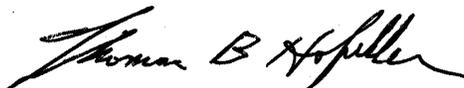


For: State and County Offices

State FOIA/Privacy Act Officer Collateral Duty Addendum

Approved by: Associate Administrator for Operations and Management



1 State FOIA/Privacy Act Officer

A Background

Recent amendments to FOIA have increased the importance of FOIA administration by all Federal agencies in the Executive Branch. Recently, lawmakers have paid a great deal of attention to protecting personally identifiable information (PII). Safeguarding PII has become much more important, particularly in light of computer-based information systems, as well as traditional paper files.

Based on this, FSA management has determined that an employee at the State Office level will be accountable for fulfilling the duties of a FOIA/Privacy Act officer in each State. To fulfill this requirement, a collateral duty statement has been developed that identifies the tasks that **must** be performed by the State FOIA/Privacy Act officer (Exhibit 1).

B Purpose

This notice:

- advises all SED's of the need to select an employee to perform the collateral duty
- provides a copy of the collateral duty addendum
- provides guidance for distributing and filing the addendum.

Disposal Date	Distribution
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1 State FOIA/Privacy Act Officer (Continued)

C Requirements for the Collateral Duty

The collateral duty:

- will **not** be limited to specific grades or positions

Note: SED's should determine the best employee to perform the job.

- should **not** take up more than 20 percent of a position's overall time
- **must** be documented with an addendum (Exhibit 1), which will be placed on the left side of the employee's eOPF with their current position description
- addendum should be given to the employee and their supervisor for recordkeeping purposes.

D Questions

Questions about the FOIA officer collateral duty addendum shall be directed to the Kansas City Human Resource Office, Operations Section, servicing classification specialist according to this table.

IF location is...	THEN contact...
Northeast and Southeast States	Latrisha Peterson by either of the following: <ul style="list-style-type: none">• e-mail to Latrisha.Peterson@kcc.usda.gov• telephone at 816-823-2483.
Midwest States	Marcia Shakur by either of the following: <ul style="list-style-type: none">• e-mail to Marcia.Shakur@kcc.usda.gov• telephone at 816-823-1955.
Northwest States	Donna Fisher by either of the following: <ul style="list-style-type: none">• e-mail to Donna.Fisher@kcc.usda.gov• telephone at 816-823-1957.
Southwest States	Tamara McDaniel by either of the following: <ul style="list-style-type: none">• e-mail to Tamara.McDaniel@kcc.usda.gov• telephone at 816-823-5202.

Collateral-Duty Assignment Addendum

According to subparagraph 1 C, the collateral duty **must** be documented by the following addendum, placed on the left side of the employee's eOPF with their current position description, and given to the employee and their supervisor for recordkeeping purposes.

Collateral-Duty Assignment
Farm Service Agency, (*insert State Office*)
Addendum to (*insert position title, series, grade*)

The following duties and responsibilities have been incorporated into (*insert employee's name*) position description effective (*insert date*). These duties will require less than 20% of the employee's time.

These responsibilities will be addressed in the performance standards by (*insert supervisor's name*) as a non-critical element, but do not replace EEO requirements of the employee's official record.

(*insert employee's name*), is designated State Freedom of Information Act (FOIA)/Privacy Act Officer with the following responsibilities:

- Implements operating procedures for safeguarding the privacy of employees, producers, applicants, borrowers and other private individuals. Demonstrates an understanding of the Privacy Act and applies the Act correctly when exercising controls and safeguards to preserve the integrity and confidentiality of protected information. Ensures that all employees with access to personal information are provided information on personally identifiable information (PII) policy and provisions of disclosure regulations. Responsible for working with requestors as well as County Office employees to perfect FOIA requests so that only releasable data is made available.
- Knowledgeable of the availability and disclosure of agency and USDA records subject to the Freedom of Information Act and the Privacy Act. Has a working knowledge of the Privacy Act and exemptions under FOIA. Provides training and oversight to state and county employees, emphasizing the need for FOIA and Privacy Act information to be processed in a timely and accurate manner, as well as properly reported. In addition, provides training and oversight to state and county employees to assist them in the safeguarding of PII data.
- Acts as liaison between Appeals and Litigation Staff and County Offices for FOIA and Privacy Act litigation. Also acts as a liaison with Headquarters FOIA and Privacy Act Officers, alerting them to any policy concerns or unsettled matters. Serves as a resource to County Offices receiving FOIA requests; coordinates any County Office request that affects more than one county within the state; coordinates training and dissemination of other needed resources to component County Office within the State handling FOIA. Tracks and manages progress, timeliness, and accuracy of component County Office FOIA requests.
- Maintains a current log of all requests to State and County Offices for information as documented on the FSA-534 and the FSA-874. Person is responsible for completing the annual report of all FOIA and Privacy Act requests within the State, and should be prepared to provide periodic progress reports if requested from the National Office between annual report filings.