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Billing Code

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA-2027-001]

Privacy Act of 1974; System of Records

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice revising a system of records.

SUMMARY: We propose to revise a system of records in our existing inventory of systems subject to the Privacy Act of 1974. The system is NARA 44, Reasonable Accommodation Request Records. We are updating the new system manager and system location due to organizational changes at the agency. NARA also proposes to expand the system to include requests for reasonable accommodations involving pregnancy or childbirth and the associated authority for collecting this information. Further, NARA proposes to use an internal web-based application and database for some of the records in this system to modernize the agency's receipt, processing, and monitoring reasonable accommodation requests and maintaining the associated records. In this notice, we publish the system of records notice in full for public notice and comment.

DATES: Submit comments on this system of records by [INSERT DATE 30 DAYS FROM PUBLICATION IN FEDERAL REGISTER]. This revised systems of records, NARA 44, is effective on [INSERT DATE 40 DAYS FROM PUBLICATION IN THE FEDERAL REGISTER] unless we receive comments that necessitate revising the SORN.

ADDRESSES: You may submit comments, identified by "SORN NARA 44" by email to *regulation_comments@nara.gov.* Include "SORN NARA 44" in the subject line of the message.

Instructions: All submissions must include SORN NARA 44 so we can identify what the comment is responding to. We may publish any comments we receive without changes, including any personal information you include.

FOR FURTHER INFORMATION, CONTACT: Courtney Whatley, Agency Accommodation Program Manager, by email at courtney.whatley@nara.gov.

SUPPLEMENTARY INFORMATION:

Our Reasonable Accommodation Request Records system of records (NARA 44) includes records of requests, processing, and decisions for reasonable accommodations submitted by current and former NARA employees and applicants. It specifically mentions accommodations for employees and applicants with disabilities and for religious reasons. NARA proposes to expand the system to include requests for reasonable accommodations involving pregnancy or childbirth under the Pregnant Workers Fairness Act (PWFA), Pub. L. 117-328, and citing this authority for collecting this information. NARA is also updating the new system manager and system location due to organizational changes at the agency. Further, NARA proposes to use an internal web-based application and database for some of the records in this system to modernize the agency's receipt, processing, and monitoring reasonable accommodation requests and maintaining the associated records.

The Privacy Act of 1974, as amended (5 U.S.C. § 552a) ("Privacy Act"), provides certain safeguards for an individual against an invasion of personal privacy. It requires Federal agencies that disseminate any record of personally identifiable information to do so in a manner that assures the action is for a necessary and lawful purpose, the information is current and accurate for its intended use, and the agency provides adequate safeguards to prevent misuse of such information. NARA intends to follow these principles when transferring information to another agency or individual as a "routine use," including assuring that the information is relevant for the purposes for which it is transferred.

Bradford P. Wilson

Archivist of the United States.

NARA 44

SYSTEM NAME AND NUMBER:

Reasonable Accommodation Request Records, NARA 44

SECURITY CLASSIFICATION:

Unclassified

SYSTEM LOCATION:

The Office of the Chief of Management and Administration at the National Archives in College Park maintains reasonable accommodation request files. The system address is the same as the system manager address.

SYSTEM MANAGER:

For these case files, the system manager is the Chief of Management and Administration Officer. The business addresses for system managers are listed in Appendix B, last republished September 27, 2018 (83 FR 48869). As system manager contact information is subject to change, for the most up-to-date information, visit our website at *www.archives.gov/privacy/inventory*.

AUTHORITY FOR MAINTAINING THE SYSTEM:

5 U.S.C. 552a(a)(3), as amended.

44 U.S.C. 2104(a), as amended.

The Americans with Disabilities Act of 1990, as amended.

Title VII of the Civil Rights Act of 1964, as amended.

29 U.S.C. 791.

Executive Order 13164.

29 CFR part 1614.

The Pregnant Workers Fairness Act (PWFA), Pub. L. 117-328.

