

December 29, 2000

GEORGE L. LOPEZ
VICE PRESIDENT, SOUTHWEST AREA OPERATIONS

CARL JANUARY
DISTRICT MANAGER, DALLAS

SUBJECT: Abandoned Postal Service Records Found at
the Dallas Downtown Station
(Report Number LB-LA-01-001)

This letter advisory report presents our observations regarding abandoned records found at the Dallas Downtown Station (Project Number 00EA003LM003). We identified these conditions during a previous audit.¹

Results in Brief

We found records subject to the Privacy Act abandoned on unused floors and in the basement of the Dallas Downtown Station. We notified Dallas District officials apprising them of the location and condition of the records. We also expressed concern that the records were not properly safeguarded and/or disposed of in accordance with postal policy. In response to our concerns, district officials directed record custodians to remove and properly store active records and to dispose of inactive records. During our final on-site review of the station, we confirmed that all records were removed from the facility.

Management indicated agreement with the information contained in this report and stated that processes have been put in place to ensure the proper storage, safeguard, and destruction of similar records in the future. Management's comments, in their entirety, are included in the appendix of this report.

¹ Allegations of Unsafe Working Conditions at the Dallas Downtown Station, (LM-AR-00-001 and LM-VR-00-001).

Objective, Scope, and Methodology

The objective of our review was to ensure that records found abandoned on unused floors and in the basement of the Dallas Downtown Station were properly safeguarded and disposed of by Postal Service management in accordance with postal policy.

To accomplish this objective we conducted eight follow-up visits to the station to monitor progress and final disposition of the records.² We took photographs to document the condition of the records. On February 22, 2000, we conducted a final on-site review of the station to confirm whether all of the records were removed for proper storage or destruction.

This review was conducted from July 1999 to December 2000, in accordance with the President's Council on Integrity and Efficiency, Quality Standards for Inspections. We discussed our conclusions and observations with appropriate management officials and included their comments, where appropriate.

Observations

We found records subject to the Privacy Act abandoned on unused floors and in the basement of the Dallas Downtown Station. The records found included Equal Employment Opportunity complaint files, payroll, recruiting, examining, appointment, and injury compensation records. Records were mixed with trash in mail carts, in cardboard boxes, in waste receptacles, and on the floor. In addition, some records were found in plastic tubs in a locked room in the basement. Also, records were stored in unlocked filing cabinets in a room in the basement.

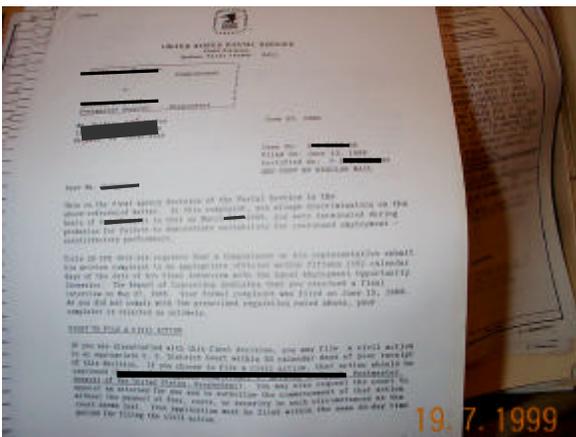
We notified Dallas District officials apprising them of the location and condition of the records. We also expressed our concern that the records should be properly safeguarded or disposed of in accordance with postal policy.

² The dates of the visits were January 26, 2000; February 2, 2000; February 3, 2000; February 8, 2000; February 11, 2000 (2 visits); February 17, 2000; and February 22, 2000.



Photograph 1

Abandoned second floor office area, July 19, 1999 – Equal Employment Opportunity records mixed with trash in mail carts, in cardboard boxes, in waste receptacles, and on office floors.



Photograph 2

Second floor, July 19, 1999

An Equal Employment Opportunity complaint from 1988, which was one of many files found by the OIG. We altered the identifying information to protect the complainant.



Photograph 3

Fifth floor, February 11, 2000

Payroll, candidate recruitment, and testing records found mixed with trash in mail baskets, in cardboard boxes, and on the floor.

Confirmation of Management's Actions

In response to our concerns about the records found at the Dallas Downtown Station, district officials directed managers and custodians to have the records removed for proper storage or destruction. On February 22, 2000, during our final on-site review of the station, we confirmed that all records were properly removed from the facility for storage or destruction. Accordingly, this report contains no recommendations requiring a response.



Photograph 4
February 11, 2000, Fifth floor

District personnel removing payroll and candidate recruitment and testing records for proper storage or destruction. Approximately 7,000 pounds of payroll and recruitment records were removed from the station and destroyed.



