

Consumer Product Safety Commission

§ 1014.8

§ 1014.6 Request for correction or amendment to a record.

(a) Any individual who has reviewed a record pertaining to himself or herself may request the Executive Director to correct or amend all or any part of the record.

(b) Each request for a correction or amendment of a record shall be in writing and shall contain the following information:

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

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

(3) The location of that record in the system of records to the extent that it is known;

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

(5) A statement of the material in the record that should be corrected or amended;

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

(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 amendment sought.

[40 FR 53381, Nov. 18, 1975, as amended at 42 FR 22878, May 5, 1977]

§ 1014.7 Agency review of request for correction or amendment of a record.

(a) Not later than 10 working days after the receipt of the request for the correction or amendment of a record under § 1014.6, the responsible Commission official shall acknowledge receipt of the request and inform the individual whether further information is required before the correction or amendment can be considered.

(b) The responsible Commission official will promptly review the request and either make the requested correction or amendment or notify the individual of his or her refusal to do so, including in the notification the reasons for the refusal, and the appeal procedures provided by § 1014.8.

(c) The responsible Commission official will make each requested correc-

tion or amendment to a record if that correction or amendment will correct anything within the record that is not accurate, relevant, timely, or complete. A copy of each corrected or amended record shall be furnished to the individual who requested the action. If an accounting of disclosure has been kept, all previous recipients of the record shall be notified of the correction and its substance.

§ 1014.8 Appeal of initial denial of access, correction or amendment.

(a) Any individual whose request for access, correction or amendment to a record is denied, in whole or in part, may appeal that decision within 30 working days to the Chairman, Consumer Product Safety Commission, Washington, D.C. 20207.

(b) The appeal shall be in writing and shall:

(1) Name the individual making the appeal;

(2) Identify the record to which access is sought or which is sought to be corrected or amended;

(3) Name or describe the record system in which the record is contained;

(4) Contain a short statement describing the correction or amendment sought;

(5) State the name and location of the Commission official who initially denied the correction or amendment; and

(6) State the date of the initial denial.

(c) Not later than 30 working days after the date on which the appeal is received, the Chairman shall complete a review of the appeal and make a final decision thereon. However, for good cause shown, the Chairman of the Commission may extend the 30-day period. If the Chairman so extends the period, he or she shall promptly notify the individual requesting the review that the extension has been made.

(d) If after review of an appeal request, the Chairman also refuses to amend the record or grant access to the record in accordance with the request, he or she shall send a written notice to the requester containing the following information:

(1) The decision and the reasons for the decision;