and Conciliation Service, 29 U.S.C. §172, et seq.; Freedom of Information Act, 5 U.S.C. §552.

PURPOSE(S) OF THE SYSTEM: To consider requests and appeals for access to records under the Freedom of Information Act; to determine the status of requested records; to respond to the requests and appeals; to make copies of FOIA requests and frequently requested records available publicly, under the FMCS's Rules of Practice and FOIA; to maintain records, documenting the consideration and disposition of the requests for reporting, analysis, and recordkeeping purposes.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM: Individuals filing requests for access to information under the Freedom of Information Act (FOIA); individuals named in the FOIA request; FMCS staff assigned to help process, consider, and respond to such requests, including any appeals.

CATEGORIES OF RECORDS IN THE SYSTEM: Communications (e.g., letters, emails) to and from the requesting party; agency documents generated or collected during processing and consideration of the request, including scanned copies of materials responsive to the FOIA request.

RECORD SOURCE CATEGORIES: Individuals about whom the record is maintained, and agency staff assigned to help process, review, or respond to the access request, including any appeal.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES: (1) Request and appeal

letters, and agency letters responding thereto, are placed on the FMCS's public record and available to the public for routine inspection and copying. See <https://www.fmcs.gov/foia/> also, 29 CFR § 1401, Subpart B, §§ 1401.20 -1401.36.

(2) As required by the FOIA, records that have been "frequently requested" and disclosed under the FOIA within the meaning of that Act, as determined by the FMCS, are made available to the public for routine inspection and copying. See <https://www.fmcs.gov/resources/documents-and-data/>.

(3) Disclosure to the National Archives and Records Administration, Office of Government Information Services (OGIS), to the extent necessary to fulfill its responsibilities in 5 U.S.C. § 552(h), to review administrative agency policies, procedures, and compliance with the Freedom of Information Act (FOIA), and to facilitate OGIS's offering of mediation services to resolve disputes between persons making FOIA requests and administrative agencies.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS: Records are maintained electronically using a commercial software application run on the agency's internal servers. Temporary paper files are destroyed once the appeal process for the FOIA request has expired.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS: Indexed by name of requesting party and subject matter of request. Records can also be searched by name, address, phone number, fax number, and email of the requesting party, subject matter of the request, requestor organization, FOIA number, and staff member assigned to the request.

POLICIES AND PRACTICES FOR RETENTION OF DISPOSAL OF RECORDS: Records are retained and disposed of in accordance with General Records Schedule 4.2, issued by the National Archives and Records Administration

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS: Requests, appeals, and responses available to the public, as described above. Access to nonpublic system records is restricted to FMCS personnel or contractors whose responsibilities require access. Nonpublic paper records are temporary, maintained in lockable file cabinets or offices, and destroyed once the request is complete. Access to electronic records is controlled by "user ID" and password combination and other electronic access or network controls (e.g., firewalls). FMCS buildings are guarded and monitored by security personnel, cameras, ID checks, and other physical security measures.

RECORD ACCESS PROCEDURES: See <https://www.fmcs.gov/resources/documents-and-data/> and 29 CFR §1410.3 - Individual access requests.

CONTESTING RECORDS PROCEDURES: See 29 CFR §1401.35- Appeals from denials of requests and the appeals process located at <https://www.fmcs.gov/resources/documents-and-data/>.

NOTIFICATION PROCEDURES: See 29 CFR §1401.20, et seq. Privacy Act requests to amend or correct records may be submitted to the Chief Privacy Officer at privacy@fmcs.gov or Chief Privacy Officer, FMCS 250 E Street, SW Washington, D.C. 20427.

EXEMPTIONS PROMULGATED FOR THE SYSTEM: None.

HISTORY: None.