

# ARS □ CSREES □ ERS □ NASS

## *Policies and Procedures*

***Title:*** Freedom of Information Act and  
Privacy Act Guidelines

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This P&P states REE policy and procedures for implementing the FOIA, 5 U.S.C. 552, and PA, 5 U.S.C. 552a.

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## 1. Introduction

This P&P provides instructions to all REE employees regarding procedures for identifying and responding to requests for information pursuant to the Freedom of Information Act (FOIA) and Privacy Act (PA). Employees should refer to this P&P for guidance whenever they receive a request to inspect or obtain a copy of any Agency records.

## 2. Statement of Policy

It is REE policy to:

- Respond to all FOIA and PA requests in a timely manner and to the fullest extent possible.
- Make available for public inspection any records or information unless disclosure is prohibited by law or would impair one of the interests protected by exemptions of the FOIA or PA.
- Collect only that information needed to accomplish Agency objectives.
- Maintain accurate, relevant, and complete records in accordance with the PA, REE P&P 251.8, "Records Maintenance and Disposition," your Agency's Record Control Schedule, and the National Archives and Records Administration (NARA) regulations.
- Protect the personal privacy of individuals by not making clearly unwarranted disclosures of personal information.
- Comply with the provisions of the Electronic FOIA (E-FOIA) Amendments of 1996.
- Provide records in any form or format requested if the records are readily reproducible by the Agency in that form or format.
- Maintain copies of records in electronic form if there is a substantial interest in the records and subsequent FOIA requests are likely.
- Maintain an REE Reading Room providing access to records routinely made available to the public in both electronic (FOIA homepage: [http:// www.ars.usda.gov/is/foia/](http://www.ars.usda.gov/is/foia/)) and paper form.

### **3. Authorities**

5 U.S.C. 301, 552, and 552a

5 CFR Part 293 (Office of Personnel Management)

7 CFR Part 1, Subpart A and G (U.S. Department of Agriculture)

7 CFR Part 510 (Agricultural Research Service)

7 CFR Part 3404 (Cooperative State Research, Education, and Extension Service)

7 CFR Part 3601 (National Agricultural Statistics Service)

7 CFR Part 3701 (Economic Research Service)

OMB Circular A-130

### **4. Responsibilities**

The appropriate REE Administrators have overall responsibility for compliance with the FOIA and PA for their respective agencies.

The FOIA/PA coordinators will act for the REE Administrators to carry out compliance with the FOIA and PA. Specifically, the coordinators will:

- Ensure that REE records are maintained in compliance with the FOIA and PA.
- Ensure that REE policy is consistent throughout each Agency.
- Determine through discussions with the appropriate staff(s) and Office of the General Counsel (OGC) whether specific records are exempt from any provisions of the Acts.
- Serve as a central source of information about these Acts for the benefit of REE employees and officials.
- Provide assistance on problems or questions with regard to policy or specific types of information.
- Monitor the maintenance and disclosure of records contained in REE PA Systems of Records.
- Provide assistance when personal information needs to be gathered from individuals.
- Provide training to REE employees as requested.
- Maintain the REE Reading Room.

- Provide a handbook and guide for FOIA and PA requesters that gives instructions on how to file a FOIA request, states the records available from REE agencies, and provides an overview of the FOIA and PA.
- Maintain a FOIA homepage that includes the handbook and guide, reading room material, and links to pertinent FOIA sites ([www.ars.usda.gov/is/foia/](http://www.ars.usda.gov/is/foia/)).

The names, addresses, and telephone numbers of the FOIA/PA coordinators are:

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## 5. FOIA Requirements and Procedures

The FOIA is a disclosure statute designed to allow ease of access to documents held by the Federal Government. Each Agency has the responsibility to release information as prescribed by the FOIA. A FOIA request should be submitted when an individual is asking for records not routinely made available to the public.

### Responding to Requests

- All requests for copied or electronic documents or requests to inspect Agency records must be in writing and forwarded to the FOIA office. Each request for information should describe the records to enable Agency personnel to locate them with reasonable effort.
- The FOIA requires a response within 20 working days after the receipt of the request by the FOIA office. Therefore, it is important that Agency offices respond promptly to the coordinators' instructions and in cases where a FOIA request is received directly from a requester, promptly forward the request to the coordinators to be logged in and assigned. The FOIA coordinators may extend the deadline an additional 10 working days under the following circumstances:
  - in cases where there is a need to search for and collect the requested records from field offices or other establishments that are separate from the office processing the request;

- when there is a need to examine a voluminous amount of records required by the request; or
- when there is a need to consult with another Agency or Agency component having a substantial interest in the determination of the response.

