

**Forest Service Manual
National Headquarters - Washington Office
Washington, DC**

**Forest Service Manual 6200 – Office Management
Chapter 6270 – Availability of Records**

Amendment number: 6200-2024-1

Effective date: January 18, 2024

Duration: This amendment is effective until superseded or removed.

Approved: Lisa Northrop, Acting Deputy Chief, Business Operations

Date approved: January 17, 2024

Responsible Staff: Office of Regulatory and Management Services (ORMS)

Last Change:

Superseded Document(s): 6200_70, Amendment 6200-2020-1, August 18, 2020

Digest: Following is an explanation of the changes throughout the directive by section.

Chapter 6270: Revises the chapter with three primary Freedom of Information Act (FOIA) policy updates:

1. Adjusts initial FOIA response letter signatory authority from Washington Office Directors to the Office of Regulatory and Management Services' (ORMS) Director if response timelines are not met;
2. Clarifies roles and responsibilities of two positions, FOIA Officer-ORMS and Privacy Officer-CIO; and
3. Refines policy on appraisal reports/information requested under FOIA. Removes FOIA Handbook FSH 6209.13, chapter 10, Freedom of Information Act from directives system.

Section 6270.1: Adds additional direction from 7 CFR citation for FOIA delegations of authority and adds Departmental Regulations for FOIA and Privacy.

Section 6270.4: Revises section with updates to codes and captions throughout.

Section 6270.41d: Revises FOIA responsibilities of Washington Office Directors; provides delegation authority to sign FOIA initial response letters to Director, Office of Regulatory and

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

Management Services, if response timelines are not met.

Section 6270.41f: Updates responsibilities of FOIA Officer and Privacy Officer.

Section 6270.42a: Removes reference to Area Directors; and moves Managers/Supervisors from section 6270.42a to section 6270.42d to reflect appropriate delegation authority.

Section 6270.42b: Defines roles and responsibilities around requests for appraisals or appraisal information requested under FOIA.

Section 6270.42e: Makes consistent use of working title “FOIA Liaisons” to distinguish from “FOIA Coordinators.”

Section 6270.5: Moves and updates definitions previously set out in FSH 6209.13, section 5, to this section.

Effective August 18, 2020. Revisions as listed below to FSM 6270:

Section 6272.4: Adds direction for the National Technology & Development Program and Geospatial Technology & Applications Center Directors to have authority to sign initial responses to Privacy Act requests.

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

Table of Contents

6270.1 – Authority	4
6270.2 – Objective	5
6270.3 – Policy.....	6
6270.4 – Responsibility	6
6270.41 – Washington Office.....	6
6270.41a – Chief and Associate Chief.....	6
6270.41b – Deputy Chiefs and Chief Financial Officer	6
6270.41c – Deputy Chief, Business Operations	7
6270.41d – Washington Office Directors	7
6270.41e – Director, Office of Regulatory and Management Services	7
6270.41f – National FOIA Officer and National Privacy Officer.....	8
6270.41g – Washington Office FOIA Coordinators	9
6270.42 – Field Offices	9
6270.42a – Regional Foresters, Regional Special Agents in Charge, Station Directors, Forest Products Laboratory Director, and International Institute of Tropical Forestry Director.....	9
6270.42b – Regional Office, Director of Lands	10
6270.42c – Region, Station, Forest Products Laboratory, and International Institute of Tropical Forestry FOIA Coordinators	10
6270.42d – Forest Supervisors and Directors/Managers/Supervisors	11
6270.42e – Forest FOIA Liaisons.....	11
6270.5 – Definitions.....	12
6271 – Freedom of Information Act	15
6271.1 – Availability of Records	15
6271.2 – Appeals	15
6271.3 – FOIA Litigation	15
6272 – Privacy Act of 1974	15
6272.01 – Authority	15
6272.1 – Access to Records	15
6272.2 – Requests for Access to or Amendment of Records.....	16
6272.3 – Response Times	16
6272.4 – Signing Authority	16
6272.5 – Appeal of Denied Access or Amendment.....	16
6272.51 – Decision on Access or Amendment Appeal	16
6272.52 – Response Times.....	16
6272.53 – Signing Authority.....	16
6272.54 – Granting Appeal	16
6272.55 – Denying Appeal	17
6272.56 – Statement of Disagreement.....	17

