

federal register

TUESDAY, OCTOBER 14, 1975



PART VII:

PRIVACY ACT OF 1974

VARIOUS AGENCIES

Title 29—Labor
**CHAPTER I—NATIONAL LABOR
 RELATIONS BOARD**
**PART 102—RULES AND
 REGULATIONS, SERIES 8**
Privacy Act Regulations

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935,¹ the National Labor Relations Board hereby issues the following rules which it finds necessary to carry out the provision of said Act.

These rules are issued following proceedings conforming to the requirements of section (f) of the Privacy Act of 1974, 5 U.S.C. Section 552a(f), and of 5 U.S.C. Section 553, (See 40 FR 39763-4, August 28, 1975). The rules shall be effective on October 14, 1975 and shall apply to all matters affected thereby which are pending at the time of such publication or which may arise thereafter.

Dated, Washington, D.C., October 8, 1975.

By direction of the Board.

JOHN C. TRUESDALE,
Executive Secretary.

Section 102.117 of 29 CFR Chapter I is amended by adding the following paragraphs (e) through (k).

§ 102.117 Board materials and formal documents available for public inspection and copying; requests for described records; time limit for response; appeal from denial of request; fees for document search and duplication; files and records not subject to inspection.

(e) An individual will be informed whether a system of records maintained by this agency contains a record pertaining to such individual. An inquiry should be made in writing or in person during normal business hours to the official of this agency designated for that purpose and at the address set forth in a notice of a system of records published by this agency, in a Notice of Systems of Government-wide Personnel Records published by the Civil Service Commission, or in a Notice of Government-wide System of Records published by the Department of Labor. The inquiry should contain sufficient information, as defined in the notice, to identify the record. Reasonable verification of identity of the inquirer, as described in subsection (i) of this section, will be required to assure that information is disclosed to the proper person. The agency shall acknowledge the inquiry in writing within 10 days (excluding Saturdays, Sundays, and legal public holidays) and, wherever practicable, the acknowledgment shall supply the information requested. If, for good cause shown, the agency cannot

supply the information within 10 days, the inquirer shall within that time period be notified in writing of the reasons therefor and when it is anticipated the information will be supplied. An acknowledgment will not be provided where the information is supplied within the 10-day period. If the agency refuses to inform an individual whether a system of records contains a record pertaining to an individual, the inquirer shall be notified in writing of that determination and the reasons therefor, and of the right to obtain review of that determination under the provisions of subsection (j) of this section.

(f) An individual will be permitted access to records pertaining to such individual contained in any system of records described in the notices of systems of records published by this agency. The request for access must be made in writing or in person during normal business hours, to the person designated for that purpose and at the address set forth in the published notice of systems of records. Reasonable verification of the identity of the requester, as described in subsection (i) of this section, shall be required to assure that records are disclosed to the proper person. A request for access to records shall be acknowledged in writing by the agency within 10 days of receipt (excluding Saturdays, Sundays, and legal public holidays) and, wherever practicable, the acknowledgment shall inform the requester whether or not access will be granted and, if so, the time and location at which the records will be made available. If access to the record is to be granted, the record will normally be provided within 30 days (excluding Saturdays, Sundays, and legal public holidays) of the request, unless for good cause shown the agency is unable to do so, in which case the individual will be informed in writing within that 30-day period of the reasons therefor and when it is anticipated that access will be granted. An acknowledgment of a request will not be provided if the record is made available within the 10-day period. If an individual's request for access to a record under the provisions of this subsection is denied, the notice informing the individual of the denial shall set forth the reasons therefor and advise the individual of the right to obtain a review of that determination under the provisions of subsection (j) of this section.

(g) An individual granted access to records pertaining to such individual contained in a system of records may review all such records. For that purpose the individual may be accompanied by a person of the individual's choosing, or the record may be released to the individual's representative who has the written consent of the individual, as described in subsection (i) of this section. A first copy of any such record or information will ordinarily be provided without charge to the individual or representative in a form comprehensible to the individual. Fees for any other copies of records shall be assessed in accordance with the fee schedule set forth in

subsection 102.117(c)(2)(iv)(a)(3) of this section.

