

federal register

FRIDAY, AUGUST 22, 1975



PART V:

PRIVACY ACT OF 1974

■

VARIOUS AGENCIES

**Proposed Rules and Notices of
Systems of Records**

FEDERAL ELECTION COMMISSION

[11 CFR Part 1]

[Notice 1975-25]

IMPLEMENTATION OF PRIVACY ACT

Proposed Rule

The Federal Election Commission today publishes its proposed rules regarding Implementation of the Privacy Act of 1974. The Commission also publishes today a statement of its systems of records, as required by the Privacy Act of 1974. The information contained in these publications today is designed to aid individual citizens in understanding what systems of records are maintained by the Federal Election Commission, where such records are located, and the manner in which individual access to pertinent records may be expeditiously facilitated. For previous Commission announcements bearing on public access to Commission documents see 40 FR 28580, July 7, 1975.

The Privacy Act of 1974 (Pub. L. 93-579) amended Title 5 U.S.C. 552 (Freedom of Information Act) by adding section 552a. Title 5 U.S.C. 552a(f) provides that each agency covered by the Act shall promulgate rules to inform the public about information maintained by the agency about identifiable individuals and to inform those individuals how they may gain access to and correct or amend information about themselves.

The public is invited to comment or inquire about these proposed rules. Comments or inquiries should be addressed to: General Counsel, Federal Election Commission, 1325 K Street, NW., Washington, D.C. 20463. All material received before September 10, 1975 will be considered. All comments in response to this proposal will be available for public inspection during normal business hours at the foregoing address.

PART 1—IMPLEMENTATION OF PRIVACY ACT

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AUTHORITY: 5 U.S.C. 552a.

§ 1.1 Purpose and scope.

(a) The purpose of this part is to set forth rules informing the public as to

what information is maintained by the Federal Election Commission about 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 part carry out the requirements of the Privacy Act of 1974 (Pub. L. 93-579) and in particular 5 U.S.C. 552a as added by that Act.

(c) The regulations in this part apply only to records disclosed or requested under the Privacy Act of 1974, and not to requests for information made pursuant to 5 U.S.C. 552, the Freedom of Information Act, or requests for reports and statements filed with the Federal Election Commission which are public records and available for inspection and copying pursuant to Title 2 U.S.C. 438 (a) (4).

§ 1.2 Definitions.

As defined in the Privacy Act of 1974 and for the purposes of this part, unless otherwise required by the context, the following terms shall have these meanings:

"Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

"Maintain" includes maintain, collect, use or disseminate.

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

"System of Records" means a group of any records under the control of the Federal Election Commission from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. The Commission's Systems of Records are published hereunder today.

"Routine use" means the use of such record for a purpose compatible with the purpose for which the information was collected.

"Commission" means employees of the Federal Election Commission.

"Commissioners" means the six appointees confirmed by Congress who are voting members of the Commission.

§ 1.3 Procedures for requests pertaining to individual records in a record system.

(a) Any individual may request the Commission 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 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 Commission maintains records pertaining to him or her but who cannot de-

termine which record system contains those records, may request assistance by mail or in person from the Staff Director, Federal Election Commission, 1325 K Street, NW, Washington, D.C. 20463 during the hours of 9 a.m. to 5:30 p.m.

§ 1.4 Times, places, and requirements for identification of individuals making requests.

(a) After being informed by the Commission that a record system contains a record pertaining to him or her, an individual may request the Commission to disclose that record in the manner described in this section. Each request for the disclosure of a record or a copy of it shall be made at the Federal Election Commission, 1325 K Street, NW, Washington, D.C. 20463 and to the system manager identified in the notice (published hereunder today) describing that system of records, either in writing or in person. Requests may be made by agents, parents, or guardians of individuals as described in § 1.10 (a) and (b).

(b) Each individual requesting the disclosure of a record or copy of a record shall furnish the following information with his or her request:

(1) The name of the record system containing the record;

(2) Proof as described in paragraph (c) of this section that he or she is the individual to whom the requested record relates;

(3) Any other information required by the notice describing the record system.

(c) Proof of identity as required by paragraph (b) (2) of this section shall be provided as described in paragraph (c) (1) and (2) of this section. Requests made by an agent, parent, or guardian shall include the authorization described in § 1.10 (a) and (b).

(1) Requests made in writing shall include a statement, signed by the individual and properly notarized, that he or she appeared before a notary public and submitted proof of identification in the form of a drivers license, birth certificate, passport, or other identification acceptable to the notary public. In any case in which, because of the extreme sensitivity of the record sought to be seen or copied, the Commission determines that the identification is not adequate, it may request the individual to submit additional proof of identification.

(2) If the request is made in person, the requester shall submit proof of identification similar to that described in paragraph (c) (1) of this section, acceptable to the Commission.

§ 1.5 Disclosure of requested information to individuals.

(a) Upon submission of proof of identification as required by § 1.4, the Commission shall, as soon as possible, allow the individual to see and/or obtain a copy of the requested record or shall send a copy of the record to the individual by registered mail. If the individual requests to see the record, the Commission may make the record available either at the location where the record is maintained

or at a place more suitable to the requester, if possible.

(b) The Commission must furnish each record requested by an individual under this part in a form intelligible to that individual.

§ 1.6 Special procedure: medical records. [Reserved]

§ 1.7 Request for correction or amendment to record.

(a) Any individual who has reviewed a record pertaining to him or her that was furnished under this part, may request the Commission to correct or amend all or any part of that record.

(b) Each individual requesting a correction or amendment shall send the request to the Commission through the person who furnished the record.

(c) Each request for a correction or amendment of a record shall contain the following information:

(1) The name of the individual requesting the correction or amendment;

(2) The name of the system of records in which the record sought to be amended is maintained;

(3) The location of the system of records from which the individual record was obtained;

(4) A copy of the record sought to be amended or corrected or a sufficiently detailed description of that record;

(5) A statement of the material in the record that the individual desires to correct or amend;

(6) A statement of the specific wording of the correction or amendment sought;

(7) A statement of the basis for the requested correction or amendment including any material that the individual can furnish to substantiate the reasons for the correction or amendment sought.

§ 1.8 Agency review of request for correction or amendment of record.

(a) The Commission shall, not later than ten (10) days (excluding Saturdays, Sundays and legal holidays) after the receipt of the request for a correction or amendment of a record under § 1.7, acknowledge receipt of the request and inform the individual whether information is required before the correction or amendment can be considered.

(b) If no additional information is required, within ten (10) days from receipt of the request, the Commission shall either make the requested correction or amendment or notify the individual of its refusal to do so, including in the notification the reasons for the refusal, and the appeal procedures provided in § 1.9 of this part.

(c) The Commission shall make each requested correction or amendment to a record if that correction or amendment will tend to negate inaccurate, irrelevant, untimely, or incomplete matter in the record.

§ 1.9 Appeal of initial adverse agency determination on amendment or correction.

(a) Any individual whose request for a correction or amendment has been

denied in whole or in part, may appeal that decision to the Commissioners no later than thirty (30) days after the adverse decision is rendered.

(b) The appeal shall be in writing and shall contain the following information.

(1) The name of the individual making the appeal;

(2) Identification of the record sought to be amended;

(3) The record system in which that record is contained;

(4) A short statement describing the amendment sought; and

(5) The name and location of the agency official who initially denied the correction or amendment.

(c) Not later than thirty (30) days (excluding Saturdays, Sundays and legal holidays) after the date on which the Commission receives the appeal, the Commissioners shall complete their review of the appeal and make a final decision thereon. However, for good cause shown, the Commissioners may extend that thirty (30) day period. If the Commissioners extend the period, the individual requesting the review shall be promptly notified of the extension and the anticipated date of a decision.

