



Office of Inspector General | United States Postal Service

Audit Report

Controls Over the Release of Personnel Information

Report Number SAT-AR-19-001 | December 14, 2018



NO



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Highlights

Objective

This report responds to two congressional requests. One request came from Senator Thomas Carper and another was a joint request from Congressmen Elijah E. Cummings and Gerald E. Connolly, Ranking Member and Vice Ranking Member of the Committee on Oversight and Government Reform, respectively. Their requests asked for an investigation into the U.S. Postal Service's release of former U.S. Postal Inspection Service employee Abigail Spanberger's Standard Form 86, *Questionnaire for National Security Positions*, and any other related personnel information. Ms. Spanberger was the Democratic candidate (now Representative-elect) for Virginia's 7th Congressional District.

On July 9, 2018, America Rising Political Action Committee (America Rising) submitted a Freedom of Information Act (FOIA) request to the National Archives and Records Administration (NARA) seeking Ms. Spanberger's employment information. Specifically, America Rising requested dates, annual salaries, titles, and position descriptions contained in Ms. Spanberger's official civilian personnel file.

After receiving the request, NARA sent Ms. Spanberger's complete official personnel file (OPF) to the Postal Service's Human Resources Headquarters (HR-HQ) office for review, per its agreement with the Postal Service. The agreement specifies NARA will retain hard copy OPFs for the Postal Service, while the Postal Service maintains responsibility for deciding what information from those files can be released. NARA's only role in this process was to provide Ms. Spanberger's OPF to the Postal Service.

Upon receiving the America Rising request and OPF from NARA, an HR-HQ administrative assistant forwarded a complete copy of Ms. Spanberger's OPF to America Rising without authorization. The administrative assistant should have forwarded the information to the HR-HQ FOIA coordinator to determine what could be released per FOIA regulations.

Prior to our audit, the Postal Service determined that the same HR-HQ administrative assistant had previously released the OPFs of three other former employees without their authorizations.

Based on the congressional requests, our objective was to evaluate the Postal Service's past and current processes for disseminating employee information in response to FOIA requests and how planned enhancements may prevent future unauthorized disclosures.

What the OIG Found

The Postal Service did not have adequate controls in place to ensure proper release of employee information in response to FOIA requests. As a result, the Postal Service released Ms. Spanberger's OPF and the OPFs of six other former employees without authorization – three OPFs the Postal Service identified itself and three additional OPFs we identified during our audit. According to the Postal Service Law Department's Privacy and Records Management Office, the unauthorized release of the seven OPFs constituted a violation of federal law and Postal Service policy governing the release of personnel information. The release of this information puts these former employees at risk of identity theft and becoming a victim of financial fraud.

This occurred because HR-HQ management did not have written procedures identifying staff responsible for reviewing personnel information requests, determining what could be released under the FOIA and Privacy Act, and sending the response to the requester. HR-HQ management also did not oversee the disposition of requests and a formal, centralized list of requests was not maintained. Finally, HR-HQ staff responsible for handling requests for personnel information did not receive specific instructions for processing personnel information requests or FOIA and Privacy Act training.

The Postal Service has taken initial corrective action, such as changing and documenting procedures for handling personnel information requests, establishing a correspondence log to track personnel information requests and responses, and providing FOIA and privacy training to HR-HQ staff.

While these steps address internal control weaknesses that led to the unauthorized disclosure of OPFs, there are opportunities for Postal Service management to more effectively reduce the risk of future unauthorized releases of personnel information requests. The new procedures, *Postal Service Standard*

Operating Procedures HR-HQ Requests for Personnel Records, were finalized on October 18, 2018, so they are not yet fully operational. Further action is required to operationalize the procedures, including effectively communicating them to and ensuring they are understood by responsible individuals. Additionally, the procedures lack a requirement for management to use the correspondence log to oversee requests and their dispositions. HR-HQ staff responsible for processing requests need to have substantive knowledge on the FOIA and Privacy Act and a working knowledge of how to implement the new procedures.

These enhancements could further reduce the risk of unauthorized releases of personnel information and violations of the Privacy Act from occurring in the future.

What the OIG Recommended

We recommend management:

- Require the Privacy and Records Management Office staff to handle all OPFs when responding to requests for personnel information until the *Postal Service*

Standard Operating Procedures HR-HQ Requests for Personnel Records are fully implemented and Human Resources Headquarters staff are fully trained on the Freedom of Information Act and Privacy Act.

- Establish a process that requires the Director of National Human Resources to conduct a monthly supervisory review of personnel information requests that ensures the requests are properly documented and their dispositions are accurate.
- Develop an annual training plan, which includes Freedom of Information Act and Privacy Act training, and *Postal Service Standard Operating Procedures HR-HQ Requests for Personnel Records* guidance for staff handling requests for personnel records.
- Evaluate the effectiveness of the new procedures three months after they are fully operational, and annually thereafter, to identify and implement any needed changes.

Transmittal Letter

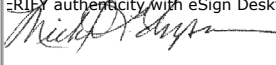


OFFICE OF INSPECTOR GENERAL
UNITED STATES POSTAL SERVICE

December 14, 2018

MEMORANDUM FOR: JEFFREY WILLIAMSON
CHIEF HUMAN RESOURCES OFFICER AND EXECUTIVE
VICE PRESIDENT

THOMAS MARSHALL
GENERAL COUNSEL AND EXECUTIVE VICE PRESIDENT

E-Signed by Michael Thompson
VERIFY authenticity with eSign Desktop


FROM: Michael L. Thompson
Deputy Assistant Inspector General
for Planning and Operations

SUBJECT: Audit Report – Controls Over the Release of Personnel
Information (Report Number SAT-AR-19-001)

This report presents the results of our audit of the Controls Over the Release of Personnel Information (Project Number 18POG004SAT000).

