



U.S. Department of Justice
Immigration and Naturalization Service

HQFPB 160/5-C

Office of the Executive Associate Commissioner

425 I Street NW
Washington, DC 20536

August 23, 2001

MEMORANDUM FOR ALL IMMIGRATION AND NATURALIZATION SERVICE EMPLOYEES

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

SUBJECT: Privacy Act Requirements Concerning Sharing of Immigration and Naturalization
Service (INS) Information

Each INS employee has a responsibility to ensure that Privacy Act (PA) information is properly protected. Further, the PA has certain requirements that agencies must follow when disclosing PA information to individuals and entities outside of the Department of Justice. "In order to ensure fairness to individuals, the PA states that individuals must be able to determine who has had access to their records." Therefore, agencies must "keep an accurate accounting" regarding each disclosure of a record made to any person or to another agency (5 U.S.C. § 552a(c)).

The PA further states that an agency "need not keep a running tabulation of every disclosure at the time it is made." However, "the agency must be able to reconstruct an accurate and complete accounting of disclosures so as to be able to respond to an individual's request in a timely fashion."

INS Form G-658, Record of Information Disclosure (Privacy Act) is available to keep the accounting. (See attachment.) You may obtain this form from the Forms Center. Use of this form is not mandatory, but it is the easiest way to "account" for every disclosure of information. Upon completion of this form, a copy should be placed in the record subject's file or maintained in such a way that it could be retrieved when requested. The form also contains instructions for the placement of copies for other recordkeeping purposes. Please adhere to these instructions. 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.

Attachment (1)

U. S. Department of Justice
Immigration and Naturalization Service

RECORD OF INFORMATION DISCLOSURE (PRIVACY ACT)

| | | |
|---|------------------|---------------------|
| | | File Location (FCO) |
| | | File Number |
| Name | | |
| Date of Birth | Place of Birth | |
| Date of Disclosure | By Whom Released | |
| Purpose of Disclosure | | |
| Information Disclosed | | |
| Method of Disclosure <input type="checkbox"/> Form No. _____ <input type="checkbox"/> Review <input type="checkbox"/> Copy <input type="checkbox"/> Briefing <input type="checkbox"/> Other | | |
| Disclosure to (Agency/Name and Address) | | |
| Signature of Authorized Representative | | |
| Fact of Disclosure <input type="checkbox"/> is <input type="checkbox"/> is not accountable to individual. Reason: | | |

RECORD COPY (INS USE ONLY)

Form G-658 (Rev. 09-14-01)Y

INSTRUCTIONS

This form may be used to record disclosures of Information for which an accounting may be required under the provisions of the Privacy Act of 1974. Such disclosures include routine uses of information from INS systems of records (requests by other government agencies; investigations by INS officers; etc.) or other requests for which Form G-639, Freedom of Information/Privacy Request, is not used. The Record Copy shall be placed in the individual's file unless the information has been exempted from disclosure accounting. The Report Copy shall be placed in the Privacy Act Reporting file and may be used only for INS official reporting purposes.