

# Department of the Interior Departmental Manual

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**Effective Date:** 12/9/85

**Series:** Information Resources Management

**Part 383:** Public Access to Records

**Chapter 1:** Privacy Act Policy and General Provisions

**Originating Office:** Office of Information Resources Management

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This chapter has been given a new release number.* No text changes were made.
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## 383 DM 1

1.1 **Purpose.** The purpose of this chapter is to prescribe policies and general provisions applicable to the Department's administration of the Privacy Act of 1974, as amended, (5 U.S.C. 552a). The material published in Chapters 1 through 12 of Part 383 DM supplements the Departmental regulations published in 43 CFR Part 2, Subpart D.

1.2 **Intent and Purposes of the Act.** The purpose of the Privacy Act is to ensure that systems of records containing information about individuals are publically identified, that only information which is legally authorized and necessary is collected, and that such information is maintained in a manner which precludes unwarranted intrusions upon individual privacy. The Act is applicable to all systems of records containing information about individuals from which information is retrieved by individual name or by an identifying number, symbol or other personal identifier. Records that contain information relating to the entrepreneurial or business activities of individuals and which are retrieved as noted in 1.4C below, also are subject to the provisions of the Privacy Act, as are records pertaining to trust estates. The Act requires Federal agencies to:

- A. Permit individuals to determine what records pertaining to them are maintained;
- B. Generally permit individuals to gain access to their records, have copies made, and correct or amend such records;
- C. Ensure that Federal agencies collect only such information about individuals as is relevant and necessary to accomplish their authorized function and that information about individuals is used only for purposes authorized by law; and
- D. Ensure that information maintained on individuals is current and accurate, and that adequate safeguards are provided to prevent misuse of information.

## 1.3 Policy

A. Individual bureaus and offices have principal responsibility for implementation of the Act, subject to the procedures and guidelines established in the Department=s regulations contained in 43 CFR Part 2, Subpart D, and in this part of the Departmental Manual. The Department is responsible for the issuance of regulations and general guidance, the review and publication of notices describing systems of records, the administration of appeals and related procedures, and coordination of required activities.

B. In addition, individuals must be able to exercise their rights under the Privacy Act as quickly and with as few procedural difficulties as possible.

1.4 **Definitions.** The following definitions apply to all chapters published in this Part 383 DM.

A. Maintain. As defined in the Privacy Act, the term Maintain@ includes maintain, collect, use, or disseminate. With reference to a record subject to the Act, Maintain@ means the collection, use, or dissemination or any combination of these record-keeping functions. It also connotes control over, responsibility, and accountability for systems of records.

B. Record. A record is any item, collection, or grouping of information about an individual that contains his/her name, or an identifying number, symbol, or other identifier assigned to the individual.

C. System of Records. A system of records is a group of any records under the control of an agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

D. Disclosure. Disclosure means release of information contained in a system of records to any person (other than the person to whom the information pertains), including any employee of the Department of the Interior and employees of other Federal departments and agencies.

E. Bureau. A bureau is any constituent bureau or office of the Department, including each Secretarial and other Departmental office.

F. System Manager. A system manager is an official who has been designated in a system notice as having administrative responsibility for a system of records.

G. System Guidelines. System guidelines are a set of formal, written instructions from a bureau to employees working with a system of records. They contain operating procedures to be followed in maintaining a specific records system and supplement the Department=s regulations and directives pertaining to the Privacy Act, and any bureau directives which apply generally to all of its systems of records subject to the Act.

H. Departmental Privacy Act Officer. The ADepartmental Privacy Act Officer@ is the official who assists the Assistant Secretary - Policy, Budget and Administration in carrying out assigned functions and for coordinating the activities of the bureaus of the Department in

carrying out the functions which they are assigned.

I. Bureau Privacy Act Officer. The ABureau Privacy Act Officer@ means the official within each bureau assigned responsibility for bureau implementation of the Act (see 383 DM 4.4A).

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