



U.S. Department  
of Transportation  
**Maritime  
Administration**

## MANUAL OF ORDERS

### MARITIME ADMINISTRATIVE ORDER

REVOKES

MAO 250-5, dtd.  
9-9-77

NO.

250-5

EFFECTIVE DATE

December 6, 1982

SUBJECT

IMPLEMENTING THE PRIVACY ACT OF 1974

#### Section 1. Purpose:

This order assigns certain responsibilities within the Maritime Administration in implementation of the Privacy Act of 1974, 5 U.S.C. 552a. Detailed instructions, procedures, and policy for implementation of the Privacy Act are found in Department of Transportation (DOT) Order 1050.3, supplementing the Department's Privacy Act Regulations (49 CFR Part 10) (the regulations), and in DOT Order 1620.5 relating to investigative requirements of the Privacy Act.

#### Section 2. Delegation of Authority:

2.01 The Deputy Maritime Administrator shall, as Privacy Act Appeals Officer, make the final determination on any appeal from a denial or partial denial of access to or denial or partial denial of correction of records by the Privacy Act Officer.

2.02 The Secretary, Maritime Administration, as Privacy Act Officer, shall make the initial determination and may grant or deny, in whole or in part, either access to or correction of Privacy Act records.

2.03 The Assistant Secretary, Maritime Administration, shall serve as Privacy Act Officer in the absence or preoccupation of the Secretary, Maritime Administration.

#### Section 3. Responsibilities:

##### 3.01 The Maritime Administrator shall:

- 1 Provide the support and resources required for accomplishment of the Privacy Act Officer's duties.
- 2 Establish procedures and controls to assure compliance with all the provisions of the Privacy Act.

##### 3.02 The Privacy Act Officer shall:

- 1 Serve as a central point for all Privacy Act matters within the Maritime Administration.
- 2 Respond to all Privacy Act inquiries received in the Maritime Administration.
- 3 Provide direction and advice to each system manager, especially with respect to sections (b) and (e)(5) and (6) of the Privacy Act.

- 4 Carry out such other authorities, responsibilities, and duties relating to the Privacy Act as may be delegated or assigned by the Maritime Administrator, and ensure compliance with the regulations, DOT Order 1050.3, and this order.

3.03 The Chief Counsel shall:

- 1 Provide legal services and advice to enable Maritime Administration officials to discharge their responsibilities under this order and other governing directives.
- 2 Act as the central point within the Maritime Administration for consultation with the Department Office of the General Counsel, when required.

3.04 The Director, Office of Personnel, shall:

- 1 Develop and issue rules of conduct pursuant to section (e)(9) of the Privacy Act, and provide training for Maritime Administration employees in rules of conduct.
- 2 Develop and administer procedures for implementing the regulations as they relate to Privacy Act System notices published by the Office of Personnel Management.

3.05 The Security Officer shall guide and advise Maritime Administration officials in the physical protection of Privacy Act records under their control.

3.06 The Director, Office of Administrative Services and Procurement, shall implement and administer the provisions of section (m) of the Privacy Act relating to contractors.

3.07 The Director, Office of Information Resources Management, shall be responsible for the physical protection of Privacy Act records in machine readable form.

3.08 The Director, Office of Financial Management, shall process receivables and payments under the Privacy Act in the same general way as those under the Freedom of Information Act.

3.09 Associate Administrators, Office Directors, and Other Officials Maintaining Privacy Act Records shall ensure that employees in their organizations fully comply with the provisions of the regulations, DOT Orders 1050.3 and 1620.5, and this order.

3.10 System Managers shall:

- 1 Provide maximum assistance and support to the Privacy Act Officer, including computation of any reproduction fees to be charged.
- 2 Draft and submit to the Privacy Act Officer any recommendations relating to the Privacy Act.
- 3 With the approval of the Privacy Act Officer, devise procedures and take appropriate action to make it convenient for employees to gain access to or copy their records, e.g., personnel records maintained by the Office

of Personnel, travel and pay records maintained by the Division of Accounting Operations, and ADP records maintained by the Office of Information Resources Management. The same responsibilities apply for records of midshipmen and midshipmen applications maintained by the Office of Maritime Labor and Training and the U.S. Merchant Marine Academy.

3.11 All Maritime Administration Officials shall:

- 1 Familiarize themselves with the basic principles of the Privacy Act, the regulations, DOT Orders 1050.3 and 1620.5, and this order.
- 2 In developing or considering new plans, programs, objectives, contracts, and the like, be alert to any known or likely collection, compilation, or use of personal information about individuals which could bring the provisions of the Privacy Act into effect.
- 3 Request the advice or assistance of the Privacy Act Officer or Chief Counsel, as appropriate, with respect to any question involving the Privacy Act, the regulations, DOT Orders 1050.3 and 1620.5, or this order.



H. E. SHEAR  
Maritime Administrator