(d) After review of an appeal, the Commission shall send a written notice to the requester containing the following information:

(1) The decision and, if the denial is upheld, the reasons for the decision;

(2) The right of the requester to institute a civil action in a Federal District Court for judicial review of the decision; and

(3) The right of the requester to file with the Commission a concise statement setting forth the reasons for his or her disagreement with the Commission denial of the correction or amendment. The Commission shall make this statement available to any person to whom the record is later disclosed, together with a brief statement, if appropriate, of the Commission's reasons for denying the requested correction or amendment.

§ 1.10 Disclosure of record to person other than the individual to whom it pertains.

(a) Any individual who desires to have a record covered by this part disclosed to or mailed to another person may designate such person and authorize such person to act as his or her agent for that specific purpose. The authorization shall be in writing, signed by the individual and notarized. The agent shall submit, with the authorization, proof of the individual's identity as required by § 1.4(c).

(b) The parent of any minor individual or the legal guardian of any individual who has been declared by a court of competent jurisdiction to be incompetent, due to physical or mental incapacity or age, may act on behalf of that individual in any matter covered by this part. A parent or guardian who desires to act on behalf of such an individual shall present suitable evidence of parentage or guardianship, by birth certificate, certified copy of a court order,

or similar documents, and proof of the individual's identity in a form that complies with § 1.4(c).

(c) An individual to whom a record is to be disclosed in person, pursuant to this part may have a person of his or her own choosing accompany him or her when the record is disclosed.

§ 1.11 Fees.

(a) The Commission shall not charge an individual for the costs of making a search for a record or the costs of reviewing the record. When the Commission makes a copy of a record as a necessary part of the process of disclosing the record to an individual, the Commission shall not charge the individual for the cost of making that copy.

(b) If an individual requests the Commission to furnish a copy of the record, the Commission shall charge the individual for the costs of making the copy. The fee that the Commission has established for making a copy is ten cents (\$.10) per page.

§ 1.12 Penalties.

Any person who makes a false statement in connection with any request for a record, or an amendment or correction thereto, under this part, is subject to the penalties prescribed in 18 U.S.C. 494 and 495.

§ 1.13 General exemptions. [Reserved]

§ 1.14 Specific exemptions.

(a) No individual, under the provisions of these regulations, shall be entitled to access to investigatory material compiled pursuant to authority granted under 2 U.S.C. 347g(a) (2) for use by the Commission in carrying out its law enforcement responsibilities under 2 U.S.C. 437d (6) and (11) and 2 U.S.C. 437g (a) (5), (6), and (7), 2 U.S.C. 437g(b) and 2 U.S.C. 438(a) (9).

(b) The provisions of paragraph (a) of this section shall not apply to the extent that application of the subsection would deny any individual any right, privilege or benefit that he or she would otherwise be entitled to receive:

(1) Under federal law unless the disclosure of such material would reveal the identity of a source who furnished information to the Commission under an express promise that the identity of the source would be held in confidence; or

(2) In the course of a formal hearing pursuant to 2 U.S.C. 437g(a) (4) or in a civil action instituted by the Commission under 2 U.S.C. 437g(a) (5).

REASON FOR EXEMPTION

In accordance with the provisions of section 3 of the Privacy Act of 1974 under 2 U.S.C. 552a(K), the Commission states the following reasons for exempting the investigatory material compiled for law enforcement purposes:

(1) The information gathered by the investigative staff of the Commission may form the basis for either civil and/or criminal proceedings.

(2) The work of the investigative staff will be in cooperation with the Office of General Counsel in the preparation

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of the case for either a hearing within the agency or litigation in appropriate courts. The reports compiled may represent the "work product" of the attorney when such information has been gathered at his or her direction and thus may not be subject to access by a party, even if litigation has been instituted.

(3) It may be necessary to seek information from persons who desire not to be named and the names of these sources must be kept confidential in order to gather infor-

mation and to protect the credibility of the Commission

(3) It may be necessary to seek information from persons who desire not to be named and the names of these sources must be kept confidential in order to gather information and to protect the credibility of the Commission for such purpose.

(4) The enforcement process requires that no information be released which may in any way hamper a thorough in-

vestigation of possible violations or give an opportunity to one under investigation to frustrate the Commission in the vigorous enforcement of the Federal Election Campaign Act of 1971, as amended.

Dated: August 11, 1975.

NEIL STAEBLER,
Vice Chairman,

Federal Election Commission.

[FR Doc.75-21545 Filed 8-21-75;8:45 am]

FEDERAL ELECTION COMMISSION
(NOTICE 1975-26)
Systems of Records

Notice is hereby given, pursuant to P.L. 93-579 (Privacy Act of 1974) that the Federal Election Commission has compiled its systems of records published herein. These systems identify the location of data which is available for inspection by an individual about records maintained on him or her. Any individual who believes that this agency maintains a record about him or her may request to inspect such record, if available, and to correct or amend it if necessary. Such request should be addressed to the system manager listed for the appropriate system.

Inquiries about these systems of records may be addressed to the General Counsel, Federal Election Commission, 1325 K Street, NW., Washington, D.C. 20463, 202 382-5162.

Date: August 13, 1975

NEIL STAEBLER,
Vice Chairman,
Federal Election Commission.

FEC 1

System name: FEC advisory opinion requests and public comment.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Persons requesting advisory opinions from the FEC and persons commenting on such opinion requests.

Categories of records in the system: Letters requesting advisory opinions and letters commenting on such requests.

Authority for maintenance of the system: 2 U.S.C. Section 437 d (a)(7) and Section 437 f.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Commissioners and staff will use this system to draft advisory opinions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name, date and advisory opinion request (AOR) number.

Safeguards: Locked filing cabinets.

Retention and disposal: Indefinite.

System manager(s) and address: The General Counsel, FEC, 1325 K Street, NW., Washington, D.C. 20463 (202) 382-5162.

Notification procedure: Inquiries should be addressed to the system manager and should include name, address and AOR number.

Record access procedures: System manager.

Contesting record procedures: System manager

Record source categories: Advisory opinion requests and public comments.

FEC 2

System name: FEC audits and investigations.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Political committees, candidates and contributors subject to the Federal Election Campaign Act.

Categories of records in the system: Audit and investigative files.

Authority for maintenance of the system: 2 U.S.C. Section 437 d (a) 11, Section 437 g (a)(2), Section 437 g (b), and Section 438 (a)(9).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The General Counsel, Director of Investigations, Staff Director and Commissioners will use audit and investigation files for hearings, complaints, advisory opinions and regulations. Apparent violations may be referred to law enforcement authorities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name and identification number.

Safeguards: Locked safes in limited access locations. Access is limited to FEC staff on a restricted basis and to appropriate law enforcement agencies as directed by the Commission.

Retention and disposal: Indefinite

Systems exempted from certain provisions of the act: The following system is exempt pursuant to the provisions of 5 U.S.C. Section 552 a (K) (2) and accordingly implemented by proposed regulations issued this day under 11 CFR 001.14

FEC 3

System name: FEC compliance actions.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Persons who have filed complaints and persons complained about (respondent).

Categories of records in the system: Complaints, referrals and responses.

Authority for maintenance of the system: 2 U.S.C. Section 437 g (a)(1)(A), (B), Section 437 g (a), (2), (3), Section 437 g (b), Section 438 (a)(9).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Compliance actions will be assigned by the General Counsel and Director of the auditing and investigations division to an attorney and an investigator for an investigation into the subject matter of the compliance action. Apparent violations may be referred to law enforcement authorities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: This system is indexed by compliance action number and respondent's name.

Safeguards: This system is kept in locked filing cabinets and behind locked interior office doors.

Retention and disposal: Indefinite.

Systems exempted from certain provisions of the act: The following system is exempt pursuant to the provisions of 5 U.S.C. Section 552 a (K) (2) and accordingly implemented by proposed regulations issued this day under 11 CFR 001.14.

FEC 4

System name: FEC correspondence.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Persons who have written to the FEC.

Categories of records in the system: Letters and responses.