We appreciate the cooperation and courtesies provided by your staff. If you have any questions or need additional information, please contact Lisa Nieman, Director, Strategic Assessment, or me at 703-248-2100.

Attachment

cc: Postmaster General
Corporate Audit Response Management

Results

Introduction/Objective

This report presents the results of our review of controls over the release of personnel information (Project Number 18POG004SAT000). This report responds to two congressional requests. One request came from Senator Thomas Carper and another was a joint request from Congressmen Elijah E. Cummings and Gerald E. Connolly, Ranking Member and Vice Ranking Member of the Committee on Oversight and Government Reform, respectively. Based on the requests made by each office, we examined the U.S. Postal Service's reported release of a former employee's complete, unredacted official personnel file (OPF), including her Standard Form 86 (SF-86), *Questionnaire for National Security Positions*. Our objective was to evaluate the Postal Service's past and current processes for disseminating employee information in response to Freedom of Information Act (FOIA) requests and how planned enhancements may prevent future unauthorized disclosures. See [Appendix A](#) for additional information about this audit.

Background

On August 30, 2018, *The New York Times* reported that the Postal Service improperly released the unredacted OPF of Ms. Abigail Spanberger, the Democratic candidate (now Representative-elect) for Virginia's 7th Congressional District, to the America Rising Political Action Committee (America Rising). Allegations of the unauthorized release prompted the congressional requests for this audit report.

The Release of Ms. Spanberger's OPF

On July 9, 2018, America Rising submitted a FOIA¹ request to the National Archives and Records Administration (NARA) seeking the employment information of former U.S. Postal Inspection Service (USPIS) employee, Abigail Spanberger. Specifically, America Rising requested employment dates, annual salaries, titles, and position descriptions in Ms. Spanberger's official civilian

personnel file. According to America Rising, they made the FOIA request with the intent to "inform the public about the existence and content of any disclosed records, which concern the qualifications of a candidate for Congress."

On July 12, 2018, NARA responded to the America Rising FOIA request by sending a cover letter notifying them that their request was being forwarded to the Postal Service, as Ms. Spanberger's former employing agency. NARA also sent by mail the request, the cover letter sent to America Rising, and Ms. Spanberger's entire OPF to the Postal Service's General Manager of Corporate Personnel Management,² as specified in its agreement with the Postal Service. The agreement specifies NARA will retain hard copy OPFs for the Postal Service, while the Postal Service maintains responsibility for deciding what information from those files can be released. NARA's only role in this process was to provide Ms. Spanberger's OPF to the Postal Service.

The Postal Service, like over 140 other federal agencies, has an agreement with NARA to store the Postal Service's hard copy personnel records. NARA serves as the repository for federal agencies' records, including the personnel and medical files of former employees, while the agencies themselves retain ownership of records administration. According to NARA, some organizations contact it directly with FOIA requests instead of starting with the former employing agency to expedite the process for getting the information to the responsible agency. As custodians of the records, agencies, including the Postal Service, are responsible for making dissemination decisions.

The FOIA allows for specific employee personnel information to be released to the public such as name, past and present positions, titles, salaries, grades, and job locations. According to the Privacy Act,³ agencies can only provide additional personnel information when they have a signed authorization. The Postal Service's authorization form is called a *Privacy Waiver and Authorization for Disclosure to a Third Party* (third-party authorization). This waiver states that the Postal Service will only release the information and records specified

¹ The FOIA, 5 U.S.C. §552, provides the public with the right to request access to records from any federal agency. Federal agencies are required to disclose any information requested under the FOIA unless it falls under one of the nine exemptions, which protect interests such as personal privacy, national security, and law enforcement.

² Human Resources Headquarters (HR-HQ) was previously known as Corporate Personnel Management.

³ The Privacy Act of 1974, 5 U.S.C. §552a.



Disclosure of Employee Personnel Information



The FOIA allows for specific employee personnel information to be released to the public such as name, past and present positions, titles, salaries, grades, and job locations.



According to the Privacy Act, agencies can only provide additional personnel information when they have a signed authorization.

in the authorization. In addition, the Postal Service has its own policy restricting the release of certain employee information. Postal Service policy⁴ specifies that it does not release the salary history of any employee and requires the individual employee's consent to send personnel records beyond what the FOIA allows.⁵ Additional information about the requests the Postal Service receives for personnel information is in [Appendix B](#).

Once the Postal Service received the FOIA request and Ms. Spanberger's OPF, the HR-HQ office was responsible for reviewing and disseminating the appropriate information in response to the request. An administrative assistant in HR-HQ processed the request and forwarded a copy of Ms. Spanberger's complete, unredacted OPF to America Rising. Another political action committee, the Congressional Leadership Fund, obtained and published parts of the SF-86 from her OPF on its website. According to Ms. Spanberger, the Congressional

Leadership Fund distributed her SF-86 to the news media, which made her aware of the unauthorized release of her personnel information.

After learning from the media that the Postal Service, without authorization, had released Ms. Spanberger's complete OPF, the Postal Service requested that America Rising return the OPF. In addition, Postal Service Human Resources management reviewed all requests for personnel information that it had received since the administrative assistant began working at HR-HQ in May 2018, and found that it had released, without authorization, the OPFs of three other employees. The Chief HR Officer requested the return of the released files from those who had received them. America Rising returned Ms. Spanberger's file on September 7, 2018. As of December 12, 2018, the other three employee files had not been returned. The Postal Service's Chief Privacy and Records Management Officer stated that the Postal Service has no legal or other recourse to force the return of the files.

Through a cease and desist letter, Ms. Spanberger separately requested the Congressional Leadership Fund destroy her SF-86 and not share any information contained on the form. At the time of the letter, Ms. Spanberger only knew that the Congressional Leadership Fund had obtained her SF-86 and was not aware that America Rising had her complete OPF. Subsequently, the Congressional Leadership Fund published the cease and desist letter on its website. To help mitigate potential damage to the individuals whose personnel information was released without authorization, the Postal Service offered free identity and credit monitoring to the four former employees, including Ms. Spanberger, and two spouses whose information was released.