The FOIA coordinators should notify the requester of the delay, giving a reason for the extension and an estimate of the date of the final determination. The E-FOIA directs agencies to provide requesters the opportunity to modify the timeframe or scope of requests where unusual circumstances prevent the Agency from being able to respond within 20 days.

- The E-FOIA authorizes agencies to promulgate regulations providing for multitrack processing of FOIA requests. This allows agencies to establish different tracks for processing requests and permits them to process requests on a first-in, first-out basis within each of the tracks. This allows agencies to respond to relatively simple requests more quickly than requests involving complex and/or voluminous records.
- The FOIA coordinators are responsible for initiating the search for all records responsive to the request and will forward a copy of the request to the appropriate REE office for review, input, and return to the FOIA office for response to the requester.
- The REE office is obligated to provide copies of all responsive documents, either in paper or electronic form. The REE office is required to provide the record in any form or format requested, if the records are readily reproducible by the Agency in the form or format requested. The agencies are encouraged to maintain records in forms or formats that are reproducible for purposes of the FOIA.
- The REE office should make reasonable efforts to search for records in electronic forms or formats, unless it would significantly interfere with the operation of the Agency's automated information system.
- Records created on or after November 1, 1996, that are likely to become part of the REE Reading Room, must be available to the public electronically ([www.ars.usda.gov/is/foia/](http://www.ars.usda.gov/is/foia/)). Records are likely to become part of the reading room if there is a substantial interest in the records and subsequent FOIA requests are likely to be received.

## **Exemptions**

REE agencies respond to requests for information and disclosure to the fullest extent possible without infringing on the nine exemptions stated in the Act. REE offices are expected to advise the FOIA coordinators of any concerns about disclosing the information requested.

The exemptions REE generally uses, as stated in the FOIA, are 5 U.S.C. 552:

- (b)(2) Related solely to the internal personnel rules and practices of any Agency.
- (b)(3) Specifically exempt from disclosure by statute. (This incorporates the disclosure prohibitions that are contained in various other Federal statutes.)
- (b)(4) Trade secrets and commercial or financial information obtained from a person and privileged or confidential.
- (b)(5) Inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an Agency in litigation with the Agency.
- (b)(6) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

## **Information Submitted by Private Businesses or Individuals**

When information obtained from a person or private business is requested, the office that maintains the records contacts the submitter of the information to determine whether any of the information is privileged or confidential business information. The submitter is provided with an opportunity to object to the release of such information and must give detailed reasons as to why it is privileged or confidential business information and how the disclosure of such information could cause substantial competitive harm. The submitter has a reasonable period of time to prepare a justification for nondisclosure. If alleged privileged or confidential business information is to be disclosed, the submitter of the information will be notified before releasing the information, so that the submitter may consider possible judicial intervention. Generally, information that is deemed releasable by the Federal Acquisition Regulations or a court of law can be released without contacting the submitter.

## **Denial of Information and Appeals**

The final decision to deny the information may only be made by the FOIA coordinators. Concerns about the disclosure of any information should be referred promptly to the coordinators. Be sure to describe the reasons and justify the recommended action.

The FOIA allows an individual to appeal the denial of information or a no-records response or the denial of a fee waiver within 45 days of the date of the denial letter. The appeal is addressed to the appropriate REE Administrator and is forwarded to the FOIA office for response. The initial FOIA file is reviewed to determine whether the Agency will continue to deny the information or will provide the files. The appeal response is coordinated with OGC. If it is a denial, it is signed by the appropriate REE Administrator, or if the information is released, the response is signed by one of the FOIA coordinators. The Agency has 20 days to process the

appeal and respond to the requester as to the decision. An extension of this time may be applicable in certain situations and an additional 10 days allowed.

If the requester is not satisfied with the decision or if the Agency fails to respond within the statutory deadlines, the requester may file a complaint in a U.S. District Court, compelling the Agency to release the records.

