



U.S. Department of Justice
Office of Legal Counsel

cc: Alexis (2)
Simms
Sudol
Retrieval
File

LLS:HM:dlh

Office of the
Deputy Assistant Attorney General

Washington, D.C. 20530

4 MAY 1981

Mr. William M. Nichols
General Counsel
Office of Management & Budget
Executive Office Building
Washington, D.C. 20503

Dear Mr. Nichols:

In a letter dated July 30, 1980 we requested the views of the Office of Management and Budget on the question whether a federal interconnection with a non-federal data base creates a "system of records" for the purposes of the Privacy Act. As we mentioned in the letter, we had been asked to render an opinion on this question by the National Telecommunications and Information Administration of the Department of Commerce. Although we have been informed orally several times by your office that a memorandum on this question would be shortly forthcoming, we have not yet received anything in response to our request.

In order to discharge our responsibility to the Commerce Department, we have decided that, unless we receive the views of the Office of Management and Budget within the next week, we should formulate our opinion on this question without them. We have made this decision reluctantly because of the expertise of the Office of Management and Budget in the interpretation and administration of the Privacy Act.

Sincerely,

Larry L. Simms
Deputy Assistant Attorney General
Office of Legal Counsel