

## §9.17

disclosed by the Department, or a list of those records, be furnished.

(c) In accordance with the requirement of this section and the general provisions of this part, agency counsel shall notify the requester of the approval or denial of the request. Agency counsel may attach special conditions to its approval.

### §9.17 Legal proceedings between private litigants: Procedures for taking testimony.

(a) Testimony of an employee of the Department may be taken only at the office to which the employee is assigned, or any other place designated by agency counsel. Additional conditions may be specified under §9.15(c) of this part. The time shall be reasonably fixed to avoid substantial interference with the performance of the employee's or agency counsel's official duties.

(b) Upon completion of the testimony of an employee of the Department, a copy of the transcript of the testimony shall be furnished, at the expense of the party requesting the testimony, to agency counsel for the Department's files.

### §9.19 Acceptance of service on behalf of Secretary.

In any legal proceeding, at the option of the server, process or pleadings may be served on agency counsel, with the same effect as if served upon the Secretary or the head of the operating administration concerned, as the case may be. The official accepting service under this section shall acknowledge the service and take appropriate action. This section does not in any way abrogate or modify the requirements of Rule 4(d)(4) and 4(d)(5) of the Federal Rules of Civil Procedure regarding service of summons and complaint.

## PART 10—MAINTENANCE OF AND ACCESS TO RECORDS PERTAINING TO INDIVIDUALS

### Subpart A—Applicability and Policy

Sec.

- 10.1 Applicability.
- 10.3 Policy.
- 10.5 Definitions.

## 49 CFR Subtitle A (10-1-04 Edition)

### Subpart B—General

- 10.11 Administration of part.
- 10.13 Privacy Act Officer.
- 10.15 Protection of records.

### Subpart C—Maintenance of Records

- 10.21 General.
- 10.23 Accounting of disclosures.
- 10.25 Mailing lists.
- 10.27 Government contractors.
- 10.29 Social Security numbers.

### Subpart D—Availability of Records

- 10.31 Requests for records.
- 10.33 Acknowledgment and access.
- 10.35 Conditions of disclosure.
- 10.37 Identification of individual making request.
- 10.39 Location of records.

### Subpart E—Correction of Records

- 10.41 Requests for correction of records.
- 10.43 Time limits.
- 10.45 Statement of disagreement.

### Subpart F—Procedures for Reconsidering Decisions not to Grant Access to or Amend Records

- 10.51 General.

### Subpart G—Exemptions

- 10.61 General exemptions.
- 10.63 Specific exemptions.

### Subpart H—Fees

- 10.71 General.
- 10.73 Payment of fees.
- 10.75 Fee schedule.
- 10.77 Services performed without charge.

### Subpart I—Criminal Penalties

- 10.81 Improper disclosure.
- 10.83 Improper maintenance of records.
- 10.85 Wrongfully obtaining records.

#### APPENDIX TO PART 10—EXEMPTIONS

AUTHORITY: 5 U.S.C. 552a; 49 U.S.C. 322.

SOURCE: 45 FR 8993, Feb. 11, 1980, unless otherwise noted.

### Subpart A—Applicability and Policy

#### §10.1 Applicability.

This part implements section 552a of title 5, United States Code, as well as other provisions of the Privacy Act of 1974, and prescribes rules governing the