Finding #1: Processes Over the Release of Personnel Information Were Inadequate

The Postal Service did not have adequate controls in place when it released Ms. Spanberger's and three other former employees' complete OPFs without authorization. During our audit, we determined the Postal Service released, with limited authorization, the complete OPFs of three other employees between August 2017 and February 2018. The Postal Service released the complete

⁴ Postal Service Handbook AS-353, *Guide to Privacy, the Freedom of Information Act, and Records Management*.

⁵ The FOIA allows agencies to release certain information to the public, such as job title, grade, current salary, duty station, and dates of employment.

OPFs when they only had authorizations for specific medical, union, and employment records. These OPFs included notifications of personnel action and applications for employment, which contain personally identifiable information such as social security numbers and other sensitive information.⁶

The Privacy Act requires agencies to develop processes to ensure safeguards are in place that effectively protect the security and confidentiality of employee records.⁷ In addition, the Postal Service has its own policy restricting the release of certain personnel information without the individual employee's consent. The unauthorized release of the seven complete OPFs occurred because HR-HQ management did not develop documented procedures, have a database to track requests, or provide sufficient training for individuals responsible for processing requests.

Lack of Documented Procedures

At the time of the unauthorized releases of Ms. Spanberger's OPF and the OPFs of six other former employees from August 2017 to July 2018, the Postal Service did not have written procedures for handling personnel information requests. Specifically, HR-HQ did not have written procedures on how to:

- Identify staff responsible for reviewing personnel information requests.
- Determine what could be released under the FOIA and Privacy Act.
- Send the response to the requester.
- Document who was entitled to receive personnel information, the authorizations necessary for release, and how to transmit the information.

HR-HQ management relied on institutional knowledge, rather than written procedures, to prepare staff to handle this responsibility.

The Postal Service's Vice President of Employee Resource Management stated that they followed informal practices for handling personnel information requests.

“The unauthorized release of the seven complete OPFs occurred because HR-HQ management did not develop documented procedures, have a database to track requests, or provide sufficient training for individuals responsible for processing requests.”

Under those practices, one of two individuals made distribution decisions regarding the requests they received. The HR-HQ FOIA coordinator⁸ responded to FOIA requests and the HR-HQ administrative assistant responded to non-FOIA requests. See [Appendix C](#) for a flowchart of the Postal Service's previous practices for reviewing and releasing personnel information requests.

When the administrative assistant received Ms. Spanberger's file, she was not aware of these informal practices. Instead of sending the request to the HR-HQ FOIA coordinator for review and response to determine what could be released per FOIA regulations, she sent the complete OPF she received from NARA directly to the requester because that is what she thought she was supposed to do. This occurred because HR-HQ management did not adequately prepare her to follow practices for handling personnel information when she began her position in May 2018 and written procedures to assist her did not exist. Documented procedures would have provided the administrative assistant with instructions to use in handling requests for personnel information.

Lack of Oversight of Personnel Information Requests

Postal Service management was not aware of the unauthorized release of Ms. Spanberger's OPF until the media brought it to their attention. HR-HQ management did not oversee the disposition of requests and did not require that staff maintain a formal, centralized list of requests. Rather than maintaining

⁶ The Chief Privacy and Records Management Officer reviewed these files and decided to notify the three employees and offer credit monitoring to all of them.

⁷ 5 U.S.C. §552a(e)(10) specifically states “establish appropriate administrative, technical and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained.”

⁸ Postal Service management assigns one FOIA coordinator for each department, district, and area office, who are responsible for reviewing all FOIA requests for their respective offices. Most FOIA coordinators fulfill this responsibility in addition to their regularly assigned job functions.

a database for tracking requests, the HR-HQ administrative assistant kept a handwritten list at her desk of the files that came in. She was not expected to record the information elsewhere.

After learning of the unauthorized release of Ms. Spanberger's OPF, HR-HQ management worked with the administrative assistant to create a list of files that she had released. Using this list, the Postal Service determined the administrative assistant improperly released the complete OPFs of Ms. Spanberger and three other former employees to third parties without authorization.

The OIG reviewed files maintained by the administrative assistant and her predecessor for personnel information requests they had processed since May 2017. We determined that the administrative assistant's predecessor released the complete OPFs for three additional former employees, even though the authorizations accompanying the requests were limited to the release of specific information, such as medical and employment records.

If management had a database in place that would allow it to track and review the disposition of incoming personnel information requests, HR-HQ staff may have detected the unauthorized disclosures sooner and possibly prevented the unauthorized release of other employees' OPFs, including Ms. Spanberger's.

Lack of Training for HR-HQ Staff Handling Personnel Information Requests

HR-HQ management did not properly train its administrative assistant on how to disseminate personnel information when they placed her in the position in May 2018. At the time of the release of Ms. Spanberger's OPF, the administrative assistant had been in her role for less than three months and received no training on the FOIA and Privacy Act, despite her role in responding to requests.

While the administrative assistant said she received on-the-job training from her predecessor for about two weeks regarding general job duties, she did not receive specific instructions for processing personnel information requests. The administrative assistant said the only guidance she received about what to do with OPFs that came into the office from NARA was to remove the staples and paperclips, copy the file, draft a response letter, and send the file and response

letter to the requester. Although the administrative assistant said she recalled seeing authorizations in some OPFs from NARA, no one told her that she was responsible for checking the requests for authorization or forwarding the request to the FOIA coordinator before distributing the file to the requester.