6270.1 – Authority

1. Title 5, United States Code, section 552, Freedom of Information Act (FOIA) of 1966 as amended (5 U.S.C. § 552). Directs agencies to make records available to the public, upon written request; establishes exemptions to the Act describing circumstances in which records may be withheld; provides an appeal process when access to records is denied; and requires that agencies inform appellants of the provisions for judicial review if an appeal is denied.
 - a. Title 7, Code of Federal Regulations, part 1-- Administrative Regulations, subpart A -- Official Records (7 CFR § 1, subpart A). Establishes U.S. Department of Agriculture (USDA) policy, procedures, requirements, and responsibilities for administration and coordination of the FOIA.
 - b. Title 7, Code of Federal Regulations, part 2 -- Delegations of Authority by the Secretary of Agriculture and General Officers of the Department, subparts D and P. subpart D provides delegations of authority to other general officers and agency heads as outlined in the Freedom of Information Act part 2.31 – General Counsel; and subpart P provides delegations of authority by the Assistant Secretary for Administration as outlined in the Freedom of Information Act part 2.96, Director, Office of Operations.
 - c. Title 36, Code of Federal Regulations, part 200, subpart B – Functions and procedures, sections 200.6 to 200.8. This regulation sets forth and describes the location of and USDA rules governing access to Forest Service records; also describes the appeals process when requests for records are denied.
 - d. U.S. Department of Agriculture, Departmental Regulation 3450-002, Freedom of Information Act Implementing Regulations. These regulations establish Department wide policy, procedures, requirements, and responsibilities for administration and coordination of the FOIA.
 - e. U.S. Department of Agriculture, Departmental Regulation 3090-001, Litigation Retention Policy for Documentary Materials including Electronically Stored Information. This policy is to prescribe Departmentwide enterprise policies and responsibilities related to the retention of record and non-record documentary materials, including Electronically Stored Information, for discovery or other litigation-related purposes.
2. Title 5 United States Code part 552a,
3. Privacy Act of 1974 (5 U.S.C. § 552a). Directs agencies to safeguard the privacy of individuals by only disclosing records to others for certain purposes or with an individual's written consent; provides individuals with access to and the means to

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

amend their records; establishes exemptions by which access, or amendment may be denied; and provides an appeal process when requests for access or amendment are denied. Also, requires that agencies inform appellants of their right to file a concise statement and the provisions thereof, and to inform them of their right to seek judicial review.

- a. Title 7, Code of Federal Regulations, subtitle A, part 1 -- Administrative Regulations, subpart G – Privacy Act Regulations (7 CFR subtitle A §1 subpart G). Establishes USDA policy, procedures, requirements, and responsibilities for administration and coordination of the Privacy Act.
- b. Title 5, Code of Federal Regulations, subchapter B, parts 293 and 297 – Personnel Records and Privacy Procedures for Personnel Records. Provides U.S. Office of Personnel Management policy regarding personnel records.
- c. U.S. Department of Agriculture, Departmental Regulation 3465-002, Privacy, Civil Rights, and Civil Liberties with Unmanned Aerial Systems (UAS). This policy defines the strategic direction necessary to ensure the safeguarding of privacy, civil rights, and civil liberties of the citizens of the United States and USDA personnel when using UASs.
- d. U.S. Department of Agriculture, Departmental Regulation 3515-000, Privacy Requirements. This policy establishes security policy and procedures for privacy within USDA. The policy addresses security requirements with regard to the Privacy Act and the use of cookies at USDA websites; and addresses the Privacy Impact Assessment (PIA) and implements the requirement for addressing privacy during the systems development and revision process. The policy also describes the steps required to complete a PIA on a project and discusses some of the privacy issues a project must address when completing a PIA.
- e. U.S. Department of Agriculture, Departmental Regulation 3515-002, Privacy Policy and Compliance for Personally Identifiable Information (PII). This policy establishes USDA privacy policy, provides the impetus and foundations for the Privacy Program, and guides the development of associated processes and procedures.

6270.2 – Objective

To make requested records, in agency possession and under agency control, legally available to requesters in accordance with the statute. This includes records held by government contractors for purposes of records management.

