

promptly paying fees charged in connection with information requests, the Farm Credit System Insurance Corporation may obtain satisfactory assurances that the requester will fully pay the fees anticipated.

(c) If the anticipated fees exceed \$250 and if the requester has no history of paying fees charged in connection with information requests, the Farm Credit System Insurance Corporation may require an advance payment of fees in an amount up to the full amount anticipated.

(d) If the requester has previously failed to pay a fee charged within 30 days of the date of a billing for fees charged in connection with information requests, the Farm Credit System Insurance Corporation may require the requester to pay the fees owed, plus interest, or demonstrate that the full amount owed has been paid, and require the requester to make an advance payment of the full amount of the fees anticipated before processing a new request or a pending request from that requester.

(e) The notice of the amount of an anticipated fee or a request for an advance deposit shall include an offer to the requester to confer with identified Farm Credit System Insurance Corporation personnel to attempt to reformulate the request in a manner which will meet the needs of the requester at a lower cost.

#### **§ 1402.25 Interest.**

The Farm Credit System Insurance Corporation may begin charging interest on unpaid fees, starting on the 31st day following the day on which the bill for such fees was sent. Interest will not accrue if payment of the fees has been received by the Farm Credit System Insurance Corporation, even if said payment has not been processed. Interest will accrue at the rate prescribed in section 3717 of title 31, United States Code, and will accrue from the day on which the bill for such fees was sent.

#### **§ 1402.26 Charges for unsuccessful searches or reviews.**

The Farm Credit System Insurance Corporation may assess charges for time spent searching for records on behalf of requesters in the categories pro-

vided for in § 1402.21 (c) and (d), even if there are no records that are responsive to the request or there is ultimately no disclosure of records. The Farm Credit System Insurance Corporation may assess charges for time spent reviewing records for requesters in the category provided for in § 1402.21(c) even if the records located are determined to be exempt from disclosure.

#### **§ 1402.27 Aggregating requests.**

A requester may not file multiple requests at the same time, each seeking portions of a document or documents, solely in order to avoid payment of fees. When the Farm Credit System Insurance Corporation reasonably believes that a requester, or a group of requesters acting in concert, is attempting to break a request down into a series of requests for the purpose of evading the assessment of fees, the Farm Credit System Insurance Corporation may aggregate any such requests and charge accordingly. One element to be considered in determining whether a belief would be reasonable is the time period over which the requests have occurred.

### **PART 1403—PRIVACY ACT REGULATIONS**

#### **Sec.**

1403.1 Purpose and scope.

1403.2 Definitions.

1403.3 Procedures for requests pertaining to individual records in a record system.

1403.4 Times, places, and requirements for identification of individuals making requests.

1403.5 Disclosure of requested information to individuals.

1403.6 Special procedures for medical records.

1403.7 Request for amendment to record.

1403.8 Agency review of request for amendment of record.

1403.9 Appeal of an initial adverse determination of a request to amend a record.

1403.10 Fees for providing copies of records.

1403.11 Criminal penalties.

1403.12 Exemptions.

**AUTHORITY:** Secs. 5.58, 5.59 of the Farm Credit Act (12 U.S.C. 2277a-7, 2277a-8); 5 U.S.C. app. 3, 5 U.S.C. 552a.

**SOURCE:** 59 FR 53084, Oct. 21, 1994, unless otherwise noted.