



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240



DEC 01 2007

Memorandum

To: Assistant Secretaries
Heads of Bureaus and Offices

From: Michael J. Howell
Chief Information Officer

Subject: Release of Fiscal Year 2008 Records Management and Orientation to the Privacy Act Computer-Based Training

Purpose:

The purpose of this memorandum is to announce the release of the 2008 computer-based training (CBT) modules on "Record Management" and "Orientation to the Privacy Act."

Background:

The Federal Records Act and the Privacy Act of 1974 requires that all Government employees and contractors complete annual awareness training concerning Records Management and Privacy Act requirements (Attachment 1).

The Office of the Chief Information Officer (OCIO) recently released the 2008 computer-based training (CBT) modules on Records Management and Orientation to the Privacy Act. The OCIO developed these standard Department-wide courses which are available through DOI LEARN, the Department's enterprise-wide learning management system.

Both the Secretary (June 20, 2006 Memorandum to all employees) and Deputy Secretary (May 6, 2006 Memorandum) have expressed the importance of properly managing the information of individuals (Personally Identifiable Information, or PII) and bureau/office records management practices that meet Government requirements (Attachment 2). Completion of these training modules is significantly important and necessary to meet the Secretary's goals and educate Federal employees how to properly handle Federal records. Through its training initiatives, DOI will not only meet statutory Records and Privacy Act requirements, but the Department will assume a "best practice" and leadership role in this arena.

Due Dates:

Given the importance of this training, it is essential that all training be completed by the end of this fiscal year; and we are requesting that your bureau/office comply with this requirement as soon as possible prior to that time. Completion of both CBTs should take approximately one hour. The training is provided online via the DOI Learn Training System for those with Internet access. Those without Internet have been provided the training for access via their Intranets and CDs.

Contacts:

If you have any questions concerning this directive, please contact Sid Sharma at (202) 219-0963. Staff may also contact their Bureau DOI Learn Managers (Attachment 3). Technical issues related to DOI Learn or either course can be directed to the DOI Learn help desk via email at doilearn@golearning.com or by phone at (866) 466-1998.

Attachment 1 – Training Requirements for Records Management and Privacy Act

Attachment 2 - Secretary and Deputy Secretary Memorandums

Attachment 3 - BUREAU/OFFICE DOI LEARN MANAGERS

cc: Departmental Chief Information Officers
Departmental Records Managers
Departmental Privacy Officers
Departmental Contracting Officers

Training Requirements for Records Management and Privacy Act

The Federal Records Act and Code of Federal Regulations (CFR) requires that agencies “ensure that adequate training is provided to all agency personnel on policies, responsibilities, and techniques for the implementation of recordkeeping requirements and the distinction between records and non-record materials, regardless of media, including those materials created by individuals using computers to send or receive electronic mail” (36 CFR 1222); and “Remind all employees annually of the agency's recordkeeping policies and of the sanctions provided for the unlawful removal or destruction of Federal records” (36 CFR 1222, 18 U.S.C. 2071).

The Privacy Act of 1974 requires that agencies “establish rules of conduct for persons involved in the design, development, operation, or maintenance of any Privacy Act system of records, or maintaining any record, and instruct each such person with respect to such rules and the requirements of this section, including any other rules and procedures adopted pursuant to this section and the penalties for noncompliance” [5 U.S.C. 552a (e) (9)].

According to Departmental Privacy Act regulations, “bureaus responsible for a [Privacy Act] system of records shall be responsible for assuring that employees with access to the system are made aware of the requirements of this section and of 5 U.S.C. 552a(i)(1). . . .” [43 CFR 2.52 (d)].

Contractors managing a Privacy Act system of records are also required to comply with Privacy Act requirements. Section 5 U.S.C. 552a(m) of the Privacy Act states that when an agency provides by a contract for the operation by or on behalf of the agency of a system of records to accomplish an agency function, the agency shall, consistent with its authority, cause the requirements of this section to be applied to such system. For purposes of subsection (i) of this section, any such contractor and any employee of such contractor, if such contract is agreed to on or after the effective date of this section, shall be considered to be an employee of an agency.