Authority for maintenance of the system: 2 U.S.C. Section 437 d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Commission staff will use correspondence files to respond to inquiries from the public.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: This system is indexed by name and date.

Safeguards: This system is kept in locked filing cabinets.

Retention and disposal: Indefinite.

System manager(s) and address: Assistant Staff Director for Administration, FEC 1325 K Street, NW., Washington, D.C. 20463; (202) 382-5162.

Notification procedure: Inquiries should be addressed to the system manager and should include name of person or committee and address.

Record access procedures: System manager.

Contesting record procedures: System manager.

Record source categories: Correspondence to the FEC AND Commission responses to such correspondence.

FEC 5

System name: FEC meetings and telephone communications.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Outside persons who have talked by telephone or met with Commissioners or the Commission staff concerning a substantial interest matter.

Categories of records in the system: Summaries of meetings and telephone logs.

Authority for maintenance of the system: 2 U.S.C. Section 437 d (a)(9).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system may be used by any person for information purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by date.

Safeguards: Locked filing cabinets.

Retention and disposal: Indefinite.

System manager(s) and address: Assistant Staff Director for Administration, FEC, 1325 K Street, NW., Washington, D.C. 20463; (202) 382-5162.

Notification procedure: Inquiries should be addressed to the system manager and should include name of outside person or committee, address and date.

Record access procedures: System manager

Contesting record procedures: System manager

Record source categories: Looseleaf meeting summaries and telephone logs from Commissioners and staff are consolidated monthly.

FEC 6

System name: FEC personnel.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Persons who have applied for employment and persons employed at the FEC.

Categories of records in the system: Resumes, applications and employment forms.

Authority for maintenance of the system: 2 U.S.C. Section 437c (f)(1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Staff Director and his or her designates will use the personnel system to hire employees of the Commission, and other appropriate personnel matters such as pay increases, vacation, sick leave and separation from the Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name and job category.

Safeguards: Locked filing cabinets.

Retention and disposal: Indefinite.

System manager(s) and address: Assistant Staff Director for Administration, FEC, 1325 K Street, NW., Washington, D.C. 20463; (202) 382-5162.

Notification procedure: Inquiries should be addressed to the system manager and should include name and address.

Record access procedures: System manager.

Contesting record procedures: System manager

Record source categories: Personnel applications, resumes, interviews, employment forms, etc.

FEC 7

System name: FEC registration of political committees and designations by candidates.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Political committees.

Categories of records in the system: Registration statements filed with the FEC.

Authority for maintenance of the system: 2 U.S.C. Section 432, Section 433 and Section 437 b.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system may be used by any person for information purposes. However, any information copied from such reports shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records and/or microfilm.

Retrievability: Indexed by candidate's name, by state, by committee name, by congressional district, by office sought, by candidate supported and by committee supporting a candidate.

Safeguards: Locked filing cabinets.

Retention and disposal: Reports are preserved for a ten year period except that reports relating solely to candidates for the House of Representatives are preserved for five years from the date of receipt.

System manager(s) and address: Director of Public Records, FEC, 1325 K Street, NW., Washington, D.C. 20463; (202) 382-5162.

Notification procedure: Inquiries should be addressed to the system manager and should include name of candidate or committee, identification number and address.

Record access procedures: System manager.

Contesting record procedures: System manager.

Record source categories: Registrations and designations filed with the FEC.

FEC 8

System name: FEC reports of contributions and expenditures.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Political committees, candidates and contributors whose reports of contributions and expenditures are filed with the FEC.

Categories of records in the system: Reporting forms filed with the FEC.

Authority for maintenance of the system: 2 U.S.C. Section 434, Section 437 and Section 437a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system may be used by any person for information purposes. However, any information copied from such reports shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records and/or microfilm.

Retrievability: Indexed by candidate's name, by state, by committee name, by congressional district, by office sought, by candidate supported and by committee supporting a candidate.

Safeguards: Locked filing cabinets.

Retention and disposal: Reports are preserved for a ten year period except that reports relating solely to candidates for the House of Representatives are preserved for five years from the date of receipt.

System manager(s) and address: Director, Public Records Division, FEC, 1325 K Street, NW., Washington, D.C. 20463; (202) 382-5162.

Notification procedure: Inquiries should be addressed to the system manager and should include name of candidate or committee identification number and address.

Record access procedures: System manager.

Contesting record procedures: System manager.
Record source categories: Reports filed with the FEC.

FEC 9

System name: FEC rulemaking and public comment.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Persons commenting on FEC proposed regulations.

Categories of records in the system: Letters commenting on proposed FEC rules.

Authority for maintenance of the system: 2 U.S.C. Section 437 d (a) 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system may be used by any person for information purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by subject, date, individual and committee.

Safeguards: Locked filing cabinets.

Retention and disposal: Indefinite.

System manager(s) and address: Director, Public Records Division, FEC, 1325 K Street, NW., Washington, D.C. 20463; (202) 382-5162.

Notification procedure: Inquiries should be addressed to the system manager and should include name of person or committee, address and subject matter involved.

Record access procedures: System manager

Contesting record procedures: System manager

Record source categories: Rulemaking proposals and public comment received by the FEC on such proposals.

FEC 10

System name: Certification for primary matching funds and for election campaign funds.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: Candidates for nomination or election to the Office of President of the United States.

Categories of records in the system: Certification forms requesting matching funds or election funds and audit and investigation files.

Authority for maintenance of the system: 26 U.S.C. 9007 (a), 9006 (c); 26 U.S.C. 9033, 9037 (b), 0 9038 (a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Certification of eligibility for funds by presidential candidates.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: This system is indexed by name of candidate.

Safeguards: This system is kept in locked filing cabinets.

Retention and disposal: Indefinite.

System manager(s) and address: Staff Director, FEC, 1325 K Street, NW., Washington, D.C. 20463; (202) 382-5162.

Notification procedure: Inquiries should be addressed to the system manager and should include name of presidential candidate.

Record access procedures: System manager.

Contesting record procedures: System manager

Record source categories: Certification reports filed with the Commission, investigations and audits.

FEC 11

System name: Payments for presidential nominating conventions.

Security classification:

System location: 1325 K Street, NW., Washington, D.C. 20463.

Categories of individuals covered by the system: National political parties.

Categories of records in the system: Certification forms for entitlement to payment and audit and investigation files.

Authority for maintenance of the system: 26 U.S.C. 9008 (b)(3), 9008 (g), 9008 (h).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Certification of eligibility for funds for presidential conventions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: This system is indexed by name of national political party.

Safeguards: This system is kept in locked filing cabinets.

Retention and disposal: Indefinite.

System manager(s) and address: Staff Director, FEC, 1325 K Street, NW., Washington, D.C., 20463; (202) 382-5162.

Notification procedure: Inquiries should be addressed to the system manager and should include name of national political party.

Record access procedures: System manager.

Contesting record procedures: System manager.

Record source categories: Certification reports filed with the Commission, investigations and audits.

**OVERSEAS PRIVATE
INVESTMENT CORPORATION**

[22 CFR Part 707]

ACCESS TO AND SAFEGUARDING OF PERSONAL INFORMATION IN RECORDS OF THE CORPORATION

Notice of Proposed Rulemaking

Pursuant to authority vested in me as President, Overseas Private Investment Corporation (the "Corporation"), notice is hereby given under the provisions of 5 U.S.C. section 553(b) of the proposed adoption by the Corporation, on September 22, 1975, of rules governing procedures, fees and exemptions in connection with the implementation by the Corporation of the Privacy Act of 1974, 5 U.S.C. section 552a. Authority for the adoption of said rules is provided in the Privacy Act of 1974; Title IV of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. section 2191 *et. seq.* and other applicable laws. The terms of the proposed rules are set forth in this notice. Any person who wishes to submit written data, views or arguments regarding these proposed rules may do so. Such data, views or arguments shall be addressed to the Director of Personnel and Administration, Overseas Private Investment Corporation, 1129-20th Street, N.W., Washington, D.C. 20527. They may be hand delivered to the receptionist at the office of the Corporation, 7th floor, 1129-20th Street, NW., Washington, D.C. 20527, between 8:45 and 5:30 p.m., Monday thru Friday (excluding legal public holidays) or mailed to the Corporation. Oral presentations will not be accepted. The Corporation will consider any relevant written presentation submitted. The proposed rules may be modified by the Corporation prior to adoption thereof on the basis of any such presentation.