(h) An individual may request amendment of a record pertaining to such individual in a system of records maintained by this agency. A request for amendment of a record must be in writing and submitted during normal business hours to the person designated for that purpose and at the address set forth in the published notice for the system of records containing the record of which amendment is sought. The requester must provide verification of identity as described in subsection (i) of this section, and the request should set forth the specific amendment requested and the reason for the requested amendment. The agency shall acknowledge in writing receipt of the request within 10 days of its receipt (excluding Saturdays, Sundays, and legal public holidays) and, wherever practicable, the acknowledgment shall advise the individual of the determination of the request. If the review of the request for amendment cannot be completed and a determination made within 10 days, the review shall be completed as soon as possible, normally within 30 days (Saturdays, Sundays, and legal public holidays excluded) of receipt of the request unless unusual circumstances preclude completing the review within that time, in which event the requester will be notified in writing within that 30-day period of the reasons for the delay and when the determination of the request may be expected. If the determination is to amend the record, the requester shall be so notified in writing and the record shall be amended in accordance with that determination. If any disclosures accountable under the provisions of 5 U.S.C. Sec. 552a(c) have been made, all previous recipients of the record which was amended shall be advised of the amendment and its substance. If it is determined that the request should not be granted, the requester shall be notified in writing of that determination and of the reasons therefor, and advised of the right to obtain review of the adverse determination under the provisions of subsection (j) of this section.

(i) Verification of the identification of individuals required under subsections (e), (f), (g), and (h) of this section to assure that records are disclosed to the proper persons shall be required by the agency to an extent consistent with the nature, location, and sensitivity of the records being disclosed. Disclosure of a record to an individual in person will normally be made upon the presentation of acceptable identification. Disclosure of records by mail may be made upon the basis of the identifying information set forth in the request. Depending upon the nature, location, and sensitivity of the requested record, a signed notarized statement verifying identity may be required by the agency. Proof of authorization as representative to have access to a record of an individual shall be in writing, and a signed notarized statement of such authorization may be required by the agency if the record requested is of a sensitive nature.

¹ 49 Stat. 449; 29 U.S.C. 151-166, as amended by act of June 23, 1947 (61 Stat. 136; 29 U.S.C. Sup. 151-167), act of October 22, 1951 (65 Stat. 601; 29 U.S.C. 158, 159, 168), and act of September 14, 1959 (73 Stat. 519; 29 U.S.C. 141-168).

(j) (1) Review may be obtained with respect to (l) a refusal, under subsection (e) or (k) of this section, to inform an individual if a system of records contains a record concerning that individual, (ii) a refusal, under subsection (f) or (k) of this section, to grant access to a record, or (iii) a refusal, under subsection (h) of this section, to amend a record. The request for review should be made to the chairman of the Board if the system of records is maintained in the offices of a member of the Board, the office of the executive secretary, the office of the solicitor, the division of information, or the division of administrative law judges. Consonant with the provisions of section 3(d) of the National Labor Relations Act, as amended, and the delegation of authority from the Board to the general counsel, the request should be made to the general counsel if the system of records is maintained by any office of the agency other than those enumerated above. Either the chairman of the Board or the general counsel may designate in writing another officer of the agency to review the refusal of the request. Such review shall be completed within 30 days (excluding Saturdays, Sundays, and legal public holidays) from the receipt of the request for review unless the chairman of the Board or the general counsel, as the case may be, for good cause shown, shall extend such 30-day period.

(2) If, upon review of a refusal under subsection (e) or (k), the reviewing officer determines that the individual should be informed of whether a system of records contains a record pertaining to that individual; such information shall be promptly provided. If the reviewing officer determines that the information was properly denied, the individual shall be so informed in writing with a brief statement of the reasons therefor.

(3) If, upon review of a refusal under subsection (f) or (k), the reviewing officer determines that access to a record should be granted, the requester shall be so notified and the record shall be promptly made available to the requester. If the reviewing officer determines that the request for access to records was properly denied, the individual shall be so informed in writing with a brief statement of the reasons therefor.