HR-HQ management had not arranged for the administrative assistant to receive formal training to ensure she understood federal laws and Postal Service policies governing the release of personnel information. In contrast, the staff in the Privacy and Records Management Office completed in-depth training on the FOIA and Privacy Act, including training from the Department of Justice and private companies. Without proper training on the FOIA and the Privacy Act, the administrative assistant did not understand how to review personnel information requests, identify what information could be released, provide the proper response, and determine which requests to send to the HR-HQ FOIA coordinator for review and response.

According to the Privacy and Records Management Office, the release of Ms. Spanberger's and six other former employees' OPFs to third parties without authorization constituted a violation of federal law and Postal Service policy. These laws and policies are specifically intended to protect employees against the release of personal information to prevent unwarranted invasions of privacy, which can lead to identify theft and becoming a victim of financial fraud.

Initial Corrective Action to Prevent Unauthorized Disclosures

After learning of the unauthorized release of four files, Postal Service management took initial corrective action to prevent this from happening again. The steps included changing and documenting procedures for handling personnel information requests, establishing a correspondence log to track personnel information requests and responses, and providing FOIA and privacy training to HR-HQ staff.

On October 18, 2018, Postal Service management finalized documented procedures, *Postal Service Standard Operating Procedures HR-HQ Requests for Personnel Records*, for handling requests for personnel information, which are designed to reduce reliance on institutional knowledge and prevent unauthorized disclosure. [Appendix D](#) describes the Postal Service's new procedures for



The steps included changing and documenting procedures for handling personnel information requests, establishing a correspondence log to track personnel information requests and responses, and providing FOIA and privacy training to HR-HQ staff.

reviewing and releasing third-party personnel information requests and includes a flowchart of the process. The new procedures change who is responsible for reviewing and responding to requests for personnel information and provides step-by-step procedures for handling incoming requests.

“After learning of the unauthorized release of four files, Postal Service management took initial corrective action to prevent this from happening again.”

The new procedures require HR-HQ management to establish a correspondence log on a shared drive,⁹ in which HR-HQ staff are required to record all incoming requests and their dispositions. The procedures require HR-HQ staff to document information such as the dates the request was received and closed, the records that were disclosed and to whom and when, and the reason for the disclosure.

Since the unauthorized release of personnel information and records, the Privacy and Records Management Office trained HR-HQ staff on the FOIA and Privacy Act. During our audit, the HR-HQ Manager agreed to provide the HR generalist and the HR-HQ FOIA coordinator with the same annual training as the Privacy and Records Management staff. HR-HQ management said both staff members are enrolled in a December 2018 course offered by the Department of Justice.

⁹ The shared drive is backed up nightly.

While these steps address internal control weaknesses that led to the unauthorized disclosure of OPFs, there are opportunities for Postal Service management to more effectively reduce the risk of future unauthorized releases of personnel information requests.

Opportunities to Enhance Process for Responding to Personnel Information Requests

While the new procedures are now documented, they are not yet fully operational because management has not taken steps necessary to fully implement them. Further action is required to operationalize the procedures, including effectively communicating them to and ensuring they are understood by responsible individuals. To prevent unauthorized disclosure of personnel information in the future, all individuals within the process must have sufficient guidance to understand their roles and responsibilities. Additionally, management should develop detailed guidance as a supplement to the procedures. HR-HQ staff would benefit from specific instructions on how to carry out the procedures, such as points of contact, resources necessary to fulfill the requests, and where to find information.

Although the new procedures require HR-HQ management to establish a correspondence log to track requests and their dispositions, the procedures do not require management to review this log to determine if staff are processing requests correctly. Additionally, the log does not require information that would assist in oversight of the decision to release personnel information such as the personnel information requested, the justification for the release, and a list of documents supporting the information release. Without adequate management oversight, there is a risk that unauthorized personnel information may be released and possible violations of the Privacy Act could occur in the future. Additionally, oversight of the disposition of requests could reveal the need for additional training and process improvement.

“HR-HQ staff responsible for processing requests for personnel information could benefit from a training plan that ensures they maintain a substantive knowledge of the procedures and relevant laws and regulations.”

HR-HQ staff responsible for processing requests for personnel information could benefit from a training plan that ensures they maintain a substantive knowledge of the procedures and relevant laws and regulations. The training plans could include guidance on how to implement the *Standard Operating Procedures HR-HQ Requests for Personnel Records* for staff handling requests for personnel records. The HR-HQ generalist and FOIA coordinator have not taken the same annual Department of Justice training as staff in the Privacy and Records Management Office; they are scheduled to attend in December 2018.

Until the *Standard Operating Procedures HR-HQ Requests for Personnel Records* are fully operational and staff have completed Department of Justice training about the relevant laws and regulations, there is still a risk that the Postal Service could release personnel information without authorization. Therefore, HR-HQ staff should not handle any OPFs when processing personnel information requests under the new procedures until the procedures are fully operational and HR-HQ staff have taken the annual Department of Justice training.

In this audit, we did not evaluate the adequacy of the corrective actions because they were not fully implemented. The Postal Service would benefit from monitoring the effectiveness of the new procedures once they are fully operational to identify any potential gaps, resource challenges, or areas where additional levels of control are needed.

Recommendation #1

We recommend the **General Counsel and Executive Vice President** require the Privacy and Records Management Office staff to handle all official personnel files when responding to requests for personnel information until the *Standard Operating Procedures HR-HQ Requests for Personnel Records* are fully implemented and Human Resources Headquarters staff are fully trained on the Freedom of Information Act and Privacy Act.

Recommendation #2

We recommend the **Chief Human Resources Officer and Executive Vice President** and the **General Counsel and Executive Vice President** establish a process that requires the Director of National Human Resources to conduct a monthly supervisory review of personnel information requests that ensures the requests are properly documented and their dispositions are accurate.

Recommendation #3

We recommend the **Chief Human Resources Officer and Executive Vice President** develop an annual training plan, which includes Freedom of Information Act and Privacy Act training, and Postal Service *Standard Operating Procedures HR-HQ Requests for Personnel Records* guidance for staff handling requests for personnel records.