The proposal is to amend Title 22 of the Code of Federal Regulations by adoption thereunder of the following Part 707:

Subpart A—General

§ 707.11 Purpose.

This Part 707 is adopted pursuant to 5 U.S.C. Section 552a(f) to implement the provisions of the Privacy Act of 1974, 5 U.S.C. Section 552a. This Part 707 establishes procedures for notifying an individual whether any system of records of the Corporation contains information pertaining to him; the times, places, and procedures to be followed by an individual seeking access to records of the Corporation containing information pertaining to him, procedures to be followed by an individual desiring the amendment of any record of the Corporation containing information pertaining to him; and the fees charged by the Corporation for making copies under this Part 707 of records of the Corporation containing information pertaining to an individual. Pursuant to 5 U.S.C. Section 552a(k), this Part 707 also exempts certain systems of records from some of the provisions of 5 USC § 552 (a).

§ 707.12 Definitions.

As used in this Part 707, the terms "agency", "individual", "maintain", "record", "system of records", "statistical record", and "routine use" shall have the meaning specified for each such term in 5 U.S.C. Section 552a (a).

Subpart B—Notification; Access to Records; Amendment; Fees

§ 707.21 Requests for notification of, access to or records.

(a) Whenever an individual desires either notification of, access to or copies of records which are maintained by the Corporation and which may contain information pertaining to said individual, he may submit such a request to the Corporation in the form specified in paragraph (b) of this section. Such request shall be addressed to the Director of Personnel and Administration and may either be mailed to the Corporation or be delivered to the receptionist at the office of the Corporation, 1129 - 20th Street, NW., Washington, D.C. 20527, between 8:45 a.m. and 5:30 p.m., Monday thru Friday (excluding legal public holidays). Access to records maintained by the Corporation will be provided only by appointment. No officer or employee of the Corporation shall, pursuant to the provisions of this Part 707, provide any individual with access to any records maintained by the Corporation until the Corporation shall have received from such individual a written request in the form specified in paragraph (b) of this section and verification of the identity of the individual as provided in subsection paragraph (c) of this section.

(b) Any request under this Part 707 for notification of, access to or copies of records maintained by the Corporation shall comply with the following requirements:

(1) It shall be in writing, signed by the individual, and duly acknowledged before a notary public or other authorized public official;

(2) It shall accurately identify the records or information to which access is sought;

(3) It shall specify the date and hour such individual wishes such an appointment; and

(4) It shall specify whether the individual also wishes copies of the information pertaining to him.

(c) Prior to providing any individual either with notification of, access to or copies of any records maintained by the Corporation that contain information pertaining to said individual, the Director of Personnel and Administration shall verify the identity of such individual. In order to verify the identity of any such individual, the Director of Personnel and Administration shall require such individual to provide reasonable proof of his identity, such as, by way of example and not limitation, a valid drivers license, identification card, passport, employee identification card and any other identifying information. The Director of Personnel and Administration shall deny any such request

from any individual if he determines, in his sole discretion, that the evidence offered to verify the identity of such individual is insufficient to establish conclusively the identity of such individual. Upon denying any such request under this § 707.21(c), the Director of Personnel and Administration shall promptly notify the individual in writing of such determination.

(d) In the event that the Director of Personnel and Administration shall decline any request submitted to the Corporation under paragraph (b) of this section because he determines under paragraph (c) of this section that the individual has not provided adequate evidence to verify his identity, said individual may, within thirty (30) days of the date of the notification thereof by the Director of Personnel and Administration, file a written appeal of such determination with the Executive Vice President of the Corporation. The decision of the Executive Vice President with respect to such appeal shall be final.

(e) Whenever an individual desires copies of any records in addition to personal access thereto, copies will be furnished upon payment of the fees prescribed in § 707.23.

(f) The Corporation may require any individual who wishes to be accompanied by any other individual when reviewing any records made available under this Part 707 shall provide the Corporation with a signed, written statement authorizing discussion of the information contained in such records in the presence of such accompanying individual.

(g) Copies of records made available for review to any individual under this Part 707 may be released to a duly authorized representative of any such individual provided that such individual provides the Corporation with a power of attorney to such effect on behalf of said representative, signed by such individual and duly acknowledged before a notary public or other authorized public official. The Corporation shall require any such representative to verify his identity in accordance with paragraph (c) of this section.

(h) Original or record copies of records will not be released from the files of the Corporation. Individuals will not be permitted to disturb any record files or to remove any records from the designated place of examination within the Corporation.

§ 707.22 Amendment of records.

(a) Whenever any individual desires an amendment to any record of the Corporation to correct information in such record pertaining to him that he believes not to be accurate, relevant, timely, or complete, he may submit such a request to the Corporation in the form specified in paragraph (b) of this section. Such request shall be addressed to the Director of Personnel and Administration and may either be mailed to the Corporation or delivered to the receptionist at the office of the Corporation, 1129-20th Street, N.W., Washington,

D.C. 20527, between 8:45 a.m. and 5:30 p.m., Monday thru Friday (excluding legal public holidays). Such request shall be deemed not to have been received by the Corporation until actually delivered to it or, whenever mailed, actually received by the Chief of Personnel and Administration.

(b) Any request submitted to the Corporation under paragraph (a) of this section shall comply with the following requirements:

(1) It shall be in writing, signed by the individual and duly acknowledged before a notary public or other authorized public official;

(2) It shall accurately identify the records and information to be amended;

(3) It shall specify the correction requested; and

(4) It shall fully specify the basis for such individual's belief that the records and information are not accurate, relevant, timely or complete; and

(5) It shall be supported by substantial and reliable evidence sufficient to permit the Corporation to determine whether such amendment is in order.

Any such request shall be deemed not to have been received by the Corporation and shall be returned without prejudice whenever the Director of Personnel and Administration determines that such request either does not describe records specifically enough to permit the staff of the Corporation to promptly locate such records or does not state the amendment requested or the basis therefor in reasonably specific language.

(c) The Director of Personnel and Administration shall acknowledge in writing the receipt of any such request to correct any records not later than ten (10) days (excluding Saturdays, Sundays and legal public holidays) after the date of the receipt of such request by the Corporation.

(d) Not later than thirty (30) days (excluding Saturdays, Sundays and of-

ficial holidays) after the date of the receipt of such request by the Corporation, the Director of Personnel and Administration shall either:

(1) Make any correction of any portion of such records that he determines not to have been accurate, relevant, timely, or complete and notify the individual in writing of such correction; or

(2) Inform the individual in writing of his decision to deny any portion of such request, the reason for the refusal, and the right of the individual to request a review thereof by the Executive Vice President of the Corporation under paragraph (e) of this section.

(e) In the event the Director of Personnel and Administration shall deny any portion of any individual's request to amend records, such individual may, within thirty (30) days of the date of the notification of such denial, file a written appeal of such decision with the Executive Vice President of the Corporation. Such appeal may be supported by any additional written evidence and statements deemed appropriate by the individual.

§ 707.23 Fees.

The fees to be charged by the Corporation for making copies of any records provided to any individual under this Part 707 shall be twenty (20) cents per page.

Subpart C—Exceptions

§ 707.31 Public information.

Nothing in this Part 707 shall be construed as a waiver by the Corporation, either in whole or in part, of the provisions of 5 U.S.C. section 552(b) or 18 U.S.C. section 1905. The Corporation, to the maximum extent permitted by law, may delete information from copies of any records furnished to any individual under this Part 707.

