

## PRIVACY ACT SYSTEMS

application, records and reports on the harvest of migratory birds, including types of birds, location, related data.

### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Migratory Bird Treaty Act of July 3, 1918 (16 U.S.C. 703-711; 40 Stat. 755).

### **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

The primary uses of the records maintained in the system are (a) data are routinely used by biologists and/or law enforcement offices of the U.S. Fish and Wildlife Service, Canadian Wildlife Service, Mexican Department Fauna Silvestre, and State and Provincial Conservation Agencies to further understanding, protection, management and utilization of the North American migratory bird resource; (b) portions of the data files including name and address listings are used for research purposes and for guidance, planning and coordination of research on migratory birds; (c) reports of summarized and analyzed data originating from banding and surveys are analyzed and published by the U.S. Fish and Wildlife Service and other cooperating agencies; studies containing analyzed migratory bird population and harvest data also appear in the technical literature involving the records or the subject matter of the records. Disclosures outside the Department of the Interior may be made (1) to the U.S. Department of Justice when related to litigation or anticipated litigation; (2) of information that may aid investigations or indicating a violation or potential violation of a statute, regulation, rule, order or license, to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) from the record of an individual in response to an inquiry from a Congressional office made at the request of that individual; (4) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit; (5) to Federal, State or local agencies where necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit; (6) to the Canadian Wildlife Service, Environmental Management Service, Department of the Environment, Ottawa Ontario, Canada K1A 0H3 and Mexican Direccion General Fauna Silvestre.

### **INTERIOR/FWS-26**

#### **SYSTEM NAME:**

Migratory Bird Population and Harvest Systems—Interior, FWS-26.

#### **SYSTEM LOCATION:**

(1) Office of Migratory Bird Management, U.S. Fish and Wildlife Service, U.S. Department of the Interior, Patuxent Wildlife Research Center, Laurel, Maryland 20811. (2) Minor portions of the files comprising the system are found in the Washington Office, Regional Offices, and field offices of the U.S. Fish and Wildlife Service; offices of State conservation agencies, and other Federal and State agencies; universities; national, regional and local conservation organizations; and individuals who contribute to the collection of population and harvest information which is eventually transferred to the Office of Migratory Bird Management, Laurel, Maryland, for storage.

#### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

The system contains information on: (1) Persons applying for bird banding permits. (2) Persons issued bird banding permits. (3) Persons reporting upon banded birds encountered in the wild. (4) Persons participating in migratory bird population surveys. (5) Persons submitting harvest data for migratory game birds taken under hunting regulations. (6) Unidentified persons observed in the field hunting migratory game birds.

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Application forms for bird banding permits, including name, address, and related information to evaluate the

## INTERIOR DEPARTMENT

Aquiles Serdan 28-70, Pisa, Mexico 3, DF, Mexico, as part of cooperative agreements; (7) routinely or upon request all or portions of the files, including name and address listings, are supplied to cooperators and researchers in other Federal, State, and local agencies; members of national, regional or local conservation organizations, university researchers and private individuals who establish a bona fide need for the information; (8) to contributors of band recovery information related to the bander and banding of the banded bird they reported, likewise, contributors of survey and harvest information are sometimes supplied with reports of populations and harvest surveys to which they had contributed. (Routine uses (1) and (2) apply only to those individuals in nos. (1) and (2) of the above paragraph 'Categories of individuals covered by the system,' and not to individuals who supply voluntary information to aid the Service in migratory bird management and research.)

### **POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

#### **STORAGE:**

Records comprising the various files of the system are maintained on paper forms and correspondence, punched and/or interpreted cards, magnetic computer tape, computer printouts or listings, magnetic disc packs, microfilm and microfiche cards. Summarized information is found in unpublished and published reports.

#### **RETRIEVABILITY:**

The files comprising the system are indexed in various way depending upon the nature and use of the record. Files may be arranged by type of survey, species of migratory birds, cooperators, time periods, geographical areas, and biological characteristics of the banded, observed, or harvested bird. Most of the files are oriented to the migratory bird resource and its utilization; the identity of the individual person is retained only for edit, banding authority compliance; response, and acknowledgment purposes. In the banding files the identity of the bander is permanently obtainable through interpretation of the permit number. Inasmuch as banding and other surveys of migratory birds and their harvest are based upon statistical sampling of a larger universe, the identity of individuals is usually deleted early in the analysis.

#### **SAFEGUARDS:**

Records comprising the system are stored within the fenced and locked premises of the Patuxent Wildlife Research Center, Laurel, Maryland. The records themselves are stored within a locked building and the master computer files are retained in a locked vault. Only authorized individuals have access to these records. Magnetic tape files containing records of banded birds are stored for computer processing at the Washington Computer Center of the Department of the Interior. Current versions of banding tape files are stored in a locked, fire and explosion proof vault. Backup versions are stored in a library that must be entered through two locked doors. All requests for data, beyond those routinely supplied to cooperators, are reviewed by the Assistant Chief, Office of Migratory Bird Management, Laurel, Maryland. Care is taken to insure that the requesting individual has a legitimate need for the information and that the information which is supplied is limited to his specific needs. Furthermore, care is taken to protect the proprietary rights of researchers to first use of data arising from their personal banding efforts; persons requesting data generated by other researchers are instructed to secure clearance for use of the data with the original bander. Policies regarding the release and use of bird banding data are developed in consultation with the Canadian Wildlife Service and other cooperators. Means for developing improved safeguards for the computer record files at Laurel, and policies regarding release of data from the files maintained there is presently under study.

#### **RETENTION AND DISPOSAL:**

Some records are maintained only for a few days until the data can be transferred to other media, such as computer tapes or microfilm, for permanent storage. Because of the great scientific value attached to some of the files, such as those comprising the North American Bird Banding Program, source documents of banding are retained indefinitely; this is done to facilitate the possible correction and edit of those records. In contrast, source documents for other files are periodically destroyed by recycling. Computer tabulations are retained for five years or until such time as they have been updated. A system to catalog computer files is being developed; this system will insure that obsolete files are destroyed while insuring the retention of those required for current or future use.

#### **SYSTEM MANAGER(S) AND ADDRESS:**

Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240.

#### **NOTIFICATION PROCEDURE:**

An individual desiring to know whether the system contains information relating to himself may address his inquiry to the System Manager. An individual seeking information about the system should provide his complete name and address, and if possible, indicate the nature of the data file (banding, population surveys, migratory game bird harvests, etc.) in which he is most interested.

#### **RECORD ACCESS PROCEDURES:**

Inquiries concerning access to and correction of records in the system may be directed to the System Manager. The request must be in writing and be signed by the requester. The request must meet the content requirements of 42 CFR 2.63.

#### **CONTESTING RECORD PROCEDURES:**

A petition for amendment shall be addressed to the System Manager and meet the requirements of 43 CFR 2.71.

#### **RECORD SOURCE CATEGORIES:**

The files comprising the Migratory Bird Populations and Harvest System evolve from several diverse groups of people. These may be generally categorized as (1) persons applying for authority to band birds, (2) persons granted authority to band birds, (3) persons reporting encounters with banded birds, (4) persons supervising or participating in various population surveys of migratory birds, (5) persons purchasing migratory bird hunting stamps, and (6) persons who hunt migratory game birds or otherwise utilize the migratory game bird resource.

46 FR 18378  
(03-24-81)