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Description of document: **National Labor Relations Board (NLRB) Office of Inspector General (OIG) investigations closed since October 1, 2008 – January 21, 2010**

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National Labor Relations Board  
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**United States Government**  
**NATIONAL LABOR RELATIONS BOARD**  
**OFFICE OF INSPECTOR GENERAL**  
Washington, DC 20570-0001

January 21, 2010

RE: FOIA OIG-2010-001

This letter is in response to your request for information dated December 27, 2008. Your request was reviewed and processed in accordance with the Freedom of Information Act (FOIA).

As you requested, I am providing "a printout from [the] database of all OIG investigations closed since October 1, 2008." You also request "segregable releasable portions," and you agreed to pay reasonable fees up to \$25.00.

I have provided a printout of a query of the Office of Inspector General investigative data with the fields that are releasable. The fields that have not been provided are those that provide identifying information regarding the individuals involved in the investigation. That is not being provided pursuant to Exemptions 6, 7(C), and 7(D) of the FOIA, 5 U.S.C. §§ 552 (b) (6), (7)(C), and 7(D). In the processing of investigations, the Office of Inspector General obtains much information from individuals who would be reluctant or who would refuse to supply such information if it were routinely disclosed pursuant to a request under the FOIA. In carrying out my responsibilities as the Inspector General, I must be able to obtain all potentially relevant information. The protection of the identities of individuals and the substance of the information they provide is an important means of assuring my continuing ability to obtain such relevant information. Compelled disclosure of the information would substantially deter voluntary cooperation, hinder obtaining information from all potential sources and, consequently, substantially interfere with present and future enforcement proceedings. See, e.g., NLRB v. Robbins Tire and Rubber Co., 437 U.S. 214 (1978); Wellman Industries, Inc., v. NLRB, 490 F. 2d 427 (4th Cir.), cert. denied 419 U.S. 834. Additionally, release of information about individuals referred to in such fields would constitute a clearly unwarranted invasion of their personal privacy, and you have made no showing of public interest in the disclosure of such information that would outweigh those privacy interests. See, e.g., Department of Justice v. Reporters Committee, 489 U.S. 749 (1989); Department of the Air Force v. Rose, 425 U.S. 352 (1976).

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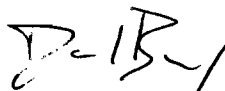
I have also excluded information from fields that contain attorney work that would not be available to a party in litigation pursuant to Exemption 5 of the FOIA, 5 U.S.C. § 552 (b) (5). Additionally, I did not include in the query for your request fields in the database that are no longer or were never used.

In addition to the list that you requested, I have also provided copies of the Semiannual Reports to Congress that contain investigative summaries for the relevant period of time. These summaries also list cases that have been closed and reference the case number.

No fees are being charged for the processing of your request.

As the Inspector General, I am responsible for the above determinations. You may obtain a review thereof under the provisions of § 102.117(c)(2)(ii) of the Board's Rules by filing an appeal with the Chairman, National Labor Relations Board, Washington, DC 20570, within 20 days (excluding Saturdays, Sundays and legal holidays) from the receipt of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Berry".

David Berry  
Inspector General

Enclosures (3)

ID	Project Number	Date Opened	Date Filed with OIG	Date of Referral Expr1005	Referred to for Investigation	Assigned To
OIG-I-410		8/14/2007	8/6/2007	8/16/2007	Office of Special Counsel	Berry
OIG-I-412		9/6/2007	9/6/2007			Berry
OIG-I-417		12/4/2007	12/4/2007			Berry
OIG-I-419		1/30/2008	1/30/2008			Berry
OIG-I-420		2/8/2008	2/8/2008			Berry
OIG-I-425		7/17/2008	7/17/2008			Berry
OIG-I-429		11/26/2008	10/31/2008			Berry/Kovachich
OIG-I-430		11/26/2008	10/31/2008			Berry/Kovachich

Allegation	Date Closed	Restitution/Fines	Criminal Conviction	Referred to DOJ Civil
Prohibited Per Prac	11/26/2008	\$0.00	<input type="checkbox"/>	<input type="checkbox"/>
Fraud	8/6/2009	\$0.00	<input type="checkbox"/>	<input type="checkbox"/>
Assault	8/5/2009	\$0.00	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Procurement	1/23/2009	\$0.00	<input type="checkbox"/>	<input type="checkbox"/>
Computer Misuse	3/6/2009	\$0.00	<input type="checkbox"/>	<input type="checkbox"/>
Transit Fraud	1/23/2009	\$0.00	<input type="checkbox"/>	<input type="checkbox"/>
Travel Card Misuse	8/5/2009	\$0.00	<input type="checkbox"/>	<input type="checkbox"/>
Trave Card Misuse	8/7/2009	\$0.00	<input type="checkbox"/>	<input type="checkbox"/>

Date Referred to DOJ	Referred to DOJ Criminal	Date of Personnel Action	Adverse Personnel Action	Investigative Recovery
	<input type="checkbox"/>		<input type="checkbox"/>	
9/19/2007	<input checked="" type="checkbox"/>	7/4/2008	<input checked="" type="checkbox"/>	
12/13/2007	<input checked="" type="checkbox"/>		<input type="checkbox"/>	
1/31/2008	<input checked="" type="checkbox"/>	7/15/2008	<input checked="" type="checkbox"/>	
7/7/2008	<input checked="" type="checkbox"/>	2/28/2009	<input checked="" type="checkbox"/>	
7/18/2008	<input checked="" type="checkbox"/>	10/27/2008	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	7/10/2009	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	7/17/2009	<input checked="" type="checkbox"/>	

Date of OIG Report	18 USC 209	Statute(s)	Referred for Personnel Action	Referred to
	<input type="checkbox"/>		<input type="checkbox"/>	
1/24/2008	<input type="checkbox"/>	18 USC 641, 1001	<input checked="" type="checkbox"/>	Operations Management
	<input type="checkbox"/>	18 USC 115 and 1505	<input type="checkbox"/>	
8/25/2005	<input type="checkbox"/>	31 USC 1342	<input type="checkbox"/>	OCIO
11/21/2008	<input type="checkbox"/>	18 USC 641, 654, 1361	<input checked="" type="checkbox"/>	Operations Management
8/28/2008	<input type="checkbox"/>	18 USC 641, 1001	<input checked="" type="checkbox"/>	Operations Management
3/10/2009	<input type="checkbox"/>		<input checked="" type="checkbox"/>	Operations Management
2/25/2009	<input type="checkbox"/>		<input checked="" type="checkbox"/>	Operations-Management

Type of Personnel Action	Source Type	Records Retention	Witness Confidentiality	Joint Investigation
	Hot Line	10/1/2034	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Resignations in lieu of removal	Agency Management	10/01/2019	<input type="checkbox"/>	<input type="checkbox"/>
	Agency Management	10/01/2019	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Removed from position		10/01/2034	<input type="checkbox"/>	<input type="checkbox"/>
Retired while removal pending	Agency Management	10/01/2019	<input type="checkbox"/>	<input type="checkbox"/>
Suspension	Agency Management	10/01/2019	<input type="checkbox"/>	<input type="checkbox"/>
Suspension	Agency Management	10/01/2019	<input type="checkbox"/>	<input type="checkbox"/>
Suspension	Agency Management	10/01/2019	<input type="checkbox"/>	<input type="checkbox"/>



Type of Violation	Case Closed	Source Notified	Disposition
Administrative	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2
Criminal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
Criminal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
Criminal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
Criminal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
Criminal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
Administrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
Administrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

- 2 is Retain at NARA - after 25 years  
 1 is Destroyed after 10 years