



U.S. Department of Justice
Immigration and Naturalization Service

HQFPB 160/5.1-P

Office of the Executive Associate Commissioner

425 I Street NW
Washington, DC 20536

Dated June 11, 2001

MEMORANDUM FOR ALL IMMIGRATION AND NATURALIZATION SERVICE EMPLOYEES

/s/
FROM: George H. Bohlinger, III
Executive Associate Commissioner
Office of Management

SUBJECT: Privacy Act Policy

This memorandum reaffirms the Immigration and Naturalization Services' (INS) policy to all INS employees regarding the Privacy Act (PA). Several issues have occurred involving the PA that have prompted the Office of Management to reissue the following guidance. Each INS employee has the responsibility under the PA to protect the security of personal information concerning a United States citizen or a lawful permanent resident; to ensure the accuracy, relevance, timeliness and completeness of the of the information; to avoid unauthorized disclosures either orally or in writing; and to ensure that no system of records retrieved by personal identifier (e.g., name, social security number, alien number, or other identifying number, symbol or particular) is maintained without prior public notice in the Federal Register. Further, the PA prohibits information pertaining to individuals, obtained for a particular purpose, from being used or made available for another purpose without the individual's consent.

Only those employees with a "need to know" to perform their official duties can have access to PA information. Accessing information from a "system of records" for personal use is a violation of the PA. Further, providing this type of information to someone else is a violation of the PA, subject to a fine up to \$5,000.

If an individual knows that his/her personal information has been accessed for a non-official use and without their consent, he/she has the option of filing a grievance and/or bringing a civil suit for damages against the agency for failing to comply with the PA's requirements.

It is imperative that each employee be aware of and conform to these mandates. If you have any questions, please contact Magda S. Ortiz, Director, FOIA/PA Branch, or Robin Moss, FOIA/PA Program Analyst at (202) 514-1722.

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