§ 707.32 Specific exemptions.

The provisions of 5 U.S.C. sections 552a (c) (3), (d), (e) (1), (e) (4) (G), (H) and (I) and (f) shall not apply to any system of records maintained by the Corporation that is—

(1) Subject to the provisions of 5 U.S.C. section 552(b) (1);

(2) Investigatory material compiled for law enforcement purposes other than those specified in 5 U.S.C. section 552a (j) (2);

(3) Required by statute to be maintained and used solely as statistical records;

(4) Investigatory material compiled solely for the purpose of determining suitability, eligibility or qualifications for Federal civilian employment, military service, Federal contracts or access to classified information, but only to the extent that the Corporation may determine, in its sole discretion, that the disclosure of such material would reveal the identity of the source who, subsequent to September 27, 1975, furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to such date, under an implied promise to such effect; and

(5) Testing or examination materials used solely to determine individual qualifications for appointment or promotion in the Federal service and the Corporation determines, in its sole discretion, that disclosure of such materials would compromise the fairness of the testing or examination process.

The foregoing Part 707 shall be effective as of September 27, 1975.

Dated: August 13, 1975.

MARSHALL T. MAYS,
President.

[FR Doc.75-21566 Filed 8-21-75; 8:45 am]

**OVERSEAS PRIVATE INVESTMENT CORPORATION
PRIVACY ACT OF 1974**

Notice of Existence and Character of Systems of Records

Pursuant to 5 U.S.C. section 552a(e)(4), notice is hereby given of the existence and character of the systems of records that the Overseas Private Investment Corporation proposes to maintain after September 26, 1975.

Interested persons may submit written data, views or arguments regarding the proposed routine uses of the systems of records to the Director of Personnel and Administration, Overseas Private Investment Corporation, 1129-20th Street, NW., Washington, D.C. 20527.

MARSHALL T. MAYS,
President.

OPIC—1

System name: Applicants (General)—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527

Categories of individuals covered by the system: Past and current applicants for employment by the Corporation.

Categories of records in the system: Contains (i) applications for employment; (ii) letters concerning employment; (iii) other information relevant to employment; (iv) interview sheets; (v) letters of recommendation; (vi) file on the status or disposition of all applications.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to (i) furnish candidates for job vacancies; (ii) provide information in the record to the personnel office of another federal agency at the request of said federal agency upon the transfer or potential transfer to that federal agency of the individual to whom the information in the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders and on cardex file.

Retrievability—indexed alphabetically by surname.
Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—files on applicants retained as long as applicant is employment prospect but no longer than two (2) years. File on status and disposition retained throughout life of the Corporation. Disposed of by burning and/or by return to applicant.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: All sources of recruitment used by OPIC, including without limitation, responses to OPIC advertisements; referrals; walk-ins; unsolicited information from applicants; university placement offices.

OPIC—2

System name: Applicants (General Counsel)—OPIC

System location:

Office of the General Counsel,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527

Categories of individuals covered by the system: Applicants for employment as attorney in the Office of the General Counsel.

Categories of records in the system: Contains (i) letters from applicants; (ii) resumes and Standard Forms 171 of applicants; (iii) intra-office memoranda; (iv) letters from the Corporation to applicants concerning interviews, offers of employment, refusals to offer employment; (v) copies of advertisements for employment; (vi) Request and Authorization of Official Travel forms; (vii) letters of recommendation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to select qualified attorneys for employment in the Office of the General Counsel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in accordion file folders.

Retrievability—indexed alphabetically by surname.
Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained as long as applicant appears interested in employment by the Corporation but in no event longer than two(2) years. Disposed of by burning and/or by return to applicant.

System manager(s) and address:

General Counsel,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527
Telephone: (202) 632-1766

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual. Persons who refer applicants.

OPIC—3

System name: Attendance and Leave Records—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: Present employees. Former employees during first sixty (60) days following date of their separation from the Corporation.

Categories of records in the system: Contains (i) timekeeper records and payroll change slips; (ii) recurring and special payroll reports; (iii) annual leave restoration records, memoranda and special studies; (iv) special tours of duty records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in individual file folders and on cardex file.

Retrievability—indexed alphabetically by surname.
Safeguards—payroll change slips and timekeeper records stored in key-locked metal file cabinet. Other records stored in metal file cabinet secured by combination lock.
Retention and Disposal—retained until end of first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
 Overseas Private Investment Corporation,
 1129 20th Street, N.W.,
 Washington, D.C. 20527.
 Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—4

System name: Awards—OPIC

System location:

Office of Personnel and Administration,
 Overseas Private Investment Corporation,
 1129 20th Street, N.W.,
 Washington, D.C. 20527.

Categories of individuals covered by the system: Past and current officers and employees who have received an award from the Corporation.

Categories of records in the system: Contains (i) supporting material for nominations for and grants of: Quality Increases and other honor or cash awards; (ii) copies of certificates of award granted to officers and employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to provide information to the Director of the Civil Service Commission, or any of his or her authorized representatives, in the course of the performance of the duties of the Civil Service Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—filed by category of award or incentive with information therein indexed alphabetically by surname.
Safeguards—stored in metal file cabinet secured by combination lock.
Retention and Disposal—retained for first two (2) years following granting of award. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
 Overseas Private Investment Corporation,
 1129 20th Street, N.W.,
 Washington, D.C. 20527.
 Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Officers, employees, records, forms and files of the Corporation.

OPIC—5

System name: Biographies of Key Employees and Board Members—OPIC

System location:

Office of Public Affairs,
 Overseas Private Investment Corporation,
 1129 20th Street, N.W.,
 Washington, D.C. 20527.

Categories of individuals covered by the system: Officers, professional staff and members of the Board of Directors of the Corporation.

Categories of records in the system: Contains biographies of officers, professional staff and members of the Board of Directors in the form of general biographies and prepared press releases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used (i) for news releases to local, national and international communications media in connection with publicizing the role of the Corporation in furthering the development assistance objectives of the United States; (ii) in publications of the Corporation in connection with publicizing the role of the Corporation in furthering the development assistance objectives of the United States.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.
Safeguards—Stored in metal file cabinet secured by combination lock.

Retention and Disposal—examined every two (2) years. Biographies of individuals no longer employed by the Corporation or no longer on the Board of Directors disposed of by burning.

System manager(s) and address: Vice President for Public Affairs,

Overseas Private Investment Corporation,
 1129 20th Street, N.W.,
 Washington, D.C. 20527.
 Telephone: (202) 632-1854.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual; WHO'S WHO IN AMERICA; THE INTERNATIONAL WHO'S WHO; WORLD WHO'S WHO IN COMMERCE AND INDUSTRY; other recognized biographical directories catalogued at the Library of Congress.

OPIC—6

System name: Compensation—OPIC

System location:

Office of Personnel and Administration,
 Overseas Private Investment Corporation,
 1129 20th Street, N.W.,
 Washington, D.C. 20527.

Categories of individuals covered by the system: All employees of the Corporation.

Categories of records in the system: Contains records relating to (i) denials of within grade increases; (ii) appeals of denials of within grade increases; (iii) pay adjustments for Administratively Determined ("AD") employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.
Retention and Disposal—records of within grade denial retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Other records retained two (2) years after matter finally resolved. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
 Overseas Private Investment Corporation,
 1129 20th Street, N.W.,
 Washington, D.C. 20527.
 Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—7

System name: Conduct and Discipline—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees of the Corporation (i) against whom disciplinary action has been taken or is being taken; (ii) who have filed a grievance or an appeal in connection with a disciplinary action initiated by the Corporation.

Categories of records in the system: Contains (i) files of charges of the Corporation and supporting documents; (ii) employee's response to charges of the Corporation; (iii) notice of hearing, if contemplated, and report of hearing, if held; (iv) hearing recommendations or decision; (v) information relating to employee's grievance and appeal; (vi) conference reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.