6270.3 – Policy

1. Provide only records responsive to the request exactly as written or as specifically narrowed by the requester during subsequent clarification.
2. Contact requesters to clarify requests when necessary, and document clarification in writing.
3. Refer responsive records originating with another Federal agency to that agency for a release determination or consult (obtain permission) from the other Federal agency prior to a release.
4. Invoke exemptions, exceptions, and exclusions as appropriate.
5. Meet statutory timelines for responses.
6. Charge FOIA processing fees as directed in 7 CFR § 1, subpart A, section 1.12 -- fees and fee schedule.
7. Coordinate legal sufficiency review by USDA, Office of the General Counsel for:
 - a. Initial or appeal responses with records that are part of an ongoing claim or litigation, or when litigation is likely, USDA, Departmental Regulation 2510-001, Section 7a.
 - b. Appeal responses that contain a no records determination or where records are recommended to be withheld in part or in entirety Title 7 CFR § 1, subpart A, Section 1.9, administrative appeals.

6270.4 – Responsibility

6270.41 – Washington Office

6270.41a – Chief and Associate Chief

The Chief and Associate Chief are authorized to sign final FOIA and Privacy Act appeal decisions related to requested records maintained by program areas directly under the Office of the Chief.

6270.41b – Deputy Chiefs and Chief Financial Officer

Deputy Chiefs and the Chief Financial Officer are authorized to sign final FOIA and Privacy Act appeal decisions related to requested records maintained by program areas directly under each Deputy Chief and the Chief Financial Officer.

6270.41c – Deputy Chief, Business Operations

In addition to the responsibility delegation in section 6270.41b, the Deputy Chief, Business Operations shall:

1. Administer the FOIA and Privacy programs,
2. Designate a National FOIA Officer and,
3. Designate a National Privacy Officer.

6270.41d – Washington Office Directors

Washington Office Directors are authorized to sign FOIA initial response letters when:

1. Records are released in entirety,
2. Records are withheld in part or in entirety,
3. No responsive records are located for all or a portion of a request,
4. Expedited processing is granted or denied,
5. Fee waiver is granted or denied, or
6. Response time extension is granted for unusual or exceptional circumstances.

This responsibility may be delegated to the Director, Office of Regulatory and Management Services (sec. 6270.41e) and shall be delegated if a FOIA initial response letter is not signed in the timeframe specified by the FOIA office.

Additionally, Washington Office, Directors have the responsibility to:

1. Ensure timely, adequate, and reasonable searches are conducted for responsive records,
2. Concur on release determinations for their program area, and
3. Review existing program Privacy Act System of Records Notices (SORNs) every two years for currency and work with the Privacy Act Officer to revise or amend as needed.

6270.41e – Director, Office of Regulatory and Management Services

The Director, Office of Regulatory and Management Services, is authorized to sign FOIA initial response letters when:

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

1. Records are released in entirety,
2. Records are withheld in part or in entirety,
3. No responsive records are located for all or a portion of a request,
4. Expedited processing is granted or denied,
5. Fee waiver is granted or denied, or
6. Response time extension is granted for unusual or exceptional circumstances.

6270.41f – National FOIA Officer and National Privacy Officer

The National FOIA Officer is authorized to sign routine correspondence of a technical, procedural, or informational nature in connection with the FOIA program. Examples include requests for clarification; business submitter notices; or procedural case closure letters, such as an untimely receipt of an appeal; or dismissal of an appeal due to receipt of a response.

It is the responsibility of the National FOIA Officer to:

1. Advise the Washington Office, Agency FOIA community, program area staff and management, and senior leaders in the proper administration of the FOIA,
2. Ensure incoming requests, appeals, and litigation are appropriately assigned, analyzed, tracked, coordinated, and responded to nationwide in accordance with statutory timeframes,
3. Serve as the primary Forest Service FOIA liaison with the USDA, including the USDA, Office of the General Counsel and the USDA, Office of Information Affairs,
4. Ensure the timely preparation and submission of FOIA reporting requirements,
5. Review responsive records and concur on all Washington Office staff FOIA response packages prior to release, and
6. Ensure management of Washington Office FOIA records complies with approved agency records management policy.

It is the responsibility of the National Privacy Officer to:

1. Assist Washington Office program area staff and management in establishing and amending Privacy Act SORNs to comply with the Privacy Act.

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

2. Coordinate work with USDA's Natural Resources and Environment Forest Service Privacy Officer and Information System Security Officers of each applicable system to ensure the creation and maintenance of official Privacy Act SORN files in accordance with guidance provided in FSM 6685 Privacy Controls.