Federal Acquisition Regulations (FAR) (FAR 24.103.3) require that contracting officers, among other things, make available, in accordance with agency procedures, agency rules and regulation implementing the Privacy Act.

Attachment 2

June 20, 2006

To: All Employees

From: Secretary /s/ Dirk Kempthorne

Subject: Important Notice on Safeguarding Personally Identifiable Information

We are charged with safeguarding personally identifiable information we collect or use in the course of our business. This responsibility is expected of all Department of the Interior employees, contractors, volunteers, and any others who collect, access, maintain, use, or make decisions using this information. We must keep in mind the importance of our responsibility of maintaining and safeguarding personally identifiable information, the extent of the penalties involved for mismanagement or violations, and procedures for reporting incidents.

Personally identifiable information identifies an individual or can be used to identify, contact, or locate an individual to whom such information pertains. This can include: personal contact or location information, online contact or location information, government-issued identifier, or information about an individual's finances. It generally does not include information collected anonymously or demographic information not connected to an identified individual.

Noncompliance with Government information safeguarding and use requirements is a serious offense with serious penalties. The Department can be assessed penalties for mismanagement of information, particularly intentional and willful violations of the Privacy Act that harm an individual. Individual employees may also face criminal penalties, including fines up to \$5,000, for maintaining records without proper notification or knowingly releasing records to someone not entitled to receive it. There are also penalties for concealment, removal, or mutilation of Federal records, including fines, imprisonment, forfeiting an office and being disqualified from holding office.

Any violation should be immediately reported. Incidents involving information technology resources should be reported to the bureau or office information technology security manager. For paper records, and records in other formats, persons who suspect a violation of the Privacy Act should immediately contact their supervisor and the organizations' Privacy Officer or Coordinator.

I am committed to providing excellence in the stewardship of the information entrusted to us. Please work with me to achieve this goal.



THE SECRETARY OF THE INTERIOR
WASHINGTON

MAY 5 2006

To: Assistant Secretaries
Heads of Bureaus and Offices

From: P. Lynn Scarlett *P. Lynn Scarlett*
Acting Secretary

Subject: Electronic Records Management

In the past, Federal records were primarily created and preserved in paper form. Currently, the majority of the Federal records created are in multiple electronic formats (e.g., e-mails, text files word processing files, digital pictures). As a result, Federal records management and preservation has not only become complicated to understand and maintain, it is now a pressing requirement for the Department and one that requires immediate attention.

Senior management at the Department of the Interior is committed not only to meeting the letter of the law and incorporate records management into every function we perform but to assume a "best practice" and leadership role in this arena. To strengthen this commitment we have incorporated electronic records management into the Department's strategic plan. It is imperative for each Bureau to collaborate in this commitment by designating a priority status to this process and assign the necessary personnel resources to ensure we meet regulatory compliance and litigation readiness.

As a Department, we have already begun to address records management through the creation of computer based training, the updating of bureau records schedules, the creation and updating of policies and procedures, and the incorporation of records management into the configuration management process. The Department needs your leadership and commitment to move forward beyond this initial process to define and implement an aggressive e-records strategy and viable management approach. The next steps will be to finalize all Bureau records schedules and create a plan by September 30, 2006. This plan will be shared with the Management Improvement Team, the Information Technology Management Council, the Investment Review Board, and the E-Gov Team to effect its full implementation through our governance process.

Your designated representatives will be needed to carry this forward and ensure success of the e-records program. Please provide your designated representative's name to Sharon Whitt at Sharon_whitt@ios.doi.gov by (2 weeks after distribution). I am sure by working together we will succeed and become a leader in the electronic records management area. Thank you for your leadership and support in this very important endeavor.

cc: Bureau Chief Information Officers
Office of the Solicitor

Bureau DOI LEARN Points of Contact

<u>Bureau</u>	<u>DOI LEARN Point of Contact</u>	<u>Phone</u>	<u>e-mail</u>
FWS	Pat Houghton	304-876-7267	Pat_Houghton@fws.gov
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