

Department of the Interior Departmental Manual

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Series: Information Resources Management

Part 383: Public Access to Records

Chapter 2: Privacy Act - Departmental Responsibilities

Originating Office: Office of Information Resources Management

This chapter has been given a new release number.* No text changes were made.

383 DM 2

2.1 Purpose. This chapter defines the Department's responsibilities in implementing the requirements of the Privacy Act of 1974, as amended, (5 U.S.C. 552a) and the Departmental Regulations (43 CFR Part 2, Subpart D).

2.2 General Responsibility. The Department has overall responsibility for implementing all provisions of the Privacy Act within the Department. The Department carries out this responsibility by providing general policy and procedural guidance to the bureaus, as described in the paragraphs below, and through coordination, reporting, and assessment actions.

2.3 System Notices. The Department is responsible for ensuring that publication in the Federal Register of a notice describing each system of records maintained by the Department. This includes the publication of a new system notice prior to establishment of each proposed new system, or a revised system notice when a new routine use is being proposed for an existing system. Notice review and issuance are primarily the responsibility of the Departmental Privacy Act Officer and the Office of the Solicitor.

2.4 Safeguarding of Records. The Department provides general guidance to the bureaus in maintaining administrative, technical and physical safeguards to ensure the integrity of records subject to the Privacy Act. It also provides guidance in establishing standards of employee conduct related to the handling, disclosure, and alteration of records. These responsibilities are carried out at the Departmental level as described below:

A. The Office of Administrative Services, Division of Enforcement and Security Management, is primarily responsible for physical security policy for facilities including those used for record storage. Each bureau is responsible for implementing such policies, and for educating those employees who have access to sensitive personal information and their supervisors in the proper storage of records subject to the Privacy Act.

B. The Office of Information Resources Management is responsible for the technical safeguarding of computerized systems of records, and paperwork management policy aspects of

safeguarding systems of records, such as records systems design, archival record transfers, and records storage and disposal techniques.

2.5 Access, Amendment, and Disclosure of Records. The Department provides general guidance to the bureaus on procedures for disclosing or denying disclosure of personal records to third parties. It also provides guidelines for:

- A. Accounting for disclosures.
- B. Establishing the identity of individuals making requests, handling requests for access, developing inspection provisions, supplying record copies to individuals and establishing charges for copies, and specifying grounds and procedures for denying access to records.
- C. Procedures in developing instructions to employees on amending records, and instructions on and processing of denials of amendments requests.
- D. Instructing employees who work with systems of records of their responsibilities under the Act.

2.6 Appeals. The Assistant Secretary - Policy, Budget and Administration with the support of the Departmental Privacy Act Officer and the concurrence of the Solicitor, handles appeals by individuals on the denial by bureaus of requests for notification of existence of records, requests for access to records, or petitions for amendment. Appeal procedures to be followed by the Department and individuals are prescribed in the Department's regulations (43 CFR 2.65, 2.74, 2.75, and 2.77). The Department also ensures that bureaus, in informing individuals of decisions to deny requests, inform them of their right to appeal to the Departmental Privacy Act Officer, as explained in 43 CFR 2.61(c) (2), 2.64(c) (2), and 2.72(e) (2).

2.7 Reports. The Department is responsible for issuing reports on proposed new systems or major changes in systems, as described in 383 DM 5, and annual reports on the Department's activities under the Act, as described in 383 DM 10.

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