(4) If, upon review of a refusal under subsection (h), the reviewing official grants a request to amend, the requester shall be so notified, the record shall be amended in accordance with the determination, and, if any disclosures accountable under the provisions of 5 U.S.C. Sec. 552a(c) have been made, all previous recipients of the record which was amended shall be advised of the amendment and its substance. If the reviewing officer determines that the denial of a request for amendment should be sustained, the agency shall advise the requester of the determination and the reasons therefor, and that the individual may file with the agency a concise state-

ment of the reasons for disagreeing with the determination, and may seek judicial review of the agency's denial of the request to amend the record. In the event a statement of disagreement is filed, that statement (i) will be made available to anyone to whom the record is subsequently disclosed together with, at the discretion of the agency, a brief statement summarizing the agency's reasons for declining to amend the record, and (ii) will be supplied, together with any agency statements, to any prior recipients of the disputed record to the extent that an accounting of disclosures was made.

(k) To the extent that portions of systems of records described in notices of governmentwide systems of records published by the Civil Service Commission are identified by those notices as being subject to the management of an officer of this agency, or an officer of this agency is designated as the official to contact for information, access or contest of those records, individual requests for access to those records, requests for their amendment, and review of denials of requests for amendment shall be in accordance with the provisions of 5 CFR part 297, subpart A, section 297.101, *et seq.*, as promulgated by the Civil Service Commission. To the extent that portions of systems of records described in notices of governmentwide systems of records published by the Department of Labor are identified by those notices as being subject to the management of an officer of this agency, or an officer of this agency is designated as the official to contact for information, access or contest of those records, individual requests for access to those records, requests for their amendment, and review of denials of requests for amendment shall be in accordance with the provisions of 29 CFR part 70a as promulgated by the Department of Labor. Review of a refusal to inform an individual whether such a system of records contains a record pertaining to that individual, and review of a refusal to grant an individual's request for access to a record in such a system may be obtained in accordance with the provisions of subsection (j) of this section.

[FR Doc.75-27554 Filed 10-8-75;3:45 pm]

Title 15—Commerce and Foreign Trade
CHAPTER XX—OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

PART 2005—SAFEGUARDING INDIVIDUAL PRIVACY

Final Regulations

In accordance with the Privacy Act of 1974, 5 USC 552(a), Pub. L. 93-579 (88 Stat. 1896), the Office of the Special Representative for Trade Negotiations on August 27, 1975, published proposed regulations implementing the provisions of that Act. No comments on the regulation were received and therefore, the following regulations, as published, became effective on September 27, 1975.

- Sec.
- 2005.0 Purpose and scope.
- 2005.1 Rules for determining if an individual is the subject of a record.
- 2005.2 Requests for access.
- 2005.3 Access to the accounting of disclosure from records.
- 2005.4 Requests for copies of records.
- 2005.5 Requests to amend records.
- 2005.6 Request for review.
- 2005.7 Schedule of fees.

Authority: Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a(f)).

§ 2005.0 Purpose and scope.

The purpose of these regulations is to provide certain safeguards for an individual against the invasion of his or her personal privacy by the Office of the Special Representative for Trade Negotiations (hereinafter frequently referred to as "STR"). These regulations are promulgated pursuant to the requirements for all Federal Agencies contained in 5 U.S.C. 552a(f).

§ 2005.1 Rules for determining if an individual is the subject of a record.

(a) Individuals desiring to know if a specific system of records maintained by STR contains a record pertaining to them should address their inquiries to the Administrative Officer, Office of the Special Representative for Trade Negotiations, Washington, D.C. 20506. The written inquiry should contain a specific reference to the system of records maintained by the STR listed in the STR Notice of Systems of Records or it should describe the type of record in sufficient detail to reasonably identify the system of records. Notice of STR systems of records subject to the Privacy Act will be published in the FEDERAL REGISTER and copies of the notices will be available upon request to the Administrative Officer when so published. A compilation of such notices will also be made and published by the Office of Federal Register, in accordance with section 5 U.S.C. 552a(f).

(b) At a minimum, the request should also contain sufficient identifying information to allow STR to determine if there is a record pertaining to the individual making the request in a particular system of records. In instances when the identification is insufficient to insure disclosure to the individual to whom the information pertains in view of the sensitivity of the information, STR reserves the right to solicit from the person requesting access to a record additional identifying information.