Photograph 5
January 26, 2000, Basement storage room

District personnel removing injury compensation records for proper storage or destruction. Approximately 10,000 pounds of injury compensation records were removed from the station and destroyed.

Management's Comments

The vice president, Southeast Area Operations, indicated agreement with the information presented in the report and stated that all Human Resources files previously stored at the Downtown Station were destroyed, removed, and/or properly stored in accordance with record-keeping regulations. In addition, controls are in place to ensure the proper storage, safeguard and destruction of similar records in the future. These processes include maintaining all Human Resources functional records within the physical location of the functional office, i.e., Injury Compensation office and Personnel office, to properly purge, archive and destroy all files in accordance with Postal Service policy. All private records are secured with a double-lock system to eliminate tampering possibilities.

**Evaluation of
Management's
Comments**

Management's comments were responsive to the information presented in this report and the actions discussed address the issues.

We appreciated the cooperation and courtesies provided by your staff during the review. If you have any questions, please contact Joyce Hansen, director Labor-Management at (703) 248-2170 or me (703) 248-2300.

Ronald K. Stith
Assistant Inspector General
for Oversight and Business Evaluations

cc: Mary Ann Gibbons
Clarence E. Lewis, Jr.
Patrick R. Donahoe
Yvonne D. Maguire
John R. Gunnels

APPENDIX. MANAGEMENT'S COMMENTS

GEORGE L. LOPEZ
VICE PRESIDENT, SOUTHWEST AREA OPERATIONS



December 20, 2000

JOYCE HANSEN
DIRECTOR, LABOR-MANAGEMENT
OFFICE OF THE INSPECTOR GENERAL

SUBJECT: Nonpublication of OIG Letter Advisory Report on Abandoned Postal Service Records Found at the Dallas Downtown Station (Report Number LB-LA-01-DRAFT)

I have reviewed the above-referenced Draft Letter Advisory Report ("the Report"). I CONSULTED WITH THE Law Department and we believe that the Report should be withheld from public inspection for the following reasons:

Among the exemptions from mandatory disclosure under the Freedom of Information Act is 5 U.S.C. 552(b)(2), ("Exemption 2"), which exempts records "related solely to the internal personnel rules and practices of an agency." 5 U.S.C. § 552(b)(2). The exemption applies to information concerning routine, internal matters of no interest to the general public. See Department of the Air Force v. Rose, 425 U.S. 352, 369-70 (1976). Exemption 2 has been interpreted by courts to cover information that is of a "predominantly internal" nature, the disclosure of which "significantly risks circumvention of agency regulations or statutes." *Crooker v. ATF* 670 F.2d 1051, 1074 (D.C. Cir., 1981 en banc).

The report at issue relates solely to certain irregular personnel record keeping practices of the Dallas Downtown Station and the method of investigation and correction utilized by the OIG's office regarding those practices. All Human Resources files previously stored at the Downtown Station were destroyed, removed and/or properly stored in accordance with HR record-keeping regulations. Processes have been put into place to ensure the proper storage, safeguard and destruction of similar records in the future. These processes include maintaining all HR functional records within the physical location of the functional office, i.e., EEO office, Injury Compensation office and Personnel office, to properly purge, archive and destroy all files in accordance with the ELM regulations. All private records are secured with a double-lock system to eliminate tampering possibilities. The report itself states that district officials "directed record custodians to remove and properly store active records and to

Joyce Hansen
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dispose of inactive records. Finally, the report "confirms" that "all records were removed from the facility."

We consider the discovery and correction of improperly stored records to be of no interest to the general public. The records involved affected a limited number of individuals, many of whom are no longer with the agency. Furthermore, to release this report could create unnecessary concern, panic and anxiety among the numerous individuals currently employed, formerly employed or who sought employment with the Postal Service at the Dallas Downtown Station, who might worry about the privacy and accuracy of their own records.

Most important, the release of this report could seriously disrupt the numerous EEO cases currently being litigated which are totally unrelated to the records at issue in the report. This disruption could seriously impact the enforcement of EEO law in the Postal Service by delaying the investigation and administration of cases while the issue of proper record retention is investigated in cases where it would not otherwise be an issue.

As you know, we were not aware of the problem prior to the audit; we acted promptly to correct it; and we established safeguards against repetition. Therefore, the report – if released at anytime – would provide a distorted picture of Postal personnel policies and operations.

A handwritten signature in black ink, appearing to read "George L. Lopez", with a large, stylized flourish at the end.

George L. Lopez