

Water Resources Council

§ 701.302

Pacific Southwest Inter-Agency Committee,
630 Sansome Street, Room 1216, San Fran-
cisco, California 94111;

Southeast Basins Inter-Agency Committee,
402 New Walton Building, Atlanta, Georgia
30303.

[40 FR 7253, Feb. 19, 1975, as amended at 40
FR 10668, Mar. 7, 1975]

Subpart E—Protection of Privacy

AUTHORITY: Sec. 402, Water Resources
Planning Act of 1965 (Sec. 402, Pub. L. 89-80;
79 Stat. 254, as amended (42 U.S.C. 1962d-1))
and the Privacy Act of 1974 (Pub. L. 93-579; 88
Stat. 1896 (5 U.S.C. 552a)).

SOURCE: 40 FR 45676, Oct. 2, 1975, unless
otherwise noted.

§ 701.300 Purpose and scope.

(a) The purpose of this subpart is to
set forth rules to inform the public
about information maintained by the
U.S. Water Resources Council relating
to identifiable individuals and to in-
form those individuals how they may
gain access to and correct or amend in-
formation about themselves.

(b) The regulations in this subpart
implement the requirements of the Pri-
vacy Act of 1974 (Pub. L. 93-579; 88 Stat.
1896 (5 U.S.C. 552a)).

(c) The regulations in this subpart
apply only to records disclosed or re-
quested under the Privacy Act of 1974,
and not requests for information made
pursuant to the Freedom of Informa-
tion Act, as amended (5 U.S.C. 552, as
amended by Pub. L. 93-502).

§ 701.301 Definitions.

For the purposes of this subpart, un-
less otherwise required by the context:

(a) *Council* means the U.S. Water Re-
sources Council;

(b) *Individual* means a citizen of the
United States or an alien lawfully ad-
mitted for permanent resident;

(c) *Maintain* means maintain, collect,
use or disseminate;

(d) *Record* means any item, collec-
tion, or grouping of information about
an individual that is maintained by the
Council, including, but not limited to,
his education, financial transactions,
medical history and criminal or em-
ployment history, and that contains
his name, or the identifying number,
symbol, or other identifying particular

assigned to the individual, such as a
finger or voice print or a photograph;

(e) *Adverse determination* means a de-
cision by the proper Council official to
deny, in whole or in part, a request
from an individual for a correction or
amendment of a record concerning the
individual and maintained by the
Council; and

(f) *Record system* means *system of
records* as defined in the Act, i.e., a
group of any records under the control
of the Council from which information
is retrieved by the name of the indi-
vidual or by some identifying par-
ticular assigned to the individual.

§ 701.302 Procedures for notification of existence of records pertaining to individuals.

(a) The systems of records, as defined
in the Privacy Act of 1974, maintained
by the Council are listed annually in
the FEDERAL REGISTER as required by
that Act. Any individual may request
the Council 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 during
business hours or in writing at the lo-
cation and to the person specified in
the notice describing that record sys-
tem.

(b) An individual who believes that
the Council maintains records per-
taining to him or her but who cannot
determine which records system con-
tains those records, may request assist-
ance by mail or in person at the Divi-
sion of Program Coordination and Man-
agement, 2120 L Street, NW., Wash-
ington, DC 20037, during business hours
(8:00 A.M. through 4:30 P.M., Monday
through Friday, excluding legal holi-
days).

(c) The Council will attempt to re-
spond to a request as to whether a
record exists within 10 working days
from the time it receives the request or
to inform the requestor of the need for
additional time or additional informa-
tion within 10 working days. If a re-
quest is complied with within 10 work-
ing days, no separate acknowledgment
will be made.

[40 FR 45676, Oct. 2, 1975, as amended at 41 FR
8343, Feb. 26, 1976]