

#### § 455.4

record pertaining to him or her shall submit a written request to that effect to the appropriate System Manager at the Commission. The System Manager shall, within 10 days of the receipt of such submission, inform the individual whether a system of records maintained by the Commission contains such a record.

(b) An individual who desires access to any identified record shall file a request therefor, addressed to the System Manager indicating whether such individual intends to appear in person at the Commission's offices or whether he or she desires to receive a copy of any identified record through the mail.

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

(a) An individual who, in accord with § 455.3(b) of this part indicated that he or she would appear personally shall do so at the Commission's offices, 1325 G Street NW., Washington, DC, between the hours of 8:30 A.M. and 5:00 P.M., Monday through Friday (legal holidays excluded) and present a form of identification, such as a valid driver's license or employee identification card, which will permit the System Manager to verify that the individual is the same individual as contained in the record requested.

(b) An individual who, in accord with § 455.3(b) of this part indicated that he or she desired mail delivery of a copy of the record shall include in the request the date and location of birth of the individual as suitable proof of identity.

(c) Where the above mentioned forms of identification are not feasible or appropriate, the Commission shall request a signed statement from the individual asserting his or her identity and stipulating that the individual understands that knowingly or willfully seeking or obtaining access to records about another individual under false pretenses is punishable by a fine of up to \$5,000.

#### § 455.5 Disclosure of requested information to individuals.

Upon verification of identity, the System Manager shall disclose to the individual: (a) The information con-

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tained in the record which pertains to that individual; and (b) the accounting of disclosures of the record, if any, required by 5 U.S.C. 552a(c).

#### § 455.6 Request for correction or amendment to the record.

An individual may request that a record pertaining to him or her be amended or corrected. The individual shall submit any such request in accord with § 455.3 of this part and shall state therein the item sought to be amended and specific reasons therefor.

#### § 455.7 Agency review of request for correction or amendment of the record.

Within ten days of the receipt of the request to correct or to amend the record, the System Manager will acknowledge in writing such receipt and promptly either: (a) Make any correction or amendment of any portion thereof which the individual believes is not accurate, relevant, timely, or complete and inform the individual of same; or (b) inform the individual of his or her refusal to correct or to amend the record in accordance with the request, the reason for the refusal, and the procedures established by the Commission for the individual to request a review of that refusal.

#### § 455.8 Appeal of an initial adverse agency determination on correction or amendment of the record.

An individual who disagrees with the refusal of the System Manager to correct or to amend his or her record may submit a request for a review of such refusal to the Chairman of the Commission, 1325 G Street NW., Washington, DC 20576. The Chairman will, not later than thirty days from the date on which the individual requests such review, complete such review and make a final determination unless, for good cause shown, the Chairman extends such thirty day period. If, after his or her review, the Chairman also refuses to correct or to amend the record in accordance with the request, the individual may file with the Commission a concise statement setting forth the reasons for his or her disagreement with the refusal of the Commission and may seek judicial review