Retention and Disposal—retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Officers, employees, records, files and forms of the Corporation.

OPIC—8

System name: Conflicts of Interest—OPIC

System location:

Office of the General Counsel,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: All officers and employees of the Corporation (i) with a grade of GS-13 and above; (ii) holding special positions of confidence.

Categories of records in the system: Contains Statements of Employment and Financial Interest.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to provide confidential counseling on conflicts of interest regulations and potential financial conflicts between official duty and personal financial interests.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained for one (1) year after individual's date of separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Deputy General Counsel,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-1766.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual.

OPIC—9

System name: Employee Health and Life Insurance—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: All officers and employees of the Corporation who have had a problem in connection with health or life insurance obtained through the Corporation requiring claims assistance.

Categories of records in the system: Contains record of problems and their settlement.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—filed by category of insurance with information indexed therein alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—10

System name: Employment (Excepted Positions)—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: Past and current employees of the Corporation.

Categories of records in the system: Contains (i) copies of requests to the Civil Service Commission for establishment and/or filling of excepted positions; (ii) periodic and special reports in connection with non-competitive employment; (iii) supporting documentation for nomination and approval of individual members of the Board of Directors of the Corporation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to furnish the Civil Service Commission with verification of compliance with Civil Service Commission reporting requirements on Excepted Positions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—filed by category of excepted position with information indexed therein alphabetically by surname.

Retention and Disposal—retained as long as individual is employed by the Corporation and for first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,

Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—11

System name: Evaluations—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees of the Corporation serving under non-temporary appointment.

Categories of records in the system: Contains (i) performance evaluations; (ii) supporting material for performance ratings of unsatisfactory or outstanding; (iii) documentation of employee appeals of performance ratings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained, or for related personnel management functions or manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—12

System name: Photographs—OPIC

System location:

Office of Public Affairs,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: Officers, employees and members of the Board of Directors of the Corporation.

Categories of records in the system: Contains (i) portrait shots (head and shoulders) of officers, employees and members of the Board of Directors; (ii) candid shots of same individuals taken while performing an official function.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Portrait shots used in releases to local, national and international communications media (i) upon appointment of individual to post with the Corporation; (ii) as supplement to biographies; (iii) when individual makes an official appearance. Candid shots used in (i) releases to local, national and international communications media in connection with publicizing the role of the Corporation in furthering the development assistance objectives of the United States; (ii) in publications of the Corporation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—examined every two (2) years. Photographs of individuals no longer employed by the Corporation or no longer on the Board of Directors are disposed of by burning.

System manager(s) and address: Vice President for Public Affairs,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-1854.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual. Photographs taken by employees or agents of the Corporation.

OPIC—13

System name: Placement of Handicapped Individuals—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: Past and current employees of the Corporation who serve (served) under competitive appointment.

Categories of records in the system: Contains records and reports of placement by the Corporation of handicapped individuals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folder.

Retrievability—indexed alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Officers, employees, records, files and forms of the Corporation.

OPIC—14

System name: Position Classification—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees serving under Classification Act.

Categories of records in the system: Contains (i) appeals to the Civil Service Commission of position classification allocations; (ii) Whitten Amendment survey reports; (iii) survey reports and classification audits.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the func-

tion for which records are collected and maintained or for related personnel management functions or manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—filed by category of position with information therein alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—Audit reports retained throughout life of the Corporation. Appeals retained until one (1) year following final disposition of case. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—15

System name: Recruitment—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: Past and current employees of the Corporation.

Categories of records in the system: Contains (i) special reports and studies on recruitment efforts and/or recruitment needs; (ii) reemployment priority list of past and current employees of the Corporation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—filed by category of report or study with information filed therein alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—reports and studies retained three (3) years. Individual name removed from reemployment priority list two (2) years after date of separation of career employees and one (1) year after date of separation of career conditional employees. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—16

System name: Retirement—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: All officers and employees of the Corporation within one (1) year of retirement age

or of eligibility for retirement. All former officers and employees of the Corporation who have retired within immediately preceding twelve (12) months.

Categories of records in the system: Contains (i) reports and studies on retirement; (ii) problem cases (history and settlement).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—filed chronologically with information indexed therein alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained for twelve (12) months following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—17

System name: Security and Investigations—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: Officers and employees of the Corporation. Applicants for employment.

Categories of records in the system: Contains copies of requests for security clearances and for investigations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used in requesting the Auditor General, Agency for International Development, to conduct an investigation or a security check on individuals.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folder.

Retrievability—filed chronologically with information indexed therein alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—18

System name: Security Violations—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: Officers and employees of the Corporation who have committed a security violation.

Categories of records in the system: Contains (i) Notice of a Security Violations forms; (ii) Record of Violation forms; (iii) letters of notice of security violation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used in furnishing notices of security violations to the Auditor General, Agency for International Development.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—record retained one (1) year subsequent to violation. Disposed of by fire.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Security guards. Records, files and forms of the Corporation.

OPIC—19

System name: Travel Advances—OPIC

System location:

Office of the Treasurer,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees of the Corporation.

Categories of records in the system: Contains (i) travel advances card; (ii) travel authorizations; (iii) return copies of travel authorizations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to properly account for funds spent. Used to provide information to the Assistant Administrator, or any of his duly authorized representatives, Bureau for Program and Management Services, Agency for International Development in the course of the performance of the duties of the Agency for International Development.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained for two (2) years after the date of travel authorization. Disposed of by sending to Federal Records Center.

System manager(s) and address:

Treasurer,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual, records, files and forms of the Corporation.

OPIC—20

System name: Travel Obligations—OPIC

System location:

Office of the Treasurer,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees of the Corporation.

Categories of records in the system: Contains (i) travel authorization forms; (ii) reimbursement claims of employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to properly account for funds spent. Used to provide information to the Assistant Administrator, or any of his duly authorized representatives, Bureau for Program and Management Services, Agency for International Development in the course of the performance of the duties of the Agency for International Development.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained for two (2) years after the date of travel authorization. Disposed of by sending to Federal Records Center.

System manager(s) and address:

Treasurer,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual, records, files and forms of the Corporation.

OPIC—21

System name: Directors (Current)—OPIC

System location:

Office of the Corporate Secretary,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D. C. 20527

Categories of individuals covered by the system: Current directors of the Corporation.

Categories of records in the system: Contains (i) resumes; (ii) date of appointment to Board of Directors; (iii) date of swearing in.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to distribute to the general public, communications media, the Board of Directors, officers and employees of the Corporation general biographical information on Board members.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained throughout life of Corporation.

System manager(s) and address:

Corporate Secretary,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527
Telephone: (202) 632-1839.

OVERSEAS PRIVATE INVESTMENT CORPORATION

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual. Files of the Corporation.

OPIC—22

System name: Directors (Former)—OPIC

System location:

Office of the Corporate Secretary,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D. C. 20527

Categories of individuals covered by the system: Former directors of the Corporation.

Categories of records in the system: Contains (i) resumes; (ii) date of appointment to Board of Directors; (iii) date of swearing in; (iv) date of separation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to distribute to the general public, communications media, the Board of Directors, of-

ficers and employees of the Corporation general biographical information on Board members.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Storage—kept in file folders.

Retrievability—indexed alphabetically by surname.

Safeguards—stored in metal file cabinet secured by combination lock.

Retention and Disposal—retained throughout life of Corporation.

System manager(s) and address:

Corporate Secretary,
Overseas Private Investment Corporation,
1129 20th Street, N.W.,
Washington, D.C. 20527
Telephone: (202) 632-1839.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual. Files of the Corporation.