## **Charges and Collections**

The FOIA coordinators may charge for search, review, and duplication costs in accordance with the fee schedule appended to the Department's FOIA Regulations (7 CFR 1.1-1.23). The regulations sort requesters into four categories: commercial use requesters, education and noncommercial scientific institution requesters, representatives of the news media, and all other requesters. Depending on how the requester is categorized, the requester can be assessed charges that recover the full direct costs of searching for and reviewing records responsive to the request, along with all applicable duplication costs. In certain categories, review time is not applicable and search time is reduced as are duplication costs.

A fee waiver or reduction may be granted if disclosure of the information is deemed to be in the public interest. Information is deemed in the public interest if it is likely to contribute significantly to public understanding of the operations or activities of the Government and is not primarily in the commercial interest of the requester. Fees are also waived if the total charges for processing the information is less than \$25; this is because of the administrative costs involved in processing the check.

All fees will be assessed and collected by the FOIA coordinators and processed in accordance with the REE P&P 326.0, "Collections." The fees collected are forwarded to the Treasurer of the United States.

## **Records Maintenance and Security**

- In maintaining our files, proper safeguards should be taken that would limit access to all government records. Advice concerning security requirements for automated data processing equipment can be obtained from each Agency's Information Systems Security Officer.
- Records should be maintained, disposed of, and archived in accordance with REE P&P 251.8, "Records Maintenance and Disposition," each Agency's Record Control Schedule, and NARA regulations.



## Subpoenas

When a *subpoena duces tecum* for USDA records in judicial or administrative proceedings is received, forward it to the Branch Chief, Policy Innovation and Employee Development Branch, Human Resources Division, for review. See REE P&P 461.6, “Appearances of REE Employees as Witnesses in Judicial or Administrative Proceedings.” In most cases, the *subpoena duces tecum* will be forwarded to the FOIA office for response in compliance with the FOIA.

## REE Reading Room

The FOIA requires that REE agencies maintain a reading room that is accessible to members of the public and allows them to inspect documents that are routinely made available to the public. These types of documents include final opinions and orders made in adjudicating cases; final statements of policy and interpretations that have not been published in the Federal Register; and administrative staff manuals and instructions to staff that affect members of the public. The E-FOIA defines a new category of reading room materials and also requires electronic access to these records if they were created after November 1, 1996. This category includes any records processed or disclosed in response to a FOIA request that are likely to become the subject of subsequent requests for substantially the same records. The reading room also allows access to the REE FOIA website ([www.ars.usda.gov/is/foia/](http://www.ars.usda.gov/is/foia/)) and other relevant information maintained on the Internet. The REE Reading Room is located at the FOIA Office in Building 1, Second Floor, 5601 Sunnyside Avenue, Beltsville, Maryland 20705-5100.

## 6. PA Requirements and Procedures

The PA provides requirements for collecting, maintaining, and disclosing personal information obtained by Federal Government offices from or about individuals. Personal information includes, but is not limited to:

- Home addresses and telephone numbers
- Social Security numbers
- Personal data
- Medical records.

The PA limits the disclosure of such information to protect individuals against unwarranted invasions of personal privacy. See Exhibit 1 for guidelines concerning the disclosure of information under the PA to people other than the subjects of the records. The PA applies to all records maintained in PA Systems of Records. It gives individuals the right to review records in

a PA System of Records containing personal information about themselves and to request an amendment or correction to those records.

Note: Employees may request a copy of their personnel records to release at their own discretion or sign a waiver that would allow the Agency to release personnel information to a third party that is usually protected under the FOIA and PA.

As directed by the Office of Personnel Management, the following information about most present and former Federal employees is available to the public:

- Name
- Present and past position titles and occupational series
- Present and past grades
- Present and past annual salary rates (including performance awards or bonuses, incentive awards, merit pay amount, Meritorious or Distinguished Executive Ranks, and allowances and differentials)
- Present and past duty stations (includes room numbers, stop designations, or other identifying information regarding buildings or places of employment)
- Position descriptions, identification of job elements and those performance standards that the release of which would not interfere with law enforcement programs or severely inhibit Agency effectiveness.

For additional guidance on releasing personal information without filing a FOIA request or without obtaining a waiver from the individual, see REE P&P 411.7, "Releasing Information on REE Employees," and REE P&P 411.1, "Personnel Records."

