

## **PRIVACY ACT GUIDANCE FOR DEPARTING EMPLOYEES**

The Privacy Act, 5 U.S.C., subsection 552a, prohibits the disclosure of certain records about an individual except under certain specified circumstances. This document provides a practical guide for those employees who are unfamiliar with the specific requirements of the Privacy Act. Note that this guide prohibits the removal of a broader range of materials than would be prohibited by the statute. Therefore, if you follow the guidance, you will not violate the Privacy Act.

As an employee of the Bureau of Land Management (BLM) you are entitled to have access to, and/or copies of, records about an individual when such access is necessary for you to perform your official duties. However, once you cease to be an employee of the BLM, you are no longer entitled to the special access that you previously had by virtue of that position. This is true even if you authored or had a role in preparing any particular record.

Upon your departure, you should **NOT** remove any records or copies from the BLM that contain information about an individual. A record is about an individual if it contains some substantive information about the individual (e.g., employment records, medical records, home address).

A record is not about an individual if it is about a person or entity that is not afforded Privacy Act protection (e.g., a corporation, organization, or a person who is neither a U.S. citizen nor a permanent resident).

A record is not about an individual if it does not identify the individual who is the subject of the record by name or other identifier but provides information about that individual. For instance, an agency memorandum that contains the name of the author of the memorandum, the name of the recipient, and perhaps even other employee names on a distribution list, but does not contain any information about those or any other individuals mentioned in the document of record would not be considered to contain privacy information.

Consult with your local Privacy Act Specialist or Records Manager if you have questions about any records in your possession that may contain personal information about individuals.