
Systems of Records Notices (SORN) Privacy Act Procedure

Directive No: CIO 2151-P-03.2

*Issued by the EPA Chief Information Officer,
Pursuant to Delegation 1-19, dated 07/07/2005*

Systems of Records Notices (SORN) Privacy Act Procedure

1. PURPOSE

These procedures provide the instructions for preparing a System of Records Notice (SORN). A SORN is required under the Privacy Act when federal agencies store and retrieve information by name or a personal identifier from paper records or electronic systems under their control.

2. SCOPE

These procedures apply whenever information is retrieved by a name or personal identifier from records under the control of the Agency, regardless of format or location (i.e., systems, applications, databases, Web sites, filing cabinets, etc.). These procedures must be followed before collecting personal information on an individual and retrieving it by one of those elements.

3. AUDIENCE

These procedures apply to all EPA employees and their contractors who collect personal information and retrieve information from systems using a personal identifier.

4. BACKGROUND

The Privacy Act of 1974, 5 U.S.C. 552a, prescribes requirements for federal agencies to follow when they collect, maintain or disseminate information about individuals that is maintained in systems of records. More specifically, the Act provides safeguards restricting disclosure of records about individuals that are accessed by their name or personal identifier and maintained by agencies; granting individuals access to records maintained about them; and the right to seek amendment of records upon a showing that the records are not accurate, relevant, timely or complete.

Programs are required to publish a SORN in the Federal Register (FR) when establishing or substantially revising any system of records that is covered by the Act. The FR notice must include the following information:

- System name
- System location
- Categories of individuals covered by the system
- Categories of records in the system
- Authority for maintenance of the system
- Purpose
- Routine uses of records in the system, including categories of users, and the

Systems of Records Notices (SORN) Privacy Act Procedure

Directive No: CIO 2151-P-03.2

- purpose of such uses
- Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system
- System manager(s) address and title
- Notification procedures
- Access procedures
- Contesting procedures
- Record source categories

When traditional paper collections of information are supplemented or replaced by electronic forms, the requirements of the Privacy Act continue to apply and the SORN must be updated to reflect the change.

Programs are also required to publish a SORN to delete/terminate a system whenever the information is no longer accessed by the individuals' name or other personal identifiers or whenever it is consolidated with another system of records. The FR notice must include the following information:

- System name
- Original Federal Register publication citation (i.e., volume, page number and date of publication)
- Reason for termination
- Disposition of records

Any time an agency wishes to establish or significantly change a system of records, it must also notify in advance the House Oversight and Government Reform Committee, the Senate Homeland Security and Governmental Affairs Committee, and the Office of Management and Budget (OMB), 5 U.S.C.552a(r).

5. AUTHORITY

Privacy Act of 1974, 5 U.S.C. 552a

6. PROCEDURE

The following activities outline the mandatory high-level actions for preparing and publishing a System of Records Notice. For more information on the process for preparing and publishing a SORN visit the [SORN](#) site - [Getting Started \(sharepoint.com\)](#).

1. Privacy impact assessment (PIA) conducted by Agency Privacy Officer (APO) to identify systems containing Personal Identifiable Information (PII)
2. SORN determination made to establish if system requires a SORN action
3. SORN action executed
4. Legal Review of SORN
5. OMB and Congressional Committee review of SORN
6. Senior Agency Official for Privacy/Chief Information Officer (SAOP/CIO) review for approval and signature of SORN

Systems of Records Notices (SORN) Privacy Act Procedure

Directive No: CIO 2151-P-03.2

7. Federal Register publication of SORN

7. ROLES AND RESPONSIBILITIES

Chief Information Officer/Senior Agency Official for Privacy (CIO/SAOP) – The Chief Information Officer (CIO) serves as the Agency’s Senior Agency Official for Privacy (SAOP). In this role, he/she approves or disapproves the proposed action, and signs the Federal Register notice if action is approved.

Federal Register Office – Obtains Federal Register Number for publication; submits necessary background documents to the Government Printing Office’s Office of Federal Register for publication; and informs Agency Privacy Officer of publication date.

Liaison Privacy Officials (LPOs) – Coordinate with Programs and Regions to prepare paperwork for SORN publication. Review the SORN for sufficiency, ensure all documentation is included and forward the package to the Agency Privacy Officer for review, approval and publishing.

Office of General Counsel (OGC) – The Office of General Counsel (OGC) reviews the SORN for legal sufficiency.