PURPOSE OF THE SYSTEM:

We use the information in this system to process and implement employee reasonable accommodation requests and any resulting accommodation.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals covered by this system include current and former NARA employees and applicants who have requested accommodation pursuant to NARA policy for processing reasonable accommodation requests. This includes accommodations for employees and applicants who have requested accommodations related to: disability, religion, pregnancy, childbirth, or related medical conditions.

CATEGORIES OF RECORDS IN THE SYSTEM:

Reasonable accommodation request records may contain some or all of the following records: Requests for reasonable accommodation including medical records or religious information, notes or records made during consideration of requests, and decisions on requests. These records may contain: The employee or applicant's name, email address, mailing address, phone number, medical information, information on their religious beliefs and practices, and any additional information provided by the employee related to the processing of the request. If an accommodation request is made by a family member, health professional, or representative of a NARA employee or applicant, the records may also contain that requestor's name, email address, mailing address, phone number, and any additional information provided by the requestor relating to the processing of the request.

RECORD SOURCE CATEGORIES:

NARA obtains information in these files from employees, applicants, and any family members, health professionals, or representatives of a NARA employee or applicant, who request reasonable accommodation.

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

We maintain reasonable accommodation request files to (or for):

(a) Process and implement employee requests for reasonable accommodations, including manager review, reasonable accommodation staff review, medical or health staff review, and sharing with other people necessary to process or implement the request and any resulting accommodation;

(b) disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act; and

(c) routine uses A, B, C, D, E, F, G, H, and I listed in Appendix A apply to this system. Appendix A was last republished on December 20, 2013 (78 FR 77255, 77287). For the most up-to-date information, see the Appendix on our website at *www.archives.gov/privacy/inventory*.

POLICIES AND PRACTICES FOR STORING RECORDS:

Paper and electronic records.

POLICIES AND PRACTICES FOR RETRIEVING RECORDS:

Staff may retrieve information in these case files by the name of the employee or applicant, or by request number.

POLICIES AND PRACTICES FOR RETAINING AND DISPOSING OF RECORDS:

Reasonable accommodation request records are temporary records and we destroy them in accordance with disposition instructions in the NARA Records Schedule (a supplement to the NARA Files Maintenance and Records Disposition Manual). Individuals may request a copy of the disposition instructions from the NARA Privacy Act Officer (at the address listed in Appendix B).

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Electronic records are stored within NARA's secure cloud-based system. All data is encrypted in transit and at rest in storage. In addition to other electronic records in this Privacy Act system, NARA operates an internal web application and database to receive, monitor, and maintain data on employee requests for reasonable accommodation. This application and database can only be accessed through NARA's internal private network, and users of this internal application must have a NARA authorized account. Access to the data within the web application and database is restricted to authorized employees and contractors. Other employees and contractors may be granted access on a need-to-know basis.

All electronic files and records in this system are protected by NARA privacy safeguards and security protocols designed to meet Federal cybersecurity and privacy standards, including those required by the Federal Information Security Modernization Act of 2014 (FISMA), OMB, and the National Institute of Standards and Technology (NIST). Authorized NARA personnel access electronic records via workstations and laptops located in attended offices or through NARA's secure remote-access capabilities.

During normal hours of operation, we maintain paper records in areas accessible only by authorized NARA personnel. After business hours, buildings have security guards and secured doors, and electronic surveillance equipment monitors all entrances.

RECORDS ACCESS PROCEDURES:

People who wish to access their records should submit a request in writing to the NARA Privacy Act Officer at the address listed in Appendix B.

CONTESTING RECORDS PROCEDURES:

NARA's rules for contesting the contents of a person's records and appealing initial determinations are in 36 CFR part 1202.

NOTIFICATION PROCEDURES:

People inquiring about their records should notify the NARA Privacy Act Officer at the address listed in Appendix B.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

Last republished as a full notice on January 28, 2022 (87 FR 4661).

Bradford P. Wilson

Archivist of the United States

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