6270.41g – Washington Office FOIA Coordinators

Washington Office FOIA Coordinators are authorized to engage in routine communications of a technical, procedural, or informational nature in connection with the FOIA program. Examples include acknowledging receipt, request for clarification, and status inquiries.

Additionally, Washington Office FOIA Coordinators are responsible for administering and coordinating the FOIA in accordance with DR 3450-002, including the following:

1. Promptly entering incoming requests, appeals, and litigation into the approved content management platform upon receipt,
2. Advising program area staff regarding FOIA processes and procedures,
3. Timely review of responsive records,
4. Writing clear, concise, correct response letters, and
5. Posting release copies of records to the FOIA Reading Room in accordance with proactive disclosure guidance.

6270.42 – Field Offices

6270.42a – Regional Foresters, Regional Special Agents in Charge, Station Directors, Forest Products Laboratory Director, and International Institute of Tropical Forestry Director

Regional Foresters, Regional Special Agents in Charge, Station Directors, Forest Products Laboratory Director, and International Institute of Tropical Forestry Director are authorized to sign FOIA responses when:

1. Records are released in entirety,
2. Records are withheld in part or in entirety,
3. No responsive records are located for all or a portion of a request,
4. Expedited processing is granted or denied,
5. Fee waiver is granted or denied, or
6. Response time extension is granted for unusual or exceptional circumstances.

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

Regional Foresters, Regional Special Agents in Charge, Station Directors, Forest Products Laboratory Director, and International Institute of Tropical Forestry Director shall also assign responsibility for administering and coordinating the FOIA in accordance with DR 3450-002.

6270.42b – Regional Office, Director of Lands

Is responsible for ensuring that release of all or part of an appraisal or appraisal information, to anyone other than the client and intended users, must be made through a FOIA request.

The Regional Office, Director of Lands, or equivalent official, has the responsibility to approve the internal release of approved appraisal reports to the local administrative unit. This responsibility may not be delegated, FSM 5410 Appraisals.

6270.42c – Region, Station, Forest Products Laboratory, and International Institute of Tropical Forestry FOIA Coordinators

The Region, Station, Forest Products Laboratory, and International Institute of Tropical Forestry FOIA Coordinators are authorized to engage in routine communications of a technical, procedural, or informational nature in connection with the FOIA program. Examples include acknowledging receipt, request for clarification, and status inquiries.

Additionally, Region, Station, Forest Products Laboratory, and International Institute of Tropical Forestry FOIA Coordinators are responsible for administering and coordinating the FOIA in accordance with DR 3450-002, including the following:

1. Promptly entering incoming requests and litigation into the approved content management platform upon receipt,
2. Advising program staff regarding FOIA processes and procedures,
3. Timely review of responsive records,
4. Writing clear, concise, correct response letters,
5. Posting release copies of records to the FOIA Reading Room in accordance with proactive disclosure guidance,
6. Serve as the primary Forest Service, FOIA liaison with the Washington Office, FOIA Service Center and with the USDA, Office of the General Counsel,
7. Ensure Region, Station, Forest Products Laboratory, and International Institute of Tropical Forestry FOIA records comply with approved agency records management policy, and

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

8. Promptly provide the assigned Washington Office, FOIA Coordinator, upon receipt of a FOIA appeal, with copies of:
 - a. Initial FOIA request,
 - b. Initial Agency response(s),
 - c. Relevant background information, such as completed search forms,
 - d. Clean and redacted copies of released records, and
 - e. A second search certification when applicable.

6270.42d – Forest Supervisors and Directors/Managers/Supervisors

Forest Supervisors are authorized to sign responses to initial requests, or portions of initial requests, when records are released in entirety. This authority shall not be redelegated to District Rangers. The Forest Supervisor shall assign responsibility for supporting the FOIA in accordance with DR 3450-002.

It is the responsibility of the Forest Supervisor to:

1. Ensure an adequate search for responsive records in accordance with statutory timelines,
2. Sign letters granting requests for expedited processing within 10 days of receipt,
3. Sign letters granting requests for a fee waiver prior to any records delivery,
4. Sign letters extending the response time by 10 days for unusual or exceptional circumstances,
5. Sign letters responding to initial requests, or portions of initial requests, for records released in entirety, and
6. Promptly refer to the Regional FOIA Coordinator for analysis “no records” determinations and records recommended to be withheld in part or in entirety.

