

Migratory Bird Population and Harvest Systems

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[Notices]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Privacy Act of 1974; as Amended; Amendment to a Systems of Records

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed minor revisions to existing systems of records.

SUMMARY: The U.S. Fish and Wildlife Service conducted a review of its Privacy Act systems pursuant to the provisions of the Privacy Act of 1974, as amended (5 U.S.C. 552a), and the President's May 14, 1998, memorandum concerning Personal Information in Federal Records. As a result of their own review, they found nine of the U.S. Fish and Wildlife Service's Privacy Act system of records required minor revisions.

DATES: These actions will be effective on May 28, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. Johnny R. Hunt, Service Privacy Act Officer, U.S. Fish and Wildlife Service, Phone: 703/358-1730, email (Johnny__Hunt@fws.gov) or by writing to the following address: U.S. Fish and Wildlife Service, Privacy Act Officer, Mail Stop 222 Arlington Square Building, Arlington, Virginia 22203

SUPPLEMENTARY INFORMATION: We list the eight systems of records below which the U.S. Fish and Wildlife Service revised and a brief explanation of the minor revisions which they made. Following that information, we attached the eight revised Privacy Act system notices.

- ``Tort Claims Records--Interior, FWS-4" previously published in the Federal Register on December 6, 1983 (48 FR 54715):
 - (1) We added the regional contracting offices to the list of system

managers.

(2) We converted the notice to plain language to implement the President's memorandum of June 1, 1998, requiring the use of plain language in Government writing.

``National Wildlife Refuge Special Use Permits--Interior, FWS-5" previously published in the Federal Register on December 6, 1983 (48 FR 54716):

(1) We changed the name of the system manager to reflect that office's current title.

(2) We converted the notice to plain language to implement the President's memorandum of June 1, 1998, requiring the use of plain language in Government writing.

``National Fish Hatchery Special Use Permits--Interior, FWS-10" previously published in the Federal Register on December 6, 1983 (48 FR 54717):

(1) We changed the system location. The records are no longer maintained in the regional offices. They are maintained at the National Fish Hatcheries.

(2) We changed the name of the system manager to reflect the current title of that office.

(3) We converted the notice to plain language to implement the President's memorandum of June 1, 1998, requiring the use of plain language in Government writing.

``Real Property Records--Interior, FWS-11" previously published in the Federal Register on December 6, 1983 (48 FR 54717):

(1) We updated the system location to include the Washington Office, Division of Realty as another system location.

(2) We updated the section entitled ``Authority for maintenance of the system."

(3) We updated the section entitled ``Routine uses of records maintained in the system" to include the required summary reports which we produce (stripped of personal identifiers).

(4) We updated the system managers to reflect a more current address for the Washington Office, Division of Realty; and to include the U.S. Fish and Wildlife Services regional offices.

(5) We added the mandatory section entitled ``Disclosure to consumer reporting agencies".

(6) We included electronic storage as another medium we use to store records.

(7) We converted the notice to plain language in order to implement the President's memorandum of June 1, 1998, requiring the use of plain language in Government writing.

``Endangered Species Licensee System--Interior, FWS-19" previously published in the Federal Register on December 6, 1983 (48 FR 54718):

(1) We updated the system location to reflect the current address of the system.

(2) We dropped several categories of records which were part of the old system as we no longer collect the information.

(3) We updated the system manager and address to reflect the current address.

(4) We converted the notice to plain language to implement the President's memorandum of June 1, 1998, requiring the use of plain language in Government writing.

``Investigative Case File System--Interior, FWS-20" previously

published in the Federal Register on December 6, 1983 (48 FR 54719):

(1) We included more specific information about the computerized system being a local area network (LAN) system and password protected.

(2) We provided the current address in the "System Location" and "System Manager(s) and Address" sections.

(3) We modified the "Retention and Disposal" section to include a reference to our records schedule.

(4) We converted the notice to plain language to implement the President's

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memorandum of June 1, 1998, requiring the use of plain language in Government writing.

"U.S. Deputy Game Warden--Interior, FWS-22" previously published in the Federal Register on March 24, 1981 (46 FR 18375):

(1) We changed the system manager because the program was decentralized and records are now maintained at participating regions. Additionally requests for access and amendments to one's record go to the participating regional offices instead of the Washington Office, Division of Personnel Management.

(2) We added the mandatory section entitled "Disclosure to consumer reporting agencies".

(3) We converted the notice to plain language to implement the President's memorandum of June 1, 1998, requiring the use of plain language in Government writing.

"Migratory Bird Population and Harvest Systems--Interior, FWS-26" previously published in the Federal Register on March 24, 1981 (46 FR 18378):

(1) We eliminated 3 categories of individuals covered by the system. Many of the U.S. Fish and Wildlife Service research functions are now part of the U.S. Geological Survey's Biological Resources Division. They now have responsibility for the following categories of individuals previously collected by the U.S. Fish and Wildlife Service under this Privacy Act system: persons applying for bird banding permits; persons issued bird banding permits; and persons reporting upon banded birds encountered in the wild.

Additionally, we eliminated another category of individuals covered by the system because the program indicated it never needed or collected the information. We previously identified this category as "unidentified persons observed in the field hunting migratory game birds."

(2) Because we eliminated the above categories of individuals covered by the system, we needed to make corresponding minor changes in the sections of this notice which deal with categories of records we collect, the routine uses of the records, retention and disposal of the records, notification procedure, and the record source categories. Therefore, we updated those sections.