## **Responding to Requests**

- PA requests, other than requests by present employees to review their Official Personnel Folder (OPF), are forwarded to the appropriate system manager. It is the system manager's responsibility to inform the FOIA/PA coordinators of requests received. The PA Systems of Records maintained by REE are listed in the PA Issuances Compilation published bi-annually as a supplement to the Code of Federal Regulations. The request should contain the name of the individual submitting the request, the PA System of Records in which the records are maintained, and whether the individual wants to inspect the records personally or to be supplied with copies by mail. Individuals may decide to have a person of their choosing accompany them when they inspect the records or choose to have a representative make the request on their behalf. In the latter case, a waiver signed by the employee should be included with the request. The Agency may require

individuals to furnish a written statement authorizing disclosure of their records in the accompanying person's presence.

- OPF's of REE employees are included in the Office of Personnel Management's Governmentwide PA Systems of Records and the USDA's Office of Human Resources Management's PA Systems of Records. REE maintains these records. Employees may request access to their OPF's. For access to their OPF's, Headquarters personnel should contact the File Room Supervisor, Human Resources Division (HRD). Location personnel should contact their personnel specialist at the location who will then contact the appropriate AFM personnel specialist, HRD, in writing. Once the request is received, the AFM personnel specialist, HRD, will obtain a copy of the OPF and forward it to the personnel specialist at the location to make it available to the employee to review in his or her presence.
- The Department requires a response to a PA request within 10 working days, after the receipt of the request by the system manager. It is the responsibility of the system manager to inform the FOIA/PA coordinators of requests received. Any questions concerning procedures or disclosure should be directed to the FOIA/PA coordinators.
- PA Systems of Records may be exempt from certain provisions of the PA. For a listing of the exemptions, contact the FOIA/PA coordinators.

## **Procedures for Responding to Requests for Access**

If you receive a request for access, correction, or amendment of a record that is contained in a PA System of Records, forward it to the FOIA/PA office immediately. The FOIA/PA coordinators will work with the appropriate system manager to respond to the request and are required to acknowledge the request no later than 10 days after receiving it.

The Agency that maintains the disputed records must promptly either correct any portion the individual believes is not accurate, relevant, timely, or complete or inform the individual of the refusal to amend the record, the reason for the refusal, and the procedures for the individual to request a review of the refusal by the appropriate REE Administrator.

## **Review of the Refusal**

The PA allows individuals to request a review of the Agency's refusal to amend their records. The appeal is addressed to the appropriate REE Administrator and is forwarded to the FOIA/PA coordinators for response. The appeal response is coordinated with OGC. The Agency must complete the review and make a final determination within 30 working days from the date the individual requested the review. This period may be extended for 30 days for good cause.

Whenever the appropriate REE Administrator refuses to amend the disputed record(s), the individual must be permitted to file a concise statement setting forth reasons for disagreeing with

the Agency's refusal. The FOIA/PA coordinators or the system manager must also make these statements of disagreements available to anyone to whom they later disclose the record, as well as to prior recipients of the disputed record. The appropriate REE Administrator must also inform requesters of their right to seek judicial review of the Agency's determination.

## **Conditions of Disclosure**

Employees may not disclose any record contained in a PA System of Records to any person or to another Agency unless the FOIA/PA coordinator has received a written request by, or has obtained the prior consent of, the individual to whom the record pertains. There are 12 exceptions to this rule:

- Disclosure to officers and employees of the Agency that maintains the record who have a need for it in the performance of their duties.
- The FOIA requires disclosure.
- Disclosure for a routine use that has been published in the *Federal Register*.
- Disclosure to the Bureau of the Census for a census or a survey.
- Disclosure to a recipient who has provided the Agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record.
- Transfer of permanent PA records to the NARA.
- Disclosure to another Agency for a civil or criminal law enforcement activity that is authorized by law.
- Disclosure to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual.
- Disclosure to Congress.
- Disclosure to the General Accounting Office.
- Disclosure pursuant to an order of a court.
- Disclosure to a consumer reporting Agency in accordance with the Debt Collection Act of 1982.

## **Charges and Collections**

Duplication charges are 20 cents per sheet. Fees cannot be charged for any search or review

time. Any fees less than \$25 will be waived. Whenever charges are involved, the system manager should contact the FOIA/PA coordinators for guidance in assessing fees. All collections will be forwarded to the coordinators and processed in accordance with the REE P&P 326.0, "Collections." The fees collected are forwarded to the Treasurer of the United States.

