

relevant records may be referred to the appropriate federal, state, local, foreign, or tribal, law enforcement authority or other appropriate agency charged with the responsibility of investigating or prosecuting such a violation or enforcing or implementing such law.

(F) In an appropriate proceeding before a court, or administrative or adjudicative body, when the Department of Justice determines that the records are arguably relevant to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator holds the records to be relevant to the proceeding.

(G) Relevant information contained in this system of records may also be released to contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal Government, when necessary to accomplish an agency function related to this system of records.

(H) The Department of Justice may disclose relevant and necessary information to a former employee of the Department for purposes of: Responding to an official inquiry by a federal, state, or local government entity or professional licensing authority, in accordance with applicable Department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

#### **DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Not applicable.

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

##### **STORAGE:**

Records are maintained in file folders which are stored in file cabinets. A subset of the records is maintained on fixed disks or removable disk packs which are stored in file cabinets. All records are stored in secured EOIR office space.

##### **RETRIEVABILITY:**

Manual records are indexed by alien file number. Automated records are retrievable by a variety of identifying data elements including, but not limited to, alien file number, alien name and nationality, and attorney's or representative's name and UserId.

#### **SAFEGUARDS:**

Information maintained in the system is safeguarded in accordance with Department of Justice rules and procedures. Record files are maintained in file cabinets accessible only to EOIR employees. Automated information is stored on either fixed disks or removable disk packs which are stored in cabinets. Only EOIR employees in possession of specific access codes and passwords will be able to generally access automated information. In addition, attorneys or authorized representatives will be able to access information specifically related to their case through the use of a secure UserId and password. All manual and automated records and mediums are located in EOIR office space accessible only to EOIR employees and locked during off-duty hours.

#### **RETENTION AND DISPOSAL:**

Record files are retained for six months after the final disposition of the case, then forwarded to regional Federal Records Centers. Automated records are maintained in EOIR field office data bases for ninety days after final disposition, then transferred to the host computer at EOIR headquarters and retained in accordance with the General Record Schedule filed with the National Archives and Records Administration.

#### **SYSTEM MANAGER(S) AND ADDRESSES:**

General Counsel, Executive Office for Immigration Review, U.S. Department of Justice, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041.

#### **NOTIFICATION PROCEDURE:**

Address all inquiries to the system manager listed above.

#### **RECORD ACCESS PROCEDURES:**

Portions of this system are exempt from disclosure and contest by 5 U.S.C. 522a (k)(1) and (k)(2). Make all request for access to those portions not so exempted by writing to the system manager identified above. Clearly mark the envelope and letter "Privacy Access Requests"; provide the full name and notarized signature, or dated signature under penalty of perjury, 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:**

Direct all requests to contest or amend information maintained to the system manager listed above. Provide the information required under "Record Access Procedure." State clearly and

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

#### **RECORD SOURCE CATEGORIES:**

Department of Justice offices and employees, the Department of Homeland Security, the Department of State, the Department of Health and Human Services, and other federal, state and local agencies; and the parties to immigration proceedings, their attorneys or representatives, and their witnesses.

#### **EXEMPTIONS CLAIMED FOR THE SYSTEM:**

The Attorney General has exempted certain records of this system from the access provisions of the Privacy Act (5 U.S.C. 552a(d)) pursuant to 5 U.S.C. 552a (k)(1) and (k)(2). Rules have promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the **Federal Register** and are codified at 28 CFR 16.83 (a) and (b).

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## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

[TA-W-53,901]

#### **Delaine Worsted Mills, Inc., Gastonia, NC; Dismissal of Application for Reconsideration**

Pursuant to 29 CFR 90.18(c) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at Delaine Worsted Mills, Inc., Gastonia, North Carolina. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-53,901; Delaine Worsted Mills, Inc., Gastonia, North Carolina (April 28, 2004)

Signed in Washington, DC this 3rd day of May 2004.

**Timothy Sullivan,**

*Director, Division of Trade Adjustment Assistance.*

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