Recommendation #4

We recommend the **Chief Human Resources Officer and Executive Vice President** and the **General Counsel and Executive Vice President** evaluate the effectiveness of the new procedures three months after they are fully operational, and annually thereafter, to identify and implement any needed changes.

Management's Comments

Management agreed with the finding and all recommendations in the report and stated they have partially implemented recommendations 1 through 3.

Regarding recommendation 1, management stated they agreed with minor caveats. Specifically, the Privacy and Records Management office will review all requests from federal government agencies to ensure such requests fall within the Postal Service's standard routine use – permitting disclosure of the information under the Privacy Act. Once a determination is made that the request falls within a standard routine use, the request will be provided to Human Resources for response. If a request does not fall within a standard routine use, the Privacy and Records Management Office will handle the review and response to any request for an official personnel file until the new procedures are fully implemented and HR-HQ staff are fully trained on FOIA and the Privacy Act. Management estimates the procedures will be fully implemented, with staff fully trained, by December 16, 2018.

Regarding recommendation 2, the Chief Human Resources Officer directed the Director of National Human Resources to conduct biweekly reviews of personnel information requests to ensure compliance with procedures and that dispositions of requests are accurate. In addition, a peer executive will audit the process on a quarterly basis. Management estimates the recommendation will be fully implemented by January 18, 2019.

Regarding recommendation 3, the Chief Human Resources Officer and Executive Vice President and his designees will partner and consult with the Law Department to develop an annual training plan for staff handling requests for personnel information. The plan will include training related to the FOIA, Privacy Act, and *Standard Operating Procedures for HQ-HR Requests for Personnel Records*. Management estimates the plan to be completed by February 15, 2019.

Regarding recommendation 4, management stated they will evaluate the effectiveness of the new procedures three months after they are fully operational and annually thereafter, and will implement any needed changes. Management estimates the recommendation to be implemented by March 18, 2019.

See [Appendix E](#) for management's comments in their entirety.

Evaluation of Management's Comments

The OIG considers management's comments responsive to all recommendations in the report and the proposed corrective actions should resolve the issues identified in the report. All recommendations require OIG concurrence before closure. The OIG requests written confirmation when corrective actions are completed. All recommendations should not be closed in the Postal Service's follow-up tracking system until the OIG provides written confirmation that the recommendations can be closed.

Appendices

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Appendix A: Additional Information

Scope and Methodology

This report responds to two congressional requests. The first request was from Senator Thomas Carper and the second was a joint request from Congressmen Elijah E. Cummings and Gerald E. Connolly, Ranking Member and Vice Ranking Member of the Committee on Oversight and Government Reform, respectively. Based on those requests, we examined the Postal Service's reported release of a former employee's complete, unredacted OPF, including her SF-86. The request from each office asked the U.S. Postal Service Office of Inspector General to answer questions related to the Postal Service's past and current personnel information dissemination practices because of the unauthorized release of the OPF of a former USPS employee, who was also a congressional candidate. We provided responses to the questions in a separate communication to each office.

The scope of this audit is all requests for personnel information related to current and former Postal Service employees, including FOIA requests, third-party requests with authorization, first-party requests, and employment verification requests. Although we obtained an understanding of the process for administering other types of FOIA requests, we did not evaluate those processes.

To accomplish our objective, we:

- Determined the circumstances of the disclosure of Ms. Spanberger's OPF.
- Reviewed laws, regulations, and policies governing the Postal Service related to the dissemination of personnel information, including:
 - The FOIA
 - The Privacy Act of 1974

- The Hatch Act
- The Intelligence Identities Protection Act of 1982
- Postal Service Handbook AS-353
- Interviewed Postal Service managers within HR-HQ, the Law Department's Privacy and Records Management Office, and the USPSIS Law Department.
- Reviewed former procedures to determine any deficiencies that caused the unauthorized release of Ms. Spanberger's OPF.
- Reviewed newly documented procedures to determine if adequate controls are in place to prevent future unauthorized disclosures.

We conducted this performance audit from September through December 2018, in accordance with generally accepted government auditing standards and included such tests of internal controls as we considered necessary under the circumstances. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective. We discussed our observations and conclusions with management on November 20, 2018, and included their comments where appropriate. We did not assess the reliability of any computer-generated data for the purposes of this report.

Prior Audit Coverage

The OIG did not identify any prior audits or reviews related to the objective of this audit issued within the last five years.

Appendix B: FOIA and Non-FOIA Personnel Requests

The Postal Service receives requests for employee personnel information from multiple sources. These sources include, but are not limited to, other federal agencies, former employees, the news media, and other third parties. Agencies use the FOIA and Privacy Act to determine, in each case, what information to provide in its response. Agencies base the decision on what is requested, who is requesting it, and whether there is an authorization for the information's release. Information requests generally fall into one of four categories:

- **Information requested by the individual.** Former employees can request their own personnel information at any time. These requests are known as first-party requests.
- **Information related to employment.** Federal agencies can request the files of former employees who are moving from one agency to another. Agencies are entitled to share complete OPFs of federal employees with each other. Other, non-federal, entities can request employment verification, such as position titles and dates, but they are not entitled to receive an employee's OPF without authorization.
- **Information requested from third parties with authorization.** A third party can request personnel information beyond data releasable under the FOIA with a completed third-party authorization. In this instance, the agency can release any information authorized for release, including the complete OPF. These requests are known as third-party requests with an authorization.
- **Information requested from third parties without authorization.** Third-party requests without authorization are considered FOIA requests. Under the FOIA, agencies can release to the public certain employee information upon request without an authorization. This information includes employees' names and their past and present positions, titles, salaries, grades, and job locations.

