

INTERIOR DEPARTMENT

INTERIOR/FWS-4

SYSTEM NAME:

Tort Claim Records—Interior, FWS-4

SYSTEM LOCATION:

(1) Division of Contracting and General services, U.S. Department of the Interior, Fish and Wildlife Service Washington, D.C. 20240; (2) regional offices of Fish and Wildlife Service. (See Appendix for regional addresses).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Claimants for damages to personal property or personal injury.

CATEGORIES OF RECORDS IN THE SYSTEM:

Contains information regarding the individual who is required to evaluate a claim for damage to personal property or personal injury, i.e., name, address, insurance company, estimates of repair costs, accident reports by Government officials, law enforcement officials, attorneys, hospital and doctors' reports and bills for service, statements from witnesses.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Tort Claims Act (28 U.S.C. 2671-2680).

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

The primary use of the record is for evaluation by tort claims officers, attorneys in the Office of the Solicitor, Department of the Interior. 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 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 other Federal agencies to effect salary and administrative offsets; (5) to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal claim against the debtor, or to consumer reporting agencies to prepare a commercial credit report for use by the Department.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosures, pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

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

STORAGE:

Maintained in paper form, in "Tort Claim files."

RETRIEVABILITY:

By name of claimant.

SAFEGUARDES:

Maintained in compliance with provisions of 43 CFR 2.51.

RETENTION AND DISPOSAL:

Disposed four years after settlement of claim. Record copies held by Office of the Solicitor, Department of the Interior.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Division of Contracting and General Services, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors with respect to records located in the office for which each is responsible. A written, signed request stating that the requester seeks information concerning records pertaining to him is required. See 43 CFR 2.60.

RECORD ACCESS PROCEDURES:

A request for access shall be addressed to the System Manager, with respect to records located in the Washington office, and to regional directors, with respect to records located in the office for which each is responsible. The request must be in writing and be signed by the requester. The request must meet the content requirements of 43 CFR 2.63.

CONTESTING RECORD PROCEDURES:

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

RECORD SOURCE CATEGORIES:

Individual submitting claim; investigative reports, including statements from witnesses; medical reports.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Privacy Act does not entitle an individual to access to information compiled in reasonable anticipation of a civil action or proceeding.

48 FR 54715
(12-06-83)