SELECTIVE SERVICE SYSTEM

[32 CFR Part 1608]

PUBLIC INFORMATION

Proposed Amendments

Pursuant to the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.), § 1604.1 of Selective Service Regulations (32 CFR 1604.1), Pub. L. 93-502 and Pub. L. 93-579, the Director of Selective Service hereby gives public notice that consideration is being given to the following proposed amendments to the Selective Service Regulations constituting a portion of Chapter XVI of Title 32 of the Code of Federal Regulations. These Regulations implement the Military Selective Service Act, as amended (50 U.S. Code App., sections 451 et seq.) and the Freedom of Information Act, 5 U.S.C. 552, as amended by Pub. L. 93-502, and the Privacy Act of 1974, Pub. L. 93-579.

The proposed revision of Part 1608 places at the beginning of of that part, renumbered as §§ 1608.1 through 1608.9, the currently effective sections of Part 1608 constituting the regulations having particular applicability to availability and access to public information required by Pub. L. 93-502. The provisions of these sections are not changed in substance but are rearranged for clarity and convenience in use.

The proposed revision institutes in Part 1608 beginning at § 1608.10 and continuing through § 1608.22, a new subpart subtitled Protection of Privacy. The regulations in this subpart comprise the agency rules having particular applicability to the Privacy Act of 1974 and required to be established by Section 3, 5 U.S.C. 552a(f), of that Act.

The revised and renumbered section on fees, § 1608.22, conforms to the requirements of both the Freedom of Information Act, as amended, and the Privacy Act of 1974.

All persons who desire to submit views to the Director should prepare them in writing and forward them to the Director, Selective Service System, Attn: GC, 1724 F Street, N.W., Washington, D.C. 20435, on or before September 22, 1975.

The proposed amendment of Part 1608 follows:

PART 1608—PUBLIC INFORMATION

- | | |
|---------|---|
| Sec. | |
| 1608.1 | Public information policy. |
| 1608.2 | Definitions. |
| 1608.3 | General policy on disclosure of information. |
| 1608.4 | Available information. |
| 1608.5 | Places where information may be obtained. |
| 1608.6 | Rules governing the obtaining of information. |
| 1608.7 | Identification of information requested. |
| 1608.8 | Request for information not authorized to be disclosed. |
| 1608.9 | Review of denials of requests for information. |
| | PROTECTION OF PRIVACY |
| 1608.10 | Protection of privacy procedure: purpose and scope. |

- | | |
|---------|---|
| Sec. | |
| 1608.11 | Procedure for requests pertaining to an individual record in a system. |
| 1608.12 | Times, place and requirements for identification of individuals making requests. |
| 1608.13 | Disclosure of requested information to individuals. |
| 1608.14 | Special procedure; medical records. [Reserved] |
| 1608.15 | Request for correction or amendment of record. |
| 1608.16 | Agency review of request for correction or amendment of record. |
| 1608.17 | Appeal of initial adverse agency determination on correction or amendment. |
| 1608.18 | Disclosure of record to person other than the individual to whom it pertains. |
| 1608.19 | Waiver of confidential nature of information on registrants. |
| 1608.20 | Subpoena of records. |
| 1608.21 | Demands of courts or other authorities for records or information protected by these regulations. |
| 1608.22 | Fees. |

AUTHORITY: 5 U.S.C. 552, Pub. L. 93-502, 93-579.

§ 1608.1 Public information policy.

The Selective Service System has a positive public information policy under which information is brought to the attention of the public. The Selective Service System brings to the public, through news releases, pamphlets, educational material for distribution to high schools, and other documents, information concerning important events, and the functions of the Selective Service System.

§ 1608.2 Definitions.

When used in this part, the following words shall have the meaning ascribed to them as follows:

"Disclose" shall mean an oral or written statement concerning any such record or information.

"Examine" shall mean a visual inspection and examination of any such record or information at the office of the local board or appeal board as the case may be.

"Furnish" shall mean providing in substance or verbatim a copy of any such record or information.

"Information" shall mean all the data in a record or records including those items on standard forms left blank, marked "Not Applicable" or the equivalent.

§ 1608.3 General policy on disclosure of information.

(a) It is the general policy of the Selective Service System to make information available to the public unless the disclosure thereof is prohibited by law.

(b) Technical instructions pertaining to automatic data processing, memoranda, correspondence, opinions, data, staff studies, information received in confidence, and similar documentary material prepared for the purpose of internal communication within the Selective Service System or between the Selective Service System and other organizations

or persons generally are not information available to the public.

(c) Lists of registrants may be furnished only in accordance with written instructions from the Director of Selective Service.

§ 1608.4 Available information.

(a) Upon request, current documents specifically identified as being printed for free distribution to the general public will be furnished without charge. Each individual requesting such documents shall be entitled to only one copy of each document.

(b) The Registrants Processing Manual is available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Selective Service Regulations appear in chapter XVI of title 32, Code of Federal Regulations.

(c) The Registrants Processing Manual may be inspected at the office of any local board, the office of the State Director of Selective Service for any state or at the National Headquarters, Selective Service System.

(d) Each local board maintains a Classification Record (SSS Form 102) which contains the name, selective service number, and the current and past classifications for each person registered with that board. Information in this record may be inspected at the local board at which it is maintained.

(e) Any compensated employee of the Selective Service System may disclose to the former employer of a registrant who is serving in or who has been discharged from the Armed Forces whether the registrant has or has not been discharged and, if discharged, the date thereof, upon reasonable proof that the registrant left a position in the employ of the person requesting such information in order to serve in the Armed Forces.

(f) The names, position titles, grades, salaries, and duty stations of employees of the Selective Service System are public information.

(g) The names of local board members and the names and addresses of advisors to registrants will be posted in an area available to the public at each board office to which such personnel are assigned.

(h) Personal data concerning board members that relate to their legal qualifications for appointment and/or continuation in office are a matter of official record. Upon request, the executive secretary or clerk of a local board or appeal board will verify that a member of that board was legally qualified for appointment and for continuation in office without disclosing the personal data pertaining to such member without the member's consent.

§ 1608.5 Places where information may be obtained.

(a) Requests for information concerning a registrant should be directed to the local board where he is registered.

PROPOSED RULES

(b) Requests for information concerning the national administration of the Military Selective Service Act should be directed to the National Headquarters, Selective Service System, 1724 F Street, N.W., Washington, D.C. 20435.

(c) Requests for information concerning the administration of the Military Selective Service Act within a particular State should be directed to the State Director of Selective Service of that state.

§ 1608.6 Rules governing the obtaining of information.

(a) A request for information under this part should be made orally or in writing during business hour at the appropriate selective service office. When information to be furnished is not readily available, the employee responsible for obtaining the information shall advise the requester how and where it may be obtained.

(b) Although the time period allowed for inspection of documents must be sufficient to allow hand copying, the activity should not interfere with the daily business activities of the selective service office. Accordingly, the selective service employee handling the request for information or inspection should arrange for inspection of files and documents during specified hours of the business week.

(c) Any person entitled under the provisions of this part to examine any record or information shall be permitted to copy it by hand, to photograph it or to copy it by using portable copying equipment so long as the use of such equipment does not disrupt the normal operations of the office.

§ 1608.7 Identification of information requested.

(a) Any person who requests information under these regulations shall provide a reasonably specific description of the information sought so that it may be located without undue search or inquiry. Information that is not identified by a reasonably specific description is not an identifiable record, and the request for that information may be declined.

(b) If the description is insufficient, the employee processing the request will notify the requester and, to the extent possible, indicate the additional information required. Every reasonable effort shall be made to assist a requester in the identification and location of the record or records sought. Records will not be withheld merely because it is difficult to find them.

(c) When a request is received at an office not having charge of the records, it shall promptly forward the request to the proper office and notify the requester of the action taken.

§ 1608.8 Request for information not authorized to be disclosed.

Whenever an employee receives a request for information or documents the disclosure of which is not clearly authorized by the provisions of this part that request will be immediately re-

ported by telephone to the General Counsel, Selective Service System, for instruction as to its disposition.