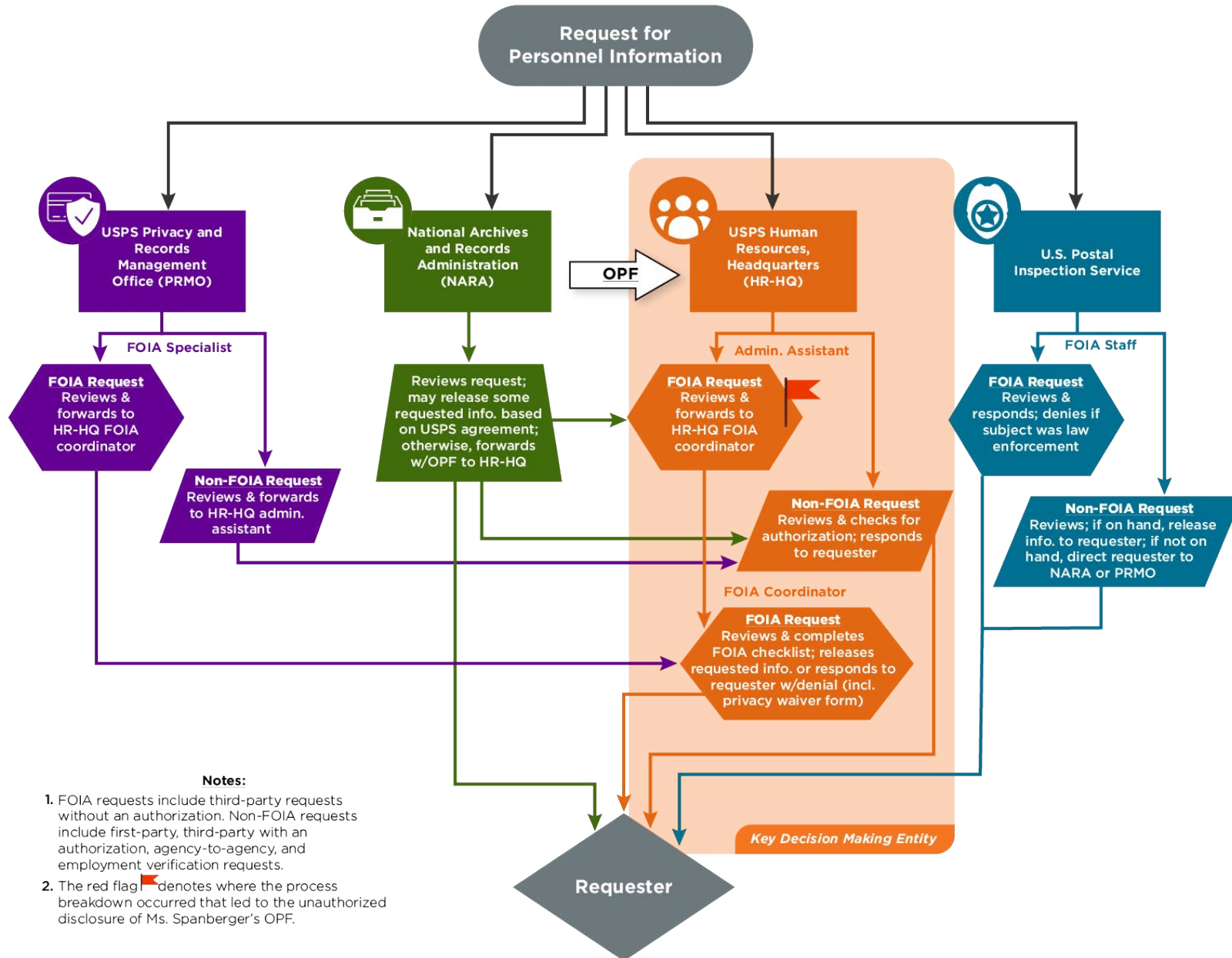
In the first nine months of calendar year 2018, the Postal Service responded to over 1,900 FOIA requests and six were for personnel information, less than one percent. Non-personnel information requests are for information such as Postal Service policies and manuals, calendar entries for Postal Service officials, and copies of assessments and reviews conducted by the Postal Service. The Postal Service's practice for responding to FOIA requests is to route them through the Law Department's Privacy and Records Management Office, which is responsible for forwarding requests to the appropriate FOIA coordinator for review and response. The Postal Service has one FOIA coordinator for each district and area office in the field¹⁰ and 21 FOIA coordinators at headquarters who are responsible for reviewing all FOIA requests. FOIA coordinators often serve dual roles at the Postal Service in addition to their full-time positions, such as public relations manager, project management specialist, and facilities program analyst.

According to the Postal Service's Chief Privacy and Records Management Officer, the decentralized approach is meant to ensure the department most familiar with the requested records provides the response as well as the additional resources needed to handle the large number of FOIA requests that come in every year. The Privacy and Records Management Office provides each FOIA coordinator with FOIA and Privacy Act resources¹¹ and invites them to attend information sessions about the FOIA and Privacy Act. In fiscal year (FY) 2018, the Privacy and Records Management Office conducted five information sessions and plans to offer 12 sessions in FY 2019. The FOIA coordinators use these resources, as well as guidance from the Privacy and Records Management Office, to review FOIA requests and determine what information is releasable.

¹⁰ There are seven Postal Service areas and 67 Postal Service districts nationwide.

¹¹ These resources include the Postal Service's privacy regulations (39 C.F.R. §266), the Postal Service's FOIA regulations (39 C.F.R. §265), Handbook AS-353, and internal Postal Service websites.

Appendix C: Former Process for Personnel Information Requests



Appendix D: New Process for Personnel Information Requests

Under the new procedures, HR-HQ and NARA staff will send nongovernmental third-party requests for personnel information that is not publicly releasable to the Privacy and Records Management Office, rather than HR-HQ responding directly to the request. According to the Chief Privacy and Records Management Officer, this will allow the FOIA specialists to review requests and provide instruction to HR-HQ staff on the proper release of personnel information.