(c) Ordinarily the person requesting will be informed whether the named system of records contains a record pertaining to such person within 10 days of such a request (excluding Saturdays, Sundays, and legal Federal holidays). Such a response will also contain or reference the procedures which must be followed by the individual making the request in order to gain access to the record.

(d) Whenever a response cannot be made within the 10 days, the Administrative Officer will inform the person making the request the reasons for the

delay and the date of which a response may be anticipated.

§ 2005.2 Requests for access.

(a) *Requirement for written requests.* Individuals desiring to gain access to a record pertaining to them in a system of records maintained by STR must submit their request in writing in accordance with the procedures set forth in paragraph (b) of this section. Individuals who are employed by the STR may make their request on a regularly scheduled workday (Monday through Friday, excluding legal Federal holidays) between the hours of 9 am and 5:30 pm. Such requests for access by individuals employed by STR need not be made in writing.

(b) *Procedures—(1) Content of the request.* The request for access to a record in a system of records shall be addressed to the Administrative Officer at the address cited above, and shall name the system of records or contain a description (as concise as possible) of such system of records. The request should state that the request is pursuant to the Privacy Act of 1974. In the absence of such a statement, if the request is for a record pertaining to the person requesting access which is maintained by STR in a system of records, the request will be presumed to be made under the Privacy Act of 1974. The request should contain necessary information to verify the identity of the person requesting access (see paragraph b(2)(vi) of this section). In addition, such person should include any other information which may assist in the rapid identification of the record for which access is being requested (e.g. maiden name, dates of employment, etc.) as well as any other identifying information contained in and required by the STR Notice of Systems of Records.

(1) If the request for access follows a prior request under § 2005.1, the same identifying information need not be included in the request for access if a reference is made to that prior correspondence or a copy of the STR response to that request is attached. If the individual specifically desires a copy of the record, the request should so specify under § 2005.4.

(2) *STR action on request.* A request for access will ordinarily be answered within 10 days, except when the Administrative Officer determines otherwise, in which case the person making the request will be informed of the reasons for the delay and an estimated date, by which the request will be answered. When the request can be answered within 10 days, it shall include the following:

(i) A statement that there is a record as requested or a statement that there is not a record in the systems of records maintained by STR;

(ii) A statement as to whether access will be granted only by providing a copy of the record through the mail; or the address of the location and the date and time at which the record may be examined. In the event the person requesting access is unable to meet the

specified date and time, alternative arrangements may be made with the official specified in paragraph (b)(1) of this section.

(iii) A statement, when appropriate, that examination in person will be the sole means of granting access only when the Administrative Officer has determined that it would not unduly impede the right of access of the person making the request.

(iv) The amount of fees charged, if any (see §§ 2005.6 and 2005.7). (Fees are applicable only to requests for copies);

(v) The name, title, and telephone number of the STR official having operational control over the record; and

(vi) The documentation required by STR to verify the identity of the person making the request. At a minimum, STR verification standards include the following:

(A) *Current or former STR Employees.* Current or former STR employees requesting access to a record pertaining to them in a system of records maintained by STR may, in addition to the other requirements of this section, and at the sole discretion of the official having operational control over the record, have his or her identity verified by visual observation. If the current or former STR employee cannot be so identified by the official having operational control over the records, identification documentation will be required. Employee identification cards, annuitant identification, driver licenses, or the "employee copy" of any official personnel document in the record are examples of acceptable identification validation.

(B) *Other than current or former STR employees.* Individuals other than current or former STR employees requesting access to a record pertaining to them in a system of records maintained by STR must produce identification documentation of the type described in paragraph (b)(2)(vi)(A) of this section, prior to being granted access. The extent of the identification documentation required will depend on the type of record for which access is requested. In most cases, identification verification will be accomplished by the presentation of two forms of identification. Any additional requirements will be specified in the system notices published pursuant to 5 U.S.C. 552a(e)(4).