6270.42e – Forest FOIA Liaisons

It is the responsibility of Forest FOIA Liaisons to support the FOIA program to include the following:

1. Ensure that incoming requests are promptly routed to the Regional FOIA Coordinator for logging and analysis,

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

2. Ensure Forest FOIA records comply with approved agency records management policy, and
3. Assist Forest subject matter experts in conducting and documenting an adequate search in response to a FOIA request.

6270.5 – Definitions

Administrative record. Records that document the Agency's decision-making process.

Adverse determination. Agency response to an initial FOIA request where no records are located responsive to the request; records are denied in full or part pursuant to one or more of the nine FOIA exemptions; or a fee waiver or a request for expedited processing is denied.

Aggregate. To combine multiple requests and process them as one request; or to combine fees for multiple requests when it is reasonable to believe that a requester is attempting to break a request into a series of related requests for the purpose of evading assessment of fees.

Business submitter. An individual or business entity providing information about their business to the Government.

Compelling need. Standard used by the Government to grant or deny requests for expedited processing under the FOIA. This standard must include imminent threat to life or physical safety, or loss of due process; or urgency to inform the public about an actual or alleged Federal Government activity, if made by an individual primarily engaged in disseminating information that is of public interest.

Complex. The processing track designation for a request that involves a high volume of records, and/or is very complicated, and/or involves searching multiple staff areas or multiple agency offices.

Consult. To seek information or advice from an agency outside the Forest Service regarding responsive records with that agency's equities. Obtain in writing agreement by other agency to release or withhold records in part or in entirety. Other agencies can also request a consult regarding responsive records with Forest Service equities.

Date of receipt. The date a request is received in a Forest Service FOIA Service Center or other agency office; but no later than 10 working days after a request is received by any Forest Service office. If the request is not perfected when it is received, a new date of receipt is established.

Employment record. Past and present personnel information. These records may contain personal information of the employee, including name; present/past position

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

titles and occupational series; grades; past and present salary rates; performance awards or bonuses; disciplinary action; position descriptions; past and present duty station.

Expedited request. The processing track type for a request when the requester has established a compelling need for the information. Requests in this track are processed quickly and out of sequence.

Freedom of Information Act (FOIA) request. A written request for access to agency records that reasonably describes the records sought. Request does not have to reference FOIA.

Glomar. Reference to FOIA case law; indicates a FOIA response that “neither confirms nor denies” the existence of investigatory records pertaining to a specifically named individual. Also may be referred to by the acronym NCND.

Information Systems Security Officers (ISSO). Responsible for the day-to-day security administration for one or more information systems. There is an operational security effort regarding the system(s) for which they are responsible.

Multi-track processing. A system where requests are placed in one of several processing tracks: simple, complex, or expedited. Requests in each track are processed on a first in/first out basis.

Non-record materials. U.S. Government-owned documentary materials excluded from the legal definition of records (44 U.S.C. § 3301), either by failing to meet the general conditions of record status already described or by falling under one of three specific categories:

1. Extra copies of documents preserved only for convenience of reference;
2. Stocks of publications and of processed documents. Each agency needs, however, to create and maintain record sets of processed documents and of publications, including annual and special reports, special studies, brochures, pamphlets, books, handbooks, manuals, posters, and maps; and
3. Library and museum material made or acquired and preserved solely for reference or exhibition purposes.

Perfected. A request is perfected when all the following requirements are met:

1. Request is received in writing;
2. Records sought are clearly described with date range specified, and

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

3. Fee matters are resolved.

Personal papers. Personal papers are documentary materials belonging to an individual that are not used to conduct agency business. They relate solely to an individual's personal and private affairs or are used exclusively for that individual's convenience. Personal papers must be clearly designated as such and maintained separately from Federal records and non-records.

Privacy Impact Assessment (PIA). Analysis of how personally identifiable information is handled to ensure compliance with appropriate regulations, determine the privacy risks associated with information systems or activities, and evaluate ways to reduce the privacy risks.

Public interest. The spirit of transparency that contributes to “shedding light on an agency’s performance of its statutory duties.”

Records. Federal records include all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them.

Redact. To obscure or remove information from an agency record.

Refer. To forward a portion of a request asking for another agency’s records – or responsive records with other agency equities – to that agency for review and direct response to the requester.

Re-route. Process for handling a FOIA request for records outside an agency’s purview; request is forwarded to the proper agency.

Segregate. Line-by-line records review process releasing or redacting portions of information pursuant to one or more FOIA exemptions.

