

threatened species, and to share information on new developments and techniques of captive breeding of these protected species.

(5) To Federal, State, and local authorities who need to know who is permitted to receive and rehabilitate sick, orphaned, and injured birds under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act; federally permitted rehabilitators; individuals seeking a permitted rehabilitator with whom to place a sick, injured, or orphaned bird in need of care; and licensed veterinarians who receive, treat, or diagnose sick, orphaned, and injured birds;

(6) To the Department of Justice (DOJ), or 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:

(i) The DOI or any component of the DOI;

(ii) Any DOI employee acting in his or her official capacity;

(iii) Any DOI employee acting in his or her individual capacity where the DOI or DOJ has agreed to represent the employee; or

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

(b) The DOI deems the disclosure to be:

(i) Relevant and necessary to the proceedings; and

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

(7) To 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, or when we need to monitor activities conducted under a permit or evaluate regulated wildlife and plant trade and use.

(8) To a congressional office in response to an inquiry to the office by the individual to whom the record pertains.

(9) To the General Accounting Office or Congress when the information is required for the evaluation of the permit programs.

(10) To a contractor, expert, or consultant employed by the FWS when necessary to accomplish a FWS function related to this system of records.

(11) To provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of

locating a debtor to collect or compromise a Federal claim against the debtor, or to consumer reporting agencies to prepare a commercial credit report for use by the DOI.

#### **DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Pursuant to 5 U.S.C. 552a(b)12, disclosures may be made from this system 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:**

Records are stored in file folders, on microfiche, in electronic form in computer systems, and in reports and computer printouts. Paper records are stored in file cabinets, rooms, and offices. Electronic records are stored on a computer server and disks or tapes.

##### **RETRIEVABILITY:**

Paper and microfiche records are retrieved by name of applicant or by permit file number. Electronic records may be searched on or reported by any data field. Retrieval is dependent upon the report or purpose of usage and whether a need to know exists. Records are retrieved for several purposes, such as processing a permit application, verifying an individual has a permit to conduct an activity with a protected species, and tracking whether permit reports have been submitted.

##### **SAFEGUARDS:**

Access to records in the system is limited to authorized personnel whose official duties require such access, under requirements found in the Code of Federal Regulations (43 CFR 2.51). Paper and microfiche records are maintained in locked metal file cabinets and/or in secured rooms. Electronic records are password-protected, backed up daily, and maintained with safeguards meeting the security requirements of 43 CFR 2.51.

##### **RETENTION AND DISPOSAL:**

Records are maintained in accordance with the FWS record schedule.

##### **SYSTEM MANAGER(S) AND ADDRESS(ES):**

(1) Chief, Division of Consultation, HCPs, Recovery and State Grants, and Chief, Division of Conservation and Classification, Endangered Species Program, U.S. Fish and Wildlife Service, Mail Stop 420 Arlington Square Building, 4401 North Fairfax Drive, Arlington, Virginia 22203.

(2) Chief, Division of Management Authority, U.S. Fish and Wildlife Service, Mail Stop 700 Arlington Square Building, 4401 North Fairfax Drive, Arlington, Virginia 22203.

(3) Chief, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, Mail Stop 4107 Arlington Square Building, 4401 North Fairfax Drive, Arlington, Virginia 22203.

(4) Chief, Office of Law Enforcement, U.S. Fish and Wildlife Service, Mail Stop LE-3000 Arlington Square Building, 4401 North Fairfax Drive, Arlington, Virginia 22203.

#### **NOTIFICATION PROCEDURES:**

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to them, from the appropriate System Manager identified above. We require the request be in writing, be signed by the requester, and include the requester's full name and address, Social Security Number, and permit file number, if applicable. (See 40 CFR 2.60 for procedures on making inquiries.)

#### **RECORD ACCESS PROCEDURES:**

For copies of your records, write to the pertinent System Manager at the location above. The request envelope and letter should be clearly marked "PRIVACY ACT REQUEST FOR ACCESS." A request for access must meet the content requirements of 43 CFR 2.63(b)(4)).

#### **CONTESTING RECORD PROCEDURES:**

Use the same procedures as "Records Access Procedures" section above. (See 43 CFR 2.71.)

#### **RECORD SOURCE CATEGORIES:**

Records come from individuals who apply for permits to conduct certain activities with protected wildlife and plants.

#### **EXEMPTIONS CLAIMED FOR THE SYSTEM:**

The Privacy Act at 5 U.S.C. 552a(j)(2) provides general exemption authority for some systems or records. Under that authority, the FWS adopted a regulation [43 CFR 2.79(b)]. Under that regulation, the system is exempt from the following subsections of the Privacy Act (as found in 5 U.S.C. 552a): subsections (d)(1) and (g)(1)(B). For more information, see **Federal Register** publication 40 FR 37217 published on August 26, 1975.

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