(C) *Access granted by mail.* For records to be made accessible by mail, the Administrative Officer shall, to the extent possible, establish identity by a comparison of signatures in situations where the data in the record is not so sensitive that unauthorized access could cause harm or embarrassment to the individual to whom they pertain. No identification documentation will be required for the disclosure to the person making the request of information required to be made available to the public by 5 U.S.C. 552. When, in the opinion of the Administrative Officer the granting of access through the mail could reasonably be expected to result in harm or embarrass-

ment if disclosed to a person other than the individual to whom the record pertains, a notarized statement of identity or some similar assurance of identity will be required.

(D) *Unavailability of identification documentation.* If an individual is unable to produce adequate identification documentation the individual will be required to sign a statement asserting identity and acknowledging that knowingly or willfully seeking or obtaining access to records about another person under false pretenses may result in a fine of up to \$5,000. In addition, depending upon the sensitivity of the records to which access is sought, the official having operational control over the records may require such further reasonable assurances as may be considered appropriate; e.g., statements of other individuals who can attest to the identity of the person making the request.

(E) *Access by the parent of a minor, or by a legal guardian.* A parent of a minor, upon presenting suitable personal identification, may act on behalf of the minor to gain access to any record pertaining to the minor maintained by STR in a system of records. A legal guardian may similarly act on behalf of an individual declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, upon the presentation of the documents authorizing the legal guardian to so act, and upon suitable personal identification of the guardian.

(F) *Granting access when accompanied by another individual.* When an individual requesting access to his or her record in a system of records maintained by STR wishes to be accompanied by another individual during the course of the examination of the record, the individual making the request shall submit to the official having operational control of the record, a signed statement authorizing that person access to the record.

(G) *Denial of access for inadequate identification documentation.* If the official having operation control over the records in a system of records maintained by STR determines that an individual seeking access has not provided sufficient identification documentation to permit access, the official shall consult with the Administrative officer prior to finally denying the individual access.

(vii) *Medical records.* The records in a system of records which are medical records shall be disclosed to the individual to whom they pertain in such manner and following such procedures as the Administrative Officer shall direct. When STR in consultation with a physician, determines that the disclosure of medical information could have an adverse effect upon the individual to whom it pertains, STR may transmit such information to a physician named by the individual.

(viii) *Exceptions.* Nothing in this section shall be construed to entitle an individual the right to access to any information compiled in reasonable anticipation of a civil action or proceedings.

§ 2005.3 Access to the accounting of disclosures from records.

Rules governing the granting of access to the accounting of disclosures are the same as those for granting access to the records (including verification of identity) outlined in § 2005.2.

§ 2005.4 Requests for copies of records.

Rules governing requests for copies of records are the same as those for the granting of access to the records (including verification of identity) outlined in § 2005.2. (See also § 2005.7 for rules regarding fees.)

§ 2005.5 Requests to amend records.

(a) *Requirement for written requests.* Individuals desiring to amend a record that pertains to them in a system of records maintained by STR must submit their request in writing in accordance with the procedures set forth herein unless this requirement is waived by the official having responsibility for the system of records. Records not subject to the Privacy Act of 1974 will not be amended in accordance with these provisions. However, individuals who believe that such records are inaccurate may bring this to the attention of STR.

(b) *Procedures.* (1) (i) The request to amend a record in a system of records shall be addressed to the Administrative Officer. Included in the request shall be the name of the system and a brief description of the record proposed for amendment. In the event the request to amend the record is the result of the individual's having gained access to the record in accordance with the provisions concerning access to records as set forth above, copies of previous correspondence between the individual and STR will serve in lieu of a separate description of the record.

(ii) When the individual's identity has been previously verified pursuant to § 2005.2(b) (2) (vi) herein, further verification of identity is not required as long as the communication does not suggest that a need for verification has reappeared. If the individual's identity has not been previously verified, STR may require identification validation as described in § 2005.2(b) (2) (vi). Individuals desiring assistance in the preparation of a request to amend a record should contact the Administrative Officer at the address cited above.

(iii) The exact portion of the record the individual seeks to have amended should be clearly indicated. If possible, the proposed alternative language should also be set forth, or at a minimum, the facts which the individual believes are not accurate, relevant, timely, or complete should be set forth with such particularity as to permit STR not only to understand the individual's basis for the request, but also to make an appropriate amendment to the record.