Simple. The processing track designation for a request that involves a low volume of records and/or is not complex and/or involves searching a single staff area.

System of Records. A group of any records under the control of an 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.

System of Records Notice (SORN). Informs the public of the existence of a system of records and describes the type of information that an agency will be collecting, who will be collecting the information, how it will be safeguarded, the purpose for collecting such

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

information, etc. It is an advanced notice to the public that must be given before an agency begins to collect, is given access to or can retrieve personal information for a new system of records and must be published in the Federal Register.

Toll. To “stop the clock,” or put on hold the statutory time an agency has to respond to a FOIA request after a request has been received.

Unmanned Aerial System (UAS). An unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) are required for the pilot in command to operate safely and efficiently in the national airspace system.

6271 – Freedom of Information Act

6271.1 – Availability of Records

The FOIA provides that agency records must be made available to the public unless they fall within one or more of the nine enumerated exemptions (5 U.S.C. § 552).

6271.2 – Appeals

A requester whose request for records is denied in part, in entirety, or for which no records are found, may appeal in writing to the Chief. The appeal must be received within 90 calendar days from the date on the initial agency FOIA response letter.

6271.3 – FOIA Litigation

When litigation is received or anticipated involving records requested under the FOIA, Forest Service FOIA Coordinators will coordinate with the USDA, Office of the General Counsel in accordance with DR 3090-001.

6272 – Privacy Act of 1974

6272.01 – Authority

See FSM 6270, Availability of Records.

6272.1 – Access to Records

The Privacy Act provides individuals access to records about themselves when the records containing this information are located within a system of records, unless the records fall under the general or specific exemptions.

6272.2 – Requests for Access to or Amendment of Records

Individuals may request access to, or amendment of, their records which are contained in a Privacy Act System of Records.

6272.3 – Response Times

The Forest Service should review and respond to a Privacy Act request within 30 working days after the date of receipt.

6272.4 – Signing Authority

The Washington Office, Staff Director, the Privacy Act Records System Manager, National Technology & Development Program and Geospatial Technology & Applications Center Directors, or the Line Officer (except District Rangers) having custody of the records may sign the initial Privacy Act response.

6272.5 – Appeal of Denied Access or Amendment

An individual denied access to or amendment of all or part of a Privacy Act record may appeal the denial to the Chief.

6272.51 – Decision on Access or Amendment Appeal

6272.52 – Response Times

The Forest Service should review and respond to a Privacy Act appeal within 30 working days after the date of receipt.

6272.53 – Signing Authority

The Chief, Associate Chief, Chief Financial Officer, or a Deputy Chief may sign the response to a Privacy Act appeal.

6272.54 – Granting Appeal

If an appeal for access to information is granted in full or in part, the Washington Office Staff Director, the responsible Records System Manager, or the Line Officer having custody of the records shall make the records available to the requester promptly or inform the requester when the records will be available. If an appeal is granted only in part, treat that part not granted as a denial and notify the requester of their rights following procedures in section 6272.55.

If an appeal for amendment, is granted in full or in part, the responsible Officer or Records System Manager shall amend the challenged record and advise in writing, all previous

Forest Service Manual 6200 – Office Management

Chapter 6270 – Availability of Records

Amendment number: 6200-2024-1

Effective date: January 18, 2024

recipients of the record about the amendment. The written response to the requester must state the basis for the decision.

Coordination with the USDA, Office of the General Counsel is not required when an appeal is granted in full.

6272.55 – Denying Appeal

If the decision is to deny an appeal in full or part, the Washington Office, Privacy Officer and the Washington Office, FOIA Officer shall coordinate the decision with the Office of the General Counsel. For appeals denied in full or part, notify the appellant of their rights under 5 U.S.C. § 552(a)(g) to seek judicial review of the denial in Federal District Court, 7 Code of Federal Regulations, Subtitle A, Subpart G, Section 1.114(e) – Disclosure of requested information to individuals.

The Chief may not deny an appeal without the review and concurrence of the USDA, Office of the General Counsel.

6272.56 – Statement of Disagreement

If the individual's petition for amendment is denied, the individual may prepare a concise written statement of the reasons for disagreeing with the decision and file the statement with the responsible Records System Manager.

The individual's statement of disagreement must be included whenever the related record is disclosed subsequently. A concise statement of the reasons for the denial also may be provided to the requester.