Agency Privacy Officer (APO) – Reviews and processes the documents necessary for SORN publication. Transmits SORN package to CIO/SAOP requesting approval to publish in the Federal Register.

Programs and Regions – Prepare paperwork for SORN publication in coordination with LPO (See Section 6 of these procedures). Monitor Web site for comments and reconcile comments received on Notice.

8. RELATED INFORMATION

- Privacy Act of 1974 (5 USC 552a) (<https://www.govinfo.gov/app/details/USCODE-2010-title5/USCODE-2010-title5-partI-chap5-subchapII-sec552a>)
- EPA’s Privacy Policy (https://www.epa.gov/sites/default/files/2017-01/documents/privacy_policy_2151_1.pdf)
- M-01-05, Guidance on Inter-Agency Sharing of Personal Data – Protecting Personal Privacy, December 20, 2000 (https://obamawhitehouse.archives.gov/omb/memoranda_m01-05/)
- M-05-08, Designation of Senior Agency Officials for Privacy (OMB) (February 11, 2005) (<https://georgewbush-whitehouse.archives.gov/omb/memoranda/fy2005/m05-08.pdf>)
- M-05-24, Implementation of Homeland Security Presidential Directive (HSPD) 12 – Policy for a Common Identification Standard for Federal Employees and Contractors (OMB) (August 5, 2005) (<https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/omb/memoranda/fy2005/m05-24.pdf>)

Systems of Records Notices (SORN) Privacy Act Procedure

Directive No: CIO 2151-P-03.2

- M-06-06, Sample Privacy Documents for Agency Implementation of Homeland Security Presidential Directive (HSPD) 12 (OMB) (February 17, 2006) (<https://georgewbush-whitehouse.archives.gov/omb/memoranda/fy2006/m06-06.pdf>)
- M-06-25, FY 2006 E-Government Act Reporting Instructions, (OMB) (August 25, 2006) (<https://georgewbush-whitehouse.archives.gov/omb/memoranda/fy2006/m06-25.pdf>)
- Recommendations for Identity Theft Related Data Breach Notification (OMB) (September 20, 2006) (https://georgewbush-whitehouse.archives.gov/omb/memoranda/fy2006/task_force_theft_memo.pdf)
- M-07-16, Safeguarding Against and Responding to the Breach of Personally Identifiable Information (OMB) (May 22, 2007) (<https://georgewbush-whitehouse.archives.gov/omb/memoranda/fy2007/m07-16.pdf>)
- M-07-19, FY 2007 Reporting Instructions for the Federal Information Security Management Act and Agency Privacy Management (OMB) (July 25, 2007) (<https://georgewbush-whitehouse.archives.gov/omb/memoranda/fy2007/m07-19.pdf>)
- [Privacy Act Manual](#)
- Privacy Threshold Analysis (<https://www.epa.gov/sites/default/files/2017-01/documents/pta-form-2015.pdf>)
- Privacy Impact Assessments (<https://www.epa.gov/sites/default/files/2017-01/documents/pia-form-2015.pdf>)
- Privacy Act Statement (<https://www.epa.gov/grants/privacy-act-statement>)

9. DEFINITIONS

Agency. For the purposes of the Privacy Act, EPA is considered a single Agency comprised of EPA Headquarters and all of EPA's regions.

Individual. A citizen of the United States or an alien lawfully admitted for permanent residence.

Maintain. Includes maintain, collect, use or disseminate.

Official Use. Managers and employees of an EPA component who use any record or the information contained therein to perform their official duties.

Personal Identifier. A name, Social Security number, or other identifying number, symbol, or other identifying particular assigned to an individual (e.g., voice/fingerprint or a photograph).

Privacy Act Information. Data about an individual that is retrieved from a system of records by name or other personal identifier assigned to the individual.

Record. Any item, collection or grouping of information about an individual maintained by an agency, e.g., the individual's education, financial transactions and medical, criminal or employment history.

System of Records – A group of any records, paper or electronic, under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

10. WAIVERS

There are no waivers to this procedure.

Systems of Records Notices (SORN) Privacy Act Procedure

Directive No: CIO 2151-P-03.2

11. MATERIAL SUPERSEDED

These procedures update and replace CIO 2151-P-03.1

12. CONTACTS

For further information, please contact the National Privacy Program, Office of Information Security and Privacy, Office of Mission Support.

Vaughn Noga
Deputy Assistant Administrator for Environmental Information
and Chief Information Officer
U.S. Environmental Protection Agency