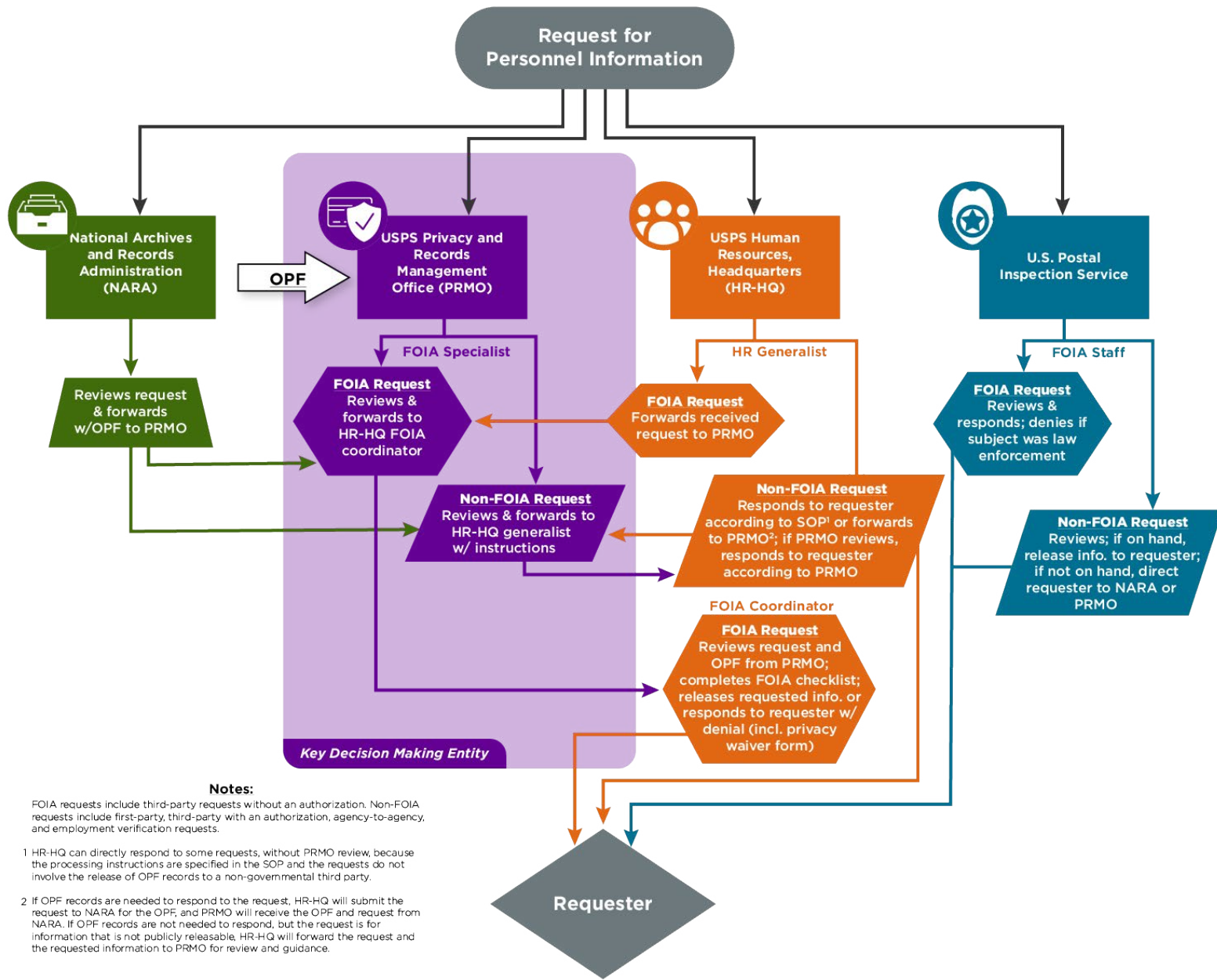
The Privacy and Records Management Office FOIA specialists will sort requests into two categories:

- **Requests that do not require FOIA review** - Requests for documents containing personnel information by prospective employers, third parties with an authorization, or subjects of the requested records.
- **Requests that require FOIA review** - Requests for information by third parties without an authorization.

The Privacy and Records Management Office would forward the requests that do not require FOIA review to a designated HR generalist, along with specific instructions on what to release and to whom. For requests that require FOIA review, the Privacy and Records Management Office would send requests, along with an instruction sheet detailing the FOIA process, to the HR-HQ FOIA coordinator for review and final determination about what records can be released.

The Chief Privacy and Records Management Officer stated that it is important to involve HR-HQ personnel in this process because of their experience with HR data and documents. Under the new procedures, HR-HQ staff will send the response to the requester after the FOIA specialist's review. Additionally, the HR-HQ staff will independently respond to some requests, such as those from federal agencies or those for publicly available employment data. For publicly available employment data,¹² which is specifically described in the new procedures, the HR-HQ staff will distribute information without review from a FOIA expert.

¹² This includes name, job title, grade, current salary, duty station, and dates of employment.



Notes:

FOIA requests include third-party requests without an authorization. Non-FOIA requests include first-party, third-party with an authorization, agency-to-agency, and employment verification requests.

1 HR-HQ can directly respond to some requests, without PRMO review, because the processing instructions are specified in the SOP and the requests do not involve the release of OPF records to a non-governmental third party.

2 If OPF records are needed to respond to the request, HR-HQ will submit the request to NARA for the OPF, and PRMO will receive the OPF and request from NARA. If OPF records are not needed to respond, but the request is for information that is not publicly releasable, HR-HQ will forward the request and the requested information to PRMO for review and guidance.

