§ 3a.91

Government installations by the FERC
Washington offices or the Regional offi-
ces will be by registered mail only.
Transmittal outside these specified
areas will be as stated in paragraph
C(2), Appendix B, of the NSC Directive
of May 17, 1972.

[Order 470, 38 FR 5161, Feb. 26, 1973, as
amended by Order 756, 77 FR 4893, Feb. 1,
2012]

DATA INDEX SYSTEM

§ 3a.91 Data index system.

A data index system shall be estab-
lished for Top Secret, Secret, and Con-
fidential information in selected cat-
egories prescribed by the Interagency
Classification Review Committee, in
accordance with section VII of the Na-
tional Security Council Directive Gov-
erning the Classification, Down-
grading, Declassification, and Safeg-
uarding of National Security Information,
May 17, 1972.

PART 3b—COLLECTION, MAINTEN-
ANCE, USE, AND DISSEMINA-
TION OF RECORDS OF IDENTIFI-
ABLE PERSONAL INFORMATION

Subpart A—General

Sec.
3b.1 Purpose.
3b.2 Definitions.
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3b.4 Government contractors.
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Subpart B—Standards for Maintenance
and Collection of Records

3b.201 Content of records.
3b.202 Collection of information from indi-
viduals concerned.
3b.203 Rules of conduct.
3b.204 Safeguarding information in manual
and computer-based record systems.

Subpart C—Rules for Disclosure of Records

3b.220 Notification of maintenance of
records to individuals concerned.
3b.221 Access of records to individuals con-
cerned.
3b.222 Identification requirements.
3b.223 Fees.
3b.224 Requests to amend records and dis-
putes thereon.
3b.225 Written consent for disclosure.
3b.226 Accounting of disclosures.
3b.227 Mailing lists.

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Subpart D—Rules for Exemptions

3b.250 Specific exemptions.

AUTHORITY: Federal Power Act, as amend-
ed, sec. 309, 49 Stat. 858–859 (16 U.S.C. 825h);
Natural Gas Act, as amended, sec. 16, 52 Stat.
830 (15 U.S.C. 717o); and Pub. L. 93-579 (88

SOURCE: Order 536, 40 FR 44288, Sept. 25,
1975, unless otherwise noted.

Subpart A—General

§ 3b.1 Purpose.

Part 3b describes the Federal Energy
Regulatory Commission’s program to
implement the provisions of the Pri-
vacy Act of 1974 (Pub. L. No. 93–579, 88
Stat. 1896) to allow individuals to have
a say in the collection and use of infor-
mation which may be used in deter-
minations affecting them. The program
is structured to permit an individual to
determine what records pertaining to
him and filed under his individual
name, or some other identifying par-
ticular, are collected, maintained, used
or disseminated by the Commission,
to permit him access to such records, and
to correct or amend them, and to pro-
vide that the Commission collect, use,
maintain and disseminate such infor-
mation in a lawful manner for a nec-
cessary purpose.

[Order 536, 40 FR 44288, Sept. 25, 1975, as
amended by Order 737, 75 FR 43402, July 26,
2010]

§ 3b.2 Definitions.

In this part:
(a) Agency, as defined in 5 U.S.C.
551(1) as ‘‘* * * each authority of the
Government of the United States, whether or not it is within or subject
to review by another agency, * * *’’, in-
cludes any executive department, mili-
tary department, Government corpora-
tion, Government controlled corpora-
tion, or other establishment in the ex-
cutive branch of the Government (in-
cluding the Executive Office of the
President), or any independent regu-
laratory agency [5 U.S.C. 552(e)];
(b) Individual means a citizen of the
United States or an alien lawfully ad-
mitted for permanent residence;
(c) Maintain includes, maintain, col-
lect, use, or disseminate;
§ 3b.3 Notice requirements.

(a) The Commission will publish at least annually in the Federal Register a notice identifying the systems of records currently maintained by the Commission. For each system of records, the notice will include the following information:

1. The name and location of the system;
2. The categories of individuals on whom records are maintained in the system;
3. The categories of records maintained in the system;
4. The specific statutory provision or executive order, or rule or regulation issued pursuant thereto, authorizing the maintenance of the information contained in the system;
5. Each routine use of the records contained in the system, including the categories of users and the purposes of such use;
6. The policies and practices regarding the storage, retrievability, access controls, and retention and disposal of the records;
7. The title and business address of the Commission official who is responsible for the system of records;
8. The procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;
9. The procedures whereby an individual can be notified at his request how he can gain access to any record pertaining to him contained in the system of records, and how he can contest its contents; and
10. The categories of sources of records in the system.

(b) At least thirty days prior to its operation, the Commission will publish in the Federal Register a notice of its intention to establish a new system of records reciting the information required pursuant to paragraphs (a)(1) through (10) of this section and notice of any major change to an existing system.

(c) The Commission will publish in the Federal Register a notice of its intention to establish any new or intended routine use of the information in an existing system of records at least thirty days prior to the disclosure of the record for that routine use. A new routine use is one which involves disclosure of records for a new purpose compatible with the purpose for which the record is maintained or which involves disclosure to a new recipient or category of recipients. At a minimum, the notice will contain the following information:

1. The name of the system of records for which the routine use is to be established;
2. The authority authorizing the maintenance of the information contained in the system;
3. The categories of records maintained in the system;
4. The proposed routine use(s);
5. The categories of recipients for each proposed routine use; and
6. Reference to the public notice in the Federal Register under which the