§ 1608.9 Review of denials of requests for information.

(a) Complaints concerning possible abuse of discretion granted Selective Service employees under this part or failure to respond to inquiries shall be directed to the state director in the case of state headquarters or local board employees and to the Director in the case of National Headquarters employees.

(b) A requester whose request for information or documents has not been satisfied may appeal to the Director of Selective Service, 1724 F Street, NW, Washington, D.C. 20435.

PROTECTION OF PRIVACY

§ 1608.10 Protection of privacy procedure: purpose and scope.

(a) The purpose of this subpart is to provide that records of the Selective Service System are maintained as required by the provisions of the Privacy Act of 1974 (Pub. L. 93-579). The provisions hereof extend to records and systems of records defined in that Act as being subject thereto.

(b) The Selective Service System will not disclose any record in a system of records pertaining to an individual maintained by the Selective Service System except (1) pursuant to the provisions of the Privacy Act of 1974 (Pub. L. 93-579), 5 U.S.C. 552a, and (2) the provisions of this subpart.

§ 1608.11 Procedure for requests pertaining to an individual record in a system.

A request by an individual that he be informed if a system of records named by him contains a record pertaining to him should be directed to the Selective Service System office responsible for maintaining such system of records. If the request is not directed to the proper office, it will be referred by the office which receives such request to the proper office of the Selective Service System. Such office will promptly ascertain if the system of records named by the individual making the request contains a record pertaining to such individual and, thereafter, promptly inform the requester in writing of the existence or non-existence of such record.

§ 1608.12 Times, place and requirements for identification of individuals making requests.

An individual requesting a record or information pertaining to him must make such request orally or in writing during business hours at the Selective Service System office where such record is maintained. The requester shall submit appropriate evidence to the employee responsible for maintaining such record sufficient to identify the requester as the individual to whom the requested record or information pertains. If the requester is a registrant, he should provide his Se-

lective Service Number or date and place of registration if such number is for some reason unavailable.

§ 1608.13 Disclosure of requested information to individuals.

(a) Information contained in records maintained on a specific individual and the records pertaining to such individual may be disclosed or furnished to or examined, without charge, by the individual concerned, and any person having current written authority dated and signed by the individual concerned.

(b) A copy or copies of such records will be provided to the individuals to whom the records pertain, and to any other requested referred to in (a) above upon payment of the fees prescribed in § 1608.22 of this part.

§ 1608.14 Special procedure: medical records. [Reserved]

§ 1608.15 Request for correction or amendment to record.

An individual shall be permitted to request amendment of a record pertaining to him and such record shall be amended as hereinafter provided. A request for amendment of a record shall be made in writing to the employee responsible for maintaining such record or information. Receipt of such request will be acknowledged in writing to the requester not later than 10 days (excluding Saturdays, Sundays and legal public holidays) after the date of the receipt of such request. Unless it is determined that the request for amendment should be refused, the responsible employee will promptly accomplish the amendment of the record or information by placing in the file the documentation submitted to support the amendment requested and taking appropriate action for the corresponding amendment of all records derived from such file. The requester will be notified of the action for amendment of his record. Notification of the amendment will be made to any known agency or person who had been furnished information from the record prior to its amendment.

§ 1608.16 Agency review of request for correction or amendment of record.

If for any reason it is determined that a request for amendment of a record or records must be refused, the individual making the request will be notified of the refusal, of the reason for such refusal, and the procedures established for the individual to request a review of the refusal by the officer designated by the Director of Selective Service for such review and the name and business address of that officer.

§ 1608.17 Appeal of initial adverse agency determination on correction or amendment.

(a) An initial determination to refuse to amend a local board or state record may be appealed in writing by the individual making the request for amendment to the State Director of Selective Service having supervision over the employee who made such determination. An

initial determination to refuse to amend a National Headquarters record may be appealed in writing to the National Headquarters Division Manager having responsibility for supervision of such records.

(b) If after review the State Director or National Headquarters Division Manager concerned also refuses to amend the record, the individual making the request will be permitted to file a concise statement setting forth the reasons for his disagreement with the refusal. After such statement has been filed, the request and all relevant documentation will be forwarded promptly for final review to the Director of Selective Service whose decision will be the final action of the Selective Service System.

§ 1608.18 Disclosure of record to person other than the individual to whom it pertains.

Information contained in records in a registrant's file and records pertaining to a specific individual may be disclosed or furnished to, or examined by, the following:

(a) Any person or other agency upon submission to the employee responsible for the system of records of the prior written consent of the individual to whom the record pertains. The consent authorization must bear a current date and the signature of the individual concerned.

(b) All personnel of the Selective Service System while engaged in carrying out the functions of the Selective Service System who have a need for the record in the performance of their duties.

(c) In the case of registrants, a U.S. Attorney and his duly authorized representatives, including agents of the Federal Bureau of Investigation, whenever the registrant has been reported to the U.S. Attorney as a violator for prosecution for violating the Military Selective Service Act or the rules, regulations, or directions made pursuant thereto.

(d) Any other agency, official, or employee, or class or group of officials or employees of the United States upon written request in individual cases, but only when and to the extent specifically authorized in writing by the Director of Selective Service.

(e) No information shall be disclosed or furnished to, or examined by, any person under the provisions of this section, until such person has been properly identified as entitled to obtain such information.

§ 1608.19 Waiver of confidential nature of information on registrants files.

The making or filing by or on behalf of a registrant of a claim or action for damages against the Government or any person, based on acts in the performance of which the record of a registrant or any part thereof was compiled, or the institution of any action against the Government or any representative thereof by or on behalf of a registrant involving his classification, selection, or induction, shall constitute a waiver of the confidential nature of all Selective Service records of such registrant, and, in addition, all such records shall be produced in response to the subpoena or summons of the tribunal in which such claim or action is pending.

§ 1608.20 Subpoena of records.

(a) In the prosecution of a registrant or any other person for a violation of the Military Selective Service Act, the Selective Service Regulations, any orders or directions made pursuant to such act or regulations, or for perjury, all records of the registrant shall be produced in response to the subpoena or summons of the court in which such production or proceeding is pending. Any officer or employee of the Selective Service System who produces the records of a registrant in court shall be considered the custodian of such records for the purpose of this section.

(b) Except as provided in paragraph (a) of this section, no officer or employee of the Selective Service System shall produce a registrant's file, or any part thereof, or testify regarding any confidential information contained therein, in response to the subpoena or summons of any court without the consent, in writing, of the registrant concerned or of the Director of Selective Service.

(c) Whenever, under the provisions of this section, a registrant's file, or any

part thereof, is produced as evidence in the proceedings of any court, such file shall remain in the personal custody of an official of the Selective Service System, and permission of the court be asked, after tender of the original file, to substitute a copy of the file with the court.

§ 1608.21 Demands of courts or other authorities for records or information protected by these regulations.

No officer or employee of the Selective Service System will comply with a request, demand or order of a court or other authority to produce information the disclosure of which is prohibited or restricted by the provisions of this part without the prior approval of the Director of Selective Service.

§ 1608.22 Fees.

Fees for copies of records are the following:

(a) Search of records is made by compensated employees of the Selective Service System without charge.

(b) The charge for copies of documents and records prepared on Selective Service System equipment is 25 cents per page.

(c) Copies will not be released to any requester until the required fee is paid in full by cash, check or money order. Checks and money orders should be made payable to the Selective Service System.

(d) Documents will be furnished without charge or at a reduced charge where it is determined that the waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

(e) Where a registrant has been charged under the Military Selective Service Act and must defend himself in a criminal prosecution, or where a registrant submits to induction and thereafter brings habeas corpus proceedings to test the validity of his induction, the Selective Service System will furnish to him, or to any person he may designate, one copy of his Selective Service file free of charge.

BYRON V. PEPITONE,
Director.

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