Subpart E—Protection of Privacy


SOURCE: 40 FR 45676, Oct. 2, 1975, unless otherwise noted.

§ 701.300 Purpose and scope.

(a) The purpose of this subpart is to set forth rules to inform the public about information maintained by the U.S. Water Resources Council relating to identifiable individuals and to inform those individuals how they may gain access to and correct or amend information about themselves.

(b) The regulations in this subpart implement the requirements of the Privacy Act of 1974 (Pub. L. 93–579; 88 Stat. 1866 (5 U.S.C. 552a)).

(c) The regulations in this subpart apply only to records disclosed or requested under the Privacy Act of 1974, and not requests for information made pursuant to the Freedom of Information Act, as amended (5 U.S.C. 552, as amended by Pub. L. 93–502).

§ 701.301 Definitions.

For the purposes of this subpart, unless otherwise required by the context:

(a) Council means the U.S. Water Resources Council;

(b) Individual means a citizen of the United States or an alien lawfully admitted for permanent resident;

(c) Maintain means maintain, collect, use or disseminate;

(d) Record means any item, collection, or grouping of information about an individual that is maintained by the Council, including, but not limited to, his education, financial transactions, medical history and criminal or employment history, and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;

(e) Adverse determination means a decision by the proper Council official to deny, in whole or in part, a request from an individual for a correction or amendment of a record concerning the individual and maintained by the Council; and

(f) Record system means system of records as defined in the Act, i.e., a group of any records under the control of the Council from which information is retrieved by the name of the individual or by some identifying particular assigned to the individual.

§ 701.302 Procedures for notification of existence of records pertaining to individuals.

(a) The systems of records, as defined in the Privacy Act of 1974, maintained by the Council are listed annually in the Federal Register as required by that Act. Any individual may request the Council to inform him or her whether a particular record system named by the individual contains a record pertaining to him or her. The request may be made in person during business hours or in writing at the location and to the person specified in the notice describing that record system.

(b) An individual who believes that the Council maintains records pertaining to him or her but who cannot determine which records system contains those records, may request assistance by mail or in person at the Division of Program Coordination and Management, 2120 L Street, NW., Washington, DC 20037, during business hours (8:00 A.M. through 4:30 P.M., Monday through Friday, excluding legal holidays).

(c) The Council will attempt to respond to a request as to whether a record exists within 10 working days from the time it receives the request or to inform the requestor of the need for additional time or additional information within 10 working days. If a request is complied with within 10 working days, no separate acknowledgment will be made.