

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

**Forest Service Handbook 6209.13 – Freedom of Information Act/Privacy Act Handbook
Zero Code**

Amendment: 6209.13-1994-1

Effective date: December 08, 1994

Duration: This amendment is effective until superseded or removed.

Approved by: Jack Ward Thomas, Chief

Date approved:

Responsible Staff:

Last Change:

Superseded Document(s): 6209.13-91-2, October 17, 1991; 1, February 1988; New, March 1986; Title page, 00--1 thru 27.2, ID 6209.13-94-1, ID 6209.13-94-2

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

Zero Code: Makes minor editorial formatting changes throughout the chapter. Adds definitions for Attorney Work Product and Incident Investigation Documents, formerly in interim directives 6209.13-94-2.

11: Revises exhibit 02 to address situations on when to release records.

11.1 - 11.66: Adds direction in section 11.1 concerning application of Exemption 2 to release information related to an agency's personnel rules and practices. Recodes direction on Exemption 3 to section 11.2 (formerly section 11.1); Exemption 4.

11.22: Adds paragraph on requirements of National Historic Preservation Act of 1966 pertaining to Cultural Resource Information.

11.4: Adds direction concerning the application of exemption 5 to documents related to incident investigations, formerly in interim directive 6209.13-94-2.

11.53: Removes direction concerning application of Exemption 6 to Use of Information for Political Purposes (formally section 11.43) and retains and revises direction on Use of Information for Commercial Solicitation.

11.7: Adds a new section to address direction on the foreseeable harm standard.

12.33 - 12.35: Adds a new section with procedures for releasing documents to Congress (section 12.33) and recodes subsequent section 12.34, Permitting Requester Access to Original Records (formerly section 12.33) and section 12.35, Creation of New Records (formerly section 12.34).

12.5: Revises direction on determining the date of receipt of a request or appeal.

13.04: Incorporates direction in Interim Directive 6209.13-94-1 which adds the delegated authority for signing Freedom of Information Act requests for law enforcement records to the Regional Special Agents in Charge and the Washington Office Staff Director of Law Enforcement and Investigations.

14.1: Adds direction for responding to a request for a list that requires a search through a unit's personnel folders.

14.73 - 14.73a: Revises criteria for non-profit organization status as related to fee waiver.

14.9: Clarifies billing procedures for search and duplication fees.

16.04 - 16.04b: Recodes reporting responsibilities of agency officials (formally in section 16.1 - 16.2).

20.4 - 20.43: Adds Privacy Act responsibilities for Freedom of Information Act/Privacy Act Officers in the Washington Office (section 20.41a); Field Units (section 20.41b); System Managers (section 20.42); and Employees (section 20.43).

21.3: Revises exhibit 01 - Forest Service Privacy Act Systems of Records.

22.1 - 22.4: Adds direction in section 22.1 on special exemption under Privacy Act to address information related to a civil action or proceeding and recodes subsequent sections 22.2, Two General Exemptions (formerly section 22.1); 22.3, Specific Exemptions (formerly section 22.2); and 22.4, Obtaining Exemption (formerly section 22.3).

24.63: Adds instruction for transmitting correspondence related to access and amendment of records.

27 - 27.1: Removes direction on obsolete Form OF-203, Privacy Act Information Request (formerly section 27.1). Recodes direction to section 27 on submission of Report FS-6200-F, Privacy Act Biennial Report (formerly this was an annual report and direction was in section

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27.3). Revises samples of responses and recodes exhibits to section 27.1 (formerly section 27.2).

This Handbook is now available electronically in the National Information Center in the same format as the paper copy. Henceforth, amendments to this Handbook will be issued to Forest Service units electronically on a document basis.

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