(3) We added the mandatory section entitled "Disclosure to consumer reporting agencies".

(4) We updated the address for the system manager.

(5) We converted the notice to plain language to implement the President's memorandum of June 1, 1998, requiring the use of plain language in Government writing.

``Correspondence Control System--Interior, FWS-27" previously published in the Federal Register on April 11, 1977 (42 FR 19092):

(1) We updated the system location to more accurately reflect where the records are maintained.

(2) We updated the name of the system manager to reflect the current title of that office.

(3) We added the mandatory section entitled ``Disclosure to consumer reporting agencies".

(4) We converted the notice to plain language to implement the President's memorandum of June 1, 1998, requiring the use of plain language in Government writing.

Dated: May 17, 1999.

Roy M. Francis,
Departmental Privacy Act Officer.

INTERIOR/FWS-26

SYSTEM NAME:

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

SYSTEM LOCATION:

The U.S. Fish and Wildlife Service maintains the records at the Office of Migratory Bird Management, U.S. Fish and Wildlife Service, U.S. Department of the Interior, Patuxent Wildlife Research Center, Laurel, Maryland 20811. The minor portions of the files comprising the system may be collected by the Washington Office of Migratory Bird Management, Fish and Wildlife regional and field offices, State offices, conservation organizations, universities, and individuals participating in population and harvest surveys. The Office of Migratory Bird Management, Laurel, Maryland receives and stores the information.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The U.S. Fish and Wildlife Service records are on (1) individuals who participate in migratory bird population surveys; and (2) individuals who submit their harvest data for migratory game birds.

CATEGORIES OF RECORDS IN THE SYSTEM:

The records contain name and address of the participant as well as relevant population survey and harvest data on migratory birds.

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:

Fish and Wildlife biologists and law enforcement officers, the Canadian Wildlife Service, the Mexican Department Fauna Silvestre, and State and Provincial conservation agencies use the information to further understanding, protection, management and use of migratory birds. They also use the data to guide, plan and coordinate research on migratory birds. The U.S. Fish and Wildlife Service and cooperating

agencies analyze and publish survey data in technical publications. The records may be disclosed outside of the Department of the Interior under the following circumstances:

(1) Another Federal agency to enable that agency to respond to an inquiry by the individual to whom the record pertains.

(2) The Department of Justice, or to a court, adjudicative or other administrative body, or to a party in litigation before a court or adjudicative or administrative body, when:

(a) One of the following is a party to the proceeding or has an interest in the proceeding:

(1) The Department or any component of the Department;

(2) Any Departmental employee acting in his or her official capacity;

(3) Any Departmental employee acting in his or her individual capacity where the Department or the Department of Justice has agreed to represent the employee; or

(4) The United States, when the Department determines that the Department is likely to be affected by the proceeding; and

(b) The Department deems the disclosure to be:

(1) Relevant and necessary to the proceedings; and

(2) Compatible with the purpose for which we compiled the information.

(3) The appropriate Federal, State, tribal, local or foreign governmental agency that is responsible for investigating, prosecuting, enforcing or implementing a statute, rule, regulation, order or license, when we become aware of an indication of a violation or potential violation of the statute, rule, regulation, order or license.

(4) A congressional office in response to an inquiry to that office by the individual to whom the records pertains.

(5) To the Canadian Wildlife Service, Environmental Management Service, Department of the Environment, Ottawa, Ontario, Canada K1A 0H3 and Mexican Direccion General Fauna Silvestre, Aquiles Serdan 28-70, Pisa, Mexico 3, DF, Mexico, as part of cooperative agreements and;

(6) To cooperators and researchers in other Federal, State, local agencies, conservation organizations, universities, and private individuals who participate in population and harvest surveys, survey analysis, or publications about migratory bird population and harvest studies.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Pursuant to 5 U.S.C. 552a(b)(12), records can be disclosed to consumer reporting agencies as they are 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:

We maintain the records in a variety of media including paper, punched cards, microfiche, microfilm, computer tape, and computer disk. We also have published and unpublished reports which present summary information.

RETRIEVABILITY:

We index the information in a variety of ways including by name. The identity of the individual is usually deleted shortly after analysis of data.

SAFEGUARDS:

We store the records within the fenced and locked premises of the Patuxent Wildlife Research Center, Laurel Maryland. The records are within a locked building and the master computer files are in a locked vault. Those wanting to use the records must first be authorized.

RETENTION AND DISPOSAL:

We retain those records that contain personal information (1) until the data can be recorded and stored on other media such as computer tapes, computer disks, or microfilm; and (2) until we can verify the accuracy of the data which was transferred to a different media. Information which we transfer to another media does not contain personal identifiers.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Office of Migratory Bird Management, Mail Stop 634 Arlington Square Building, 4401 North Fairfax Drive, Arlington, Virginia 22203

NOTIFICATION PROCEDURE:

Send a written, signed request for your records to the system manager identified above. See the Code of Federal Regulations (43 CFR 2.60) for additional information.

RECORDS ACCESS PROCEDURES:

Address requests for access to your records to the system manager identified above. Your request should be in writing, signed, and should meet any necessary content requirements specified in the Code of Federal Regulations (43 CFR 2.63).

CONTESTING RECORD PROCEDURES:

To amend your record, address your request to the system manager identified above. You must meet the content requirements indicated in the Code of Federal Regulations (43 CFR 2.71).

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RECORD SOURCE CATEGORIES:

Records come from those supervising or participating in various population surveys of migratory birds, and those who purchase migratory bird hunting stamps.