(iv) The request must also set forth the reasons why the individual believes his record is not accurate, relevant, timely, or complete. In order to avoid the retention by STR of personal information merely to permit verification of records,

the burden of persuading STR to amend a record will be upon the individual. The individual must furnish sufficient facts to persuade the official in charge of the system of the inaccuracy, irrelevancy, untimeliness, or incompleteness of the record.

(2) *STR action on the request.* To the extent possible, a decision upon a request to amend a record will be made within 10 days, excluding Saturdays, Sundays, and legal Federal holidays. In the event a decision cannot be made within this time frame, the individual making the request will be informed within 10 days of the expected date for a decision. The decision upon a request for amendment will include the following:

(i) The decision of the STR whether to grant in whole, or deny any part of the request to amend the record.

(ii) The reasons for the determination for any portion of the request which is denied.

(iii) The name and address of the official with whom an appeal of the denial may be lodged.

(iv) The name and address of the official designated to assist, as necessary, and upon request of, the individual making the request in the preparation of the appeal.

(v) A description of the review of the appeal within STR (see § 2005.6).

(vi) A description of any other procedures which may be required of the individual in order to process the appeal.

§ 2005.6 Request for review.

(a) Individuals wishing to request a review of the decision by STR with regard to an initial request to amend a record in accordance with the provisions of § 2005.5, should submit the request for review in writing and, to the extent possible, include the information specified in § 2005.5(a). Individuals desiring assistance in the preparation of their request for review should contact the Administrative Officer at the address provided herein.

(b) The request for review should contain a brief description of the record involved or in lieu thereof, copies of the correspondence from STR in which the request to amend was denied and also the reasons why the individual believes that the disputed information should be amended. The request for review should make reference to the information furnished by the individual in support of his claim and the reasons, as required by § 2005.5, set forth by STR in its decision denying the amendment. Appeals filed without a complete statement by the person making the request setting forth the reasons for the review will, of course, be processed. However, in order to make the appellate process as meaningful as possible, such person's disagreement should be understandably set forth. In order to avoid the unnecessary retention of personal information, STR reserves the right to dispose of the material concerning the request to amend a record if no request for review in accordance with this section is received by STR within 180 days of the mailing by

STR of its decision upon an initial request. A request for review received after the 180 day period may, at the discretion of the Administrative Officer, be treated as an initial request to amend a record.

(c) The request for review should be addressed to the Freedom of Information Appeals Committee (established in 15 CFR 2004.7) Office of the Special Representative for Trade Negotiations, Room 719 1800 G St. NW. Washington, D.C. 20506.

(d) Final determinations on requests for reviews within STR will be made by the Freedom of Information Appeals Committee, chaired by the Special Representative for Trade Negotiations. Additional information may be requested by the Committee from the person requesting a review if necessary to make a determination.

(e) The FOI Appeals Committee will inform the person making the request in writing of the decision on the request for review within 30 days (excluding Saturdays, Sundays, and legal Federal holidays) from the date of receipt by STR of the individual's request for review, unless the Committee extends the 30 day period for good cause. The extension and the reasons therefor will be sent by STR to the individual within the initial 30 day period. Included in the notice of a decision being reviewed, if the decision does not grant in full the request for review, will be a description of the steps the individual may take to obtain judicial review of such a decision, and a statement that the individual may file a concise statement with STR setting forth the individual's reasons for his disagreement with the decision upon the request for review. The STR Administrative Officer has the authority to determine the "conciseness" of the statement, taking into account the scope of the disagreement and the complexity of the issues. Upon the filing of a proper concise statement by the individual, any subsequent disclosure of the information in dispute will have the information in dispute clearly noted and a copy of the concise statement furnished, setting forth its reasons for not making the requested changes, if STR chooses to file such a statement. A copy of the individual's statement, and if it chooses, STR's statement, will be sent to any prior transferee of the disputed information who is listed on the accounting required by 5 U.S.C. 552a(c).

§ 2005.7 Schedule of fees.

(a) *Prohibitions against charging fees.* Individuals will not be charged for:

(1) The search and review of the record;

(2) Any copies of the record produced as a necessary part of the process of making the record available for access; or

(3) Any copies of the requested record when it has been determined that access can only be accomplished by providing a copy of the record through the mail.

