

NEED MORE INFORMATION?

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Douglas Johnson	ACF	202-690-1205
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Kathleen Melendez	AHRQ	301-427-1215
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Seung Ja Sinatra	FDA	301-796-3802
Angela Tuscani	HRSA	301-443-1785
Kelvin Vandever	IHS	301-443-8029
Nyja DeFrank	NIH	301-496-2463
Elaine Pankey	OS	202-690-5687
Carol Maloney	PSC	301-443-5252
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Bob Eckart Director FOIA/PA Programs

The Privacy Act (PA) protects information maintained in a system of records, defined as a group of agency-controlled records from which information is retrieved by a unique identifier, such as an individual's name or social security number. The PA defines a "record" as any individually identifiable set of information collected about and individual and maintained by an Agency.

Health & Human Services Records Officer

Elaine Pankey, Acting 202-690-5687
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Can I take...

Record	1	2
Reflects Actions Taken	YES	NO
Minutes of Meetings	YES	NO
Procurement Actions	YES	NO
Payroll Actions	YES	NO
Budget Actions	YES	NO
Correspondence	YES	NO
Presidential Records*		
President or members of his staff documenting performance as President.	NO	NO
Record Or Not		
the Only Copy	NO	NO
Indexes, Finding Aids	NO	NO
Material not normally released to the public.	NO	NO
Was Destruction mandated?	NO	NO
Proprietary Information	NO	NO
Classified	NO	NO
Personal Information		
Personal Information Mixed with Federal Records	NO	NO
Reference Material (Memory Joggers)	YES	YES
Speeches Given as a Subject Matter Expert not HHS Business	YES	YES
My personal payroll copy	YES	YES

1. Copy with permission granted by supervisor.
2. Original

*Presidential Records are returned to the Presidential Library and made public as appropriate.



Or Can You?

Make a list of the information that you would like to take with you. Your Records Officer will review the list with you and forward a copy to the FOIA, Privacy and OGC to ensure the information is appropriate for release.

Procedures for Departing HHS

This pamphlet provides basic information to distinguish Federal records from other documentary materials. Government executives and employees like yourself create and maintain Federal records as part of your official responsibilities. You may keep extra copies of records as well as personal files that do not relate to agency business by following these guidelines.

NEVER REMOVE

- **Information not normally released under the Freedom of Information Act.**
- **Any Federal Record.**
- **The only copy of a document created to conduct Agency business, especially if it contains the original signature or initials of the writer, reviewer, and or concurring parties.**
- **Material that creates a gap in the files as to impair the completeness of the documentation.**
- **Finding aids, indexes used to locate files.**
- **Information subject to the Privacy Act.**
- **Classified Information.**
- **Any information that is prohibited by law, such as trade secret information.**

If only I had...



18 U.S.C. 2071, fine, up to 3 years in prison or both for each offense.

Federal Records:

- a. Reflect significant actions taken in the course of conducting Health and Human Services business.
- b. Contain unique, valuable information developed in preparing position papers, reports, studies, etc.
- c. Convey unique, valuable information about Health and Human Services programs, policies, decisions, or essential actions.
- d. Convey statements of policy or the rationale for decisions or actions.
- e. Document oral exchanges (in person or by telephone), during which policy is formulated or other Health and Human Services activities are planned or transacted.
- f. Add to the proper understanding of the formulation or execution of Health and Human Services actions or of Health and Human Services operations and responsibilities.
- g. Document important meetings.
- h. Facilitate action by Health and Human Services officials and their successors in office.
- i. Make possible a proper scrutiny by the Congress or other duly authorized agencies of the Government.
- j. Protect the financial, legal, and other rights of the Government and of persons directly affected by the Government's actions.
- k. Document the persons, places, things, or matters dealt with by the Department.
- l. Document essential transactions of the Health and Human Services such as a scientific research and development case file or an inspection report documenting a shipment of goods to the U.S. from overseas.
- m. Document the administration of the Department, such as personnel, procurement, payroll, budget, and other "housekeeping" operations (See the General Records Schedules for many types of administrative records created by the Department).

Non Record Material

Library and museum material (but only if such material is made or acquired and preserved solely for reference or exhibition purposes);

Extra copies of documents (but only if the sole reason such copies are preserved is for convenience of reference). Copies of unclassified material already in the public domain that you prepared.

Stocks of publications and of processed documents. (Each agency shall create and maintain serial or record sets of its publications and processed documents, as evidence of agency activities and for the information they contain, including annual reports, brochures, pamphlets, books, handbooks, posters and maps.)

Personal Papers

Personal papers are documentary materials of a private or nonpublic character that do not relate to, or have an effect upon, the conduct of agency business. Personal papers are excluded from the definition of Federal records and are not owned by the Government. Examples of personal papers include:

Materials accumulated by an official before joining Government service that are not used subsequently in the transaction of Government business;

Materials relating solely to an individual's private affairs, such as outside business pursuits, professional affiliations, or private political associations that do not relate to agency business.

Diaries, journals, personal correspondence, or other personal notes that are not prepared or used for, or circulated or communicated in the course of, transacting Government business.

If information about private matters and agency business appears in the same document, the document shall be copied at the time of receipt, with the personal information deleted, and treated as a Federal record.

Materials labeled "personal," "confidential," or "private," or similarly designated, but used in the transaction of public business, are Federal records subject to the provisions of pertinent laws and regulations. The use of a label such as "personal" is not sufficient to determine the status of documentary materials in a Federal office.