Appendix E: Management's Comments



December 6, 2018

LAZERICK POLAND
ACTING DIRECTOR, AUDIT OPERATIONS

SUBJECT: Response to Draft Audit Report – Controls Over the Release of
Personnel Information (Report Number SAT-AR-19-DRAFT)

Thank you for the opportunity to review and comment on the subject of the above-referenced draft audit report and to allow us the opportunity to address the findings and recommendations contained therein. We appreciate your thorough review of this matter, as well as the thoughtful dialogue between our teams concerning the remedial measures that we put in place in an effort to ensure that this situation is not repeated. We also appreciate your acknowledgment that the personnel records involved in this matter were mistakenly released due to human error, and not due to any malfeasance or political animus on the part of any Postal Service employee.

We likewise accept your conclusion that the Postal Service did not have adequate controls in place within the Human Resources Department at Headquarters to ensure the proper release of employee information in response to FOIA requests. We sincerely regret and take full responsibility for this unfortunate error, and we have taken immediate steps in an effort to prevent this from happening again. As your report recognizes, the Postal Service immediately addressed the issue by providing clear instructions and guidance to our employees tasked with the responsibility for handling these requests, and we followed up with additional training. The Postal Service changed our process for handling requests for OPF information to provide further protection against inadvertent releases, and to ensure that such requests are properly handled. We also took the appropriate steps consistent with the Privacy Act to notify the impacted individuals and to provide protection to the people whose private information was disclosed.

Finally, we appreciate the OIG's efforts to review and comment on the remedial measures that we put in place to rectify the inadequacies identified in the Postal Service's controls over the release of personnel records within the Human Resources Department. We remain fully committed to maintaining and enforcing the established controls over personnel records. Accordingly, the Postal Service responds to the OIG's recommendations as follows:

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Recommendation #1:

We recommend the General Counsel and Executive Vice President require the Privacy and Records Management Office staff to handle all official personnel files when responding to requests for personnel information until the Standing Operating Procedures HR-HQ Requests for Personnel Records are fully implemented and Human Resources Headquarters staff are fully trained on the Freedom of Information Act and Privacy Act.

Management's Response:

We agree with this recommendation, with some relatively minor caveats, and it has already been partially implemented. By way of further explanation, it should be noted that the Standard Operating Procedures for HQ-HR Requests for Personnel Records cover several types of requests for personnel records including requests from other Federal government agencies and requests for information considered to be public information. The Privacy and Records Management Office will review all requests from Federal government agencies to ensure that such requests fall within the Postal Service's standard routine use – permitting disclosure of the information under the Privacy Act. Once a determination is made that the Federal government agency request falls within a standard routine use, the request will be provided to Human Resources for response. If a request does not fall within a standard routine use, the Privacy and Records Management Office will handle the review and response to any request for an official personnel file, until the Standing Operating Procedures HR-HQ Requests for Personnel Records are fully implemented and Human Resources Headquarters staff are fully trained on the Freedom of Information Act and Privacy Act. This will ensure efficient processing so that other Federal government agencies have the information they need to make benefits and other decisions with regard to current and former Postal Service employees, while also ensuring that confidential personnel information protected by the Privacy Act is adequately safeguarded.

Target Implementation Date: December 16, 2018
Responsible Management Official: General Counsel.

Recommendation #2:

We recommend the Chief Human Resources Officer and Executive Vice President and the General Counsel and Executive Vice President establish a process that requires the Director of National Human Resources to conduct a monthly supervisory review of personnel information requests that ensures the requests are properly documented and their dispositions are accurate.

Management's Response:

We agree with this recommendation, and it has already been partially implemented. The Chief Human Resources Officer, after consultation with the General Counsel,

has directed the Director of National Human Resources to conduct biweekly reviews of personnel information requests to ensure compliance with SOP and that dispositions and record keeping are accurate. Additionally, the Director of National Human Resources will ensure a peer executive audits the process on a quarterly basis.

Target Implementation Date: January 18, 2019
Responsible Management Official: Chief Human Resources Officer and Executive Vice President.

Recommendation #3:

We recommend the Chief Human Resources Officer and Executive Vice President develop an annual training plan, which includes Freedom of Information Act and Privacy Act training, and Postal Service Standing Operating Procedures HR-HQ Requests for Personnel Records guidance for staff handling requests for personnel records.

Management's Response:

We agree with this recommendation, and it has already been partially implemented. The Chief Human Resources Officer and Executive Vice President and his designees, in partnership and consultation with the Law Department, will develop an annual training plan, which includes the Privacy Act, the Freedom of Information Act, and Standard Operating Procedures for HQ-HR Requests for Personnel Records guidance for staff handling requests for personnel records.

Target Implementation Date: February 15, 2019
Responsible Management Official: Chief Human Resources Officer and Executive Vice President, in partnership and consultation with the General Counsel.

Recommendation #4:

We recommend the Chief Human Resources Officer and Executive Vice President and the General Counsel and Executive Vice President evaluate the effectiveness of the new procedures three months after they are fully operational, and annually thereafter, to identify and implement any needed changes.

Management's Response:

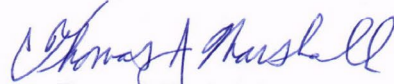
We agree with this recommendation. The Chief Human Resources Officer and Executive Vice President and the General Counsel and their designees will evaluate the effectiveness of the new procedures three months after they are fully operational and annually thereafter to implement any needed changes.

Target Implementation Date: March 18, 2019

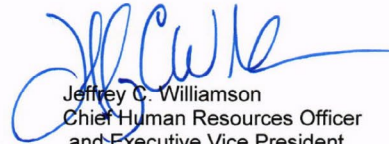
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Responsible Management Official: Chief Human Resources Officer and Executive Vice President and the General Counsel.

Thank you for your work in connection with this matter. Please let us know if you have any questions or concerns, or if we can be of further assistance.



Thomas J. Marshall
General Counsel
and Executive Vice President



Jeffrey C. Williamson
Chief Human Resources Officer
and Executive Vice President

cc: Corporate Audit Response Management
Ms. Bonanno



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