(b) *Waiver.* The Administrative Officer may, at no charge, provide copies of a record if it is determined the production

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of the copies is in the interest of the Government.

(c) *Fee schedule and method of payment.* Fees will be charged as provided below except as provided in paragraphs (a) and (b) of this section.

(1) Duplication of records. Records will be duplicated at a rate of \$.10 per page for all copying of 4 pages or more. There is no charge for duplicating 3 or fewer pages.

(2) Where it is anticipated that the fees chargeable under this section will amount to more than \$25, the person making the request shall be promptly notified of the amount of the anticipated fee or such portion thereof as can readily

be estimated. In instances where the estimated fees will greatly exceed \$25, an advance deposit may be required. The notice or request for an advance deposit shall extend an offer to the person requesting to consult with the Administrative Officer in order to reformulate the request in a manner which will reduce the fees, yet still meet the needs of individual making the request.

(3) Fees must be paid in full prior to issuance of requested copies. In the event the person requesting is in arrears for previous requests copies will not be provided for any subsequent request until the arrears have been paid in full.

(4) Remittances shall be in the form either of a personal check or bank draft

drawn on a bank in the United States, or a postal money order. Remittances shall be made payable to the order of the Treasury of the United States and mailed or delivered to the Administrative Officer, Office of the Special Representative for Trade Negotiations, 1800 G St., NW., Washington, D.C., 20506.

(5) A receipt for fees paid will be given upon request.

FREDERICK B. DENT,
*Special Representative
for Trade Negotiations.*

OCTOBER 6, 1975.

[FR Doc.75-27648 Filed 10-9-75;2:31 pm]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

PRIVACY ACT

Notices of Systems of Records

On August 27, 1975, the Office of the Special Representative for Trade Negotiations published in 40 FR 167 (pg 39215) four systems of records maintained on individuals. Opportunity for public comment on the "Routine Uses" section of those notices was given. No public comment has been received and therefore the routine use of the systems remains as published and made effective on August 27th.

Correction: EOP-STR-3 found on page 39215 (40 FR 167, Aug. 27, 1975) was erroneously titled "Correspondence File STR" after *System Name*. The correct title is, "*System name: General Financial Records STR.*"

FREDERICK B. DENT,
*Special Representative
for Trade Negotiations.*

OCTOBER 6, 1975.

[FR Doc.75-27647 Filed 10-9-75;2:31 pm]

**FEDERAL MARITIME COMMISSION
PRIVACY ACT OF 1974**

Notice of Systems of Records

Pursuant to the Privacy Act of 1974 (P.L. 93-579 5 U.S.C. 552a(e) (4) and (11)), the Federal Maritime Commission on August 19, 1975, published in the FEDERAL REGISTER (40 FR 36287) proposed notices of systems of records maintained by the Commission.

Interested parties were afforded the opportunity to submit comments on the routine use portion of each notice. Although no comments were received, certain changes have been made to update the notices and to correct oversights.

Therefore, it is ordered, That pursuant to the Privacy Act of 1974 (5 U.S.C. 552a(e) (4) and (11), P.L. 93-579), the notices of systems of records are adopted with the following changes and corrections.

1. In each notice of a system of records under the heading "Record Access Procedures," delete "... proposed section 503.60-503.69 of Commission General Order No. 22" and substitute "...

section 503.65 of Title 46 of the Code of Federal Regulations."

2. In each notice of a system of records under the heading "Contesting Records Procedures" delete "... proposed section 503.66 of Commission General Order No. 22" and substitute "... section 503.66 of Title 46 of the Code of Federal Regulations."

3. Add as a "Record Source Category" of the *Correspondence and Communications File—FMC-3*, "employees of the Commission and applicants for employment with the Commission."

4. Add as a "Record Source Category" of the *Official Personnel Folder—FMC-8*, "other federal agencies."

5. Add as a "Record Source Category" of the *Correspondence Course on Traffic and Transportation Management File—FMC-11*, "Correspondence Course School."

By the Commission.

FRANCIS C. HURNEY,
Secretary.

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