

§ 1301.11

discretion to consider the cost-effectiveness of their investment of administrative resources in this decision-making process, however, in deciding to grant waivers or reductions of fees.

[64 FR 4044, Jan. 27, 1999, as amended at 75 FR 11735, Mar. 12, 2010]

Subpart B—Privacy Act

AUTHORITY: 16 U.S.C. 831-831ee, 5 U.S.C. 552a.

SOURCE: 40 FR 45313, Oct. 1, 1975, unless otherwise noted. Redesignated at 44 FR 30682, May 29, 1979.

§ 1301.11 Purpose and scope.

(a) The regulations in §§ 1301.11 to 1301.24 implement section 3 of the Privacy Act of 1974, 5 U.S.C. 552a, with respect to systems of records maintained by TVA. They provide procedures by which an individual may exercise the rights granted by the Act to determine whether a TVA system contains a record pertaining to him; to gain access to such records; to have a copy made of all or any portion thereof; and to request administrative correction or amendment of such records. They prescribe fees to be charged for copying records; establish identification requirements; list penalties provided by statute for certain violations of the Act; and establish exemptions from certain requirements of the Act for certain TVA systems or components thereof.

(b) Nothing in §§ 1301.11 to 1301.24 entitles an individual to any access to any information or record compiled in reasonable anticipation of a civil action or proceeding.

(c) Certain records of which TVA may have physical possession are the official records of another government agency which exercises dominion and control over the records, their content, and access thereto. In such cases, TVA's maintenance of the records is subject to the direction of the other government agency. Except for a request for a determination of the existence of the record, when TVA receives requests related to these records, TVA will immediately refer the request to the controlling agency for all decisions regarding the request, and will notify

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the individual making the request of the referral.

§ 1301.12 Definitions.

For purposes of §§ 1301.11 to 1301.24:

(a) The *Act* means section 3 of the Privacy Act of 1974, 5 U.S.C. 552a;

(b) The terms *individual*, *maintain*, *record*, *system of records*, *statistical record*, and *routine use* have the meaning provided for by the Act;

(c) The term *TVA system* means a system of records maintained by TVA;

(d) The term *TVA system notice* means a notice of a TVA system published in the FEDERAL REGISTER pursuant to the Act. TVA has published TVA system notices about the following TVA systems:

Apprentice Training Records—TVA.
Personnel Files—TVA.
Discrimination Complaint Files—TVA.
Work Injury Illness System—TVA.
Employee Accounts Receivable—TVA.
Employee Alleged Misconduct Investigatory Files—TVA.
Health Records—TVA.
Payroll Records—TVA.
Travel History Records—TVA.
Employment Applicant Files—TVA.
Grievance Records—TVA.
Employee Supplementary Vacancy Announcement Records—TVA.
Consultant and Contractor Records—TVA.
Nuclear Quality Assurance Personnel Records—TVA.
Questionnaire—Land Use Surveys in Vicinity of Proposed or Licensed Nuclear Power Plant—TVA.
Radiation Dosimetry Personnel Monitoring Records—TVA.
Retirement System Records—TVA.
Woodland Resource Analysis Program Input Data—TVA.
Energy Program Participant Records—TVA.
OIG Investigative Records—TVA.
Call Detail Records—TVA.
Project/Tract Files—TVA.
Section 26a Permit Application Records—TVA.
U.S. TVA Police Records—TVA.
Wholesale, Retail, and Emergency Data Files—TVA.

(e) The term *appellant* means an individual who has filed an appeal pursuant