## **Collecting Personal Information**

Personal information obtained from and about individuals should include only what is relevant and necessary to accomplish the purpose for which it was collected. An REE office planning to collect information from individuals must be aware that personal information collected may be subject to the PA and FOIA. Therefore, personal information should not be collected if the Agency purpose can be accomplished without it. Information should be obtained directly from the subject individual when possible.

Forms that collect personal information must include a PA statement that specifies:

- The authority, whether granted by statute or by executive order of the President, which authorizes the solicitation of the information.
- The principal purpose or purposes for which the information is intended to be used.
- Routine uses of the information.
- Whether the disclosure of the information is mandatory or voluntary and the effects on the individual for not providing all or any part of the requested information.

## **Social Security Numbers**

The PA prohibits denial of any rights, benefits, or privileges provided by law to individuals who refuse to disclose their Social Security number, unless disclosure is required by Federal statute or regulation adopted before January 1, 1975.

When requesting a Social Security number, tell the individual:

- Whether disclosure is mandatory or voluntary.
- The statutory authority for soliciting the number.
- What uses will be made of it.

State and local governments and contractors operating under research agreements (cooperative agreements, grants, research and development contracts, memorandums of understanding) or other contracts with REE must provide this information when requesting Social Security numbers. REE has the responsibility to see that this procedure is followed.

## **Mailing Lists**

No employee within REE may sell or rent any individual's name and address unless such action is specifically authorized by law. This section may not be construed to require or to authorize the withholding of names and addresses whose disclosure is required by the FOIA. Generally, it is our policy to release the names, work addresses, e-mail addresses, and telephone numbers of our employees.

## **Records Maintenance and Security**

- Information contained in PA Systems of Records should be accurate, complete, up-to-date, and relevant to Agency purposes. A reasonable effort should be made to see that information is correct and up-to-date before disclosing any personal information.
- Records maintained in REE PA Systems of Records must be safeguarded against unauthorized access using appropriate methods. Only REE personnel who need information in order to carry out an Agency function can have access to these records. Advice concerning security requirements for automated data processing equipment can be obtained from each Agency's Information Systems Security Officer.
- Records should be maintained, disposed of, and archived in accordance with REE P&P 251.8, "Records Maintenance and Disposition," each Agency's Record Control Schedule, and the NARA regulations.

## **Federal Register Notices**

The FOIA/PA coordinators will provide assistance and guidance to system managers in preparing the Federal Register notices for each new PA System of Records. These notices must include:

- The name and location of the system.
- The categories of individuals on whom records are maintained in the system.
- The categories of records maintained in the system.
- Each routine use of the records contained in the system, including the categories of users and the purpose of such use.
- The policies and practices of the Agency regarding storage, retrievability, access controls, retention, and disposal of the records.
- The title and business address of the Agency official who is responsible for the PA System of Records.

- The Agency procedures whereby individuals can be notified at their request if the PA System of Records contains records pertaining to them.
- The Agency procedures whereby individuals can be notified at their request how they can gain access to any record pertaining to them contained in the PA System of Records, and how they can contest its content.
- The categories of sources of records in the system.

The FOIA/PA coordinators should be notified when a significant change in the use or operation of one of the REE PA Systems of Records is being considered if such a change will:

- Increase the types of individuals on whom records are maintained.
- Expand the types or amounts of information maintained.
- Increase the number or categories of agencies or other people who may have access to the records.
- Add a new routine or change the existing routine uses.
- Alter the manner in which the records are organized, changing the nature or scope of those records (for example, combining two or more existing systems).
- Change the manner in which the information is maintained (for example, computerizing the information).

The FOIA/PA coordinators should also be notified if personal information is collected for a new or expanded purpose.

The Agency must provide at least 30 days advance notice of all new or changed routine uses in existing PA Systems of Records. The Agency must provide 60 days advance notice to the Office of Management and Budget, the Congress, and the general public (in the Federal Register) of all new PA Systems of Records and alterations to existing systems that expand the coverage of individuals, the information maintained, or the access by third parties, or systems that significantly change the organization of records, system operations, or equipment configuration.

Information that will be maintained in compliance with a new or amended PA System of Records cannot be compiled until the new PA System of Records or amendments has been published in the Federal Register.

## **7. Summary of Responsibilities**

### **REE Administrators**

- Have overall responsibility for compliance with the FOIA and PA for their respective agencies.
- Make final decisions regarding FOIA appeals and PA reviews of refusals to amend records.

### **FOIA/PA Coordinators**

- Ensure that REE records are maintained in compliance with the FOIA and PA.
- Ensure that REE policy is consistent throughout the agencies.
- Determine whether specific records are exempt from any provisions of the Acts.
- Respond to FOIA and PA requests within the required time limits.
- Serve as a central source of information about these Acts for the benefit of REE employees and officials.
- Provide assistance on problems or questions with regard to policy or specific types of information.
- Monitor the maintenance and disclosure of records contained in REE PA Systems of Records.
- Provide guidance to REE offices when there is a need to gather personal information.

### **REE Employees**

- Respond promptly to requests for information from the FOIA/PA coordinators.
- Maintain records in an electronic form or format that is easily reproducible.
- Maintain records in compliance with the PA allowing first party access to these records for access, correction, or amendment.
- In compliance with the PA, maintain only those records that are required to carry out one's function and duty.



## 8. Glossary

**Agency Records.** Documents that are (1) created or obtained by an Agency and (2) under Agency control. Documents include all books, papers, maps, photographs, and machine-readable materials, regardless of physical form or characteristics, that are preserved or appropriate for preservation as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Reference materials, library materials preserved solely for reference or exhibition purposes, and extra copies of publications are not Agency records.

**E-FOIA.** Electronic Freedom of Information Act Amendments of 1996

**Electronic Reading Room.** A requirement under the FOIA to allow individuals access to information electronically as required by the E-FOIA from an Agency's website.

**FOIA.** Freedom of Information Act

**HRD.** Human Resources Division

**Individual.** A citizen of the United States or an alien lawfully admitted for permanent residence.

**NARA.** National Archives and Records Administration

**OGC.** Office of the General Counsel

**OMB.** Office of Management and Budget

**OPF.** Official Personnel Folder

**PA.** Privacy Act

**PA System of Records.** Group of 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.

**Routine Use.** With respect to the disclosure of a record, a use that is compatible with the purpose for which the record was collected.

***Subpoena duces tecum.*** A writ commanding a person to produce in court certain designated documents or other evidence.

**System Manager.** The Agency official who is responsible for the PA System of Records.

FLOYD P. HORN  
Administrator  
Agricultural Research Service

Exhibit 1:  
Disclosures Under the Privacy Act to People Other Than the Subjects of the Records.

**Exhibit 1**

**DISCLOSURES UNDER THE PRIVACY ACT TO PEOPLE  
OTHER THAN THE SUBJECTS OF THE RECORDS**  
When Individual's Written Consent and an Accounting Is Required

<b>Type of Disclosure</b>	<b>Condition</b>	<b>Consent</b>	<b>Accounting<sup>1/</sup></b>
Disclosure within USDA	To employees who have a need for the record in the performance of their duties.	No	No
Disclosure to the public	(1) Required to be released under FOIA.	No	No
	(2) Not required to be released	Yes <sup>2/</sup>	Yes
Disclosure for routine use	Must be described in the Federal Register notice.	No	Yes
Disclosure to Bureau of Census	For authorized census activity.	No	Yes
Disclosure for statistical research or reporting record	Not in individually identifiable form (cannot be reasonably deduced); and only after receipt of written statement from requester stating purpose; certifying use only as statistical records; made a part of accounting.	No	Yes
Disclosure to NARA	Historical or other value	No	Yes
Disclosure for law enforcement purposes	(1) Receipt of written request from the law enforcement agency, specifying purpose and particular record wanted.	No	Yes
	(2) As a routine use.	No	Yes
Disclosure for emergency situation	Compelling circumstances affecting health and safety of an individual with notification transmitted to last known address.	No	Yes
Disclosure to Congress	(1) As a body.	No	Yes
	(2) To the office of a Member of Congress as a routine use.	No	Yes

Type of Disclosure	Condition	Consent	Accounting <sup>1/</sup>
Disclosure to the Government Accounting Office	For performance of duties.	No	Yes
Disclosure pursuant to court order	Competent jurisdiction.	No	Yes
Consumer reporting agency	In accordance with section 3711(f) of Title 31.	No	Yes

1/ The date, nature, and purpose of each disclosure of a record and the name and address of the person or Agency to whom disclosure is made, should be recorded and filed with the records disclosed.

2/ Unless released pursuant to a routine use.