

**PART 320—NATIONAL
GEOSPATIAL-INTELLIGENCE
AGENCY (NGA) PRIVACY**

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AUTHORITY: Pub. L. 93-579, 88 Stat. 1986 (5 U.S.C. 552a).

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EDITORIAL NOTE: Nomenclature changes to part 320 appear at 69 FR 2066, Jan. 14, 2004.

§ 320.1 Purpose and scope.

(a) This part is published pursuant to the Privacy Act of 1974, as amended (5 U.S.C. 552a), (hereinafter the "Privacy Act"). This part:

- (1) Establishes or advises of the procedures whereby an individual can:
 - (i) Request notification of whether the National Geospatial-Intelligence Agency (NGA) maintains or has disclosed a record pertaining to him in any nonexempt system of records,
 - (ii) Request a copy or other access to such a record or to an accounting of its disclosure,
 - (iii) Request that the record be amended and
 - (iv) Appeal any initial adverse determination of any such request;

(2) Specifies those systems of records which the Director, Headquarters NGA has determined to be exempt from the procedures established by this regulation and from certain provisions of the Privacy Act. NGA policy encompasses the safeguarding of individual privacy from any misuse of NGA records and the provision of the fullest access practicable to individuals to NGA records concerning them.

§ 320.2 Definitions.

As used in this part:

(a) *Appellate authority (AA)*. A NGA employee who has been granted authority to review the decision of the Initial Denial Authority (IDA) that has been appealed by the Privacy Act requester and make the appeal determination for NGA on the release ability of the records in question.

(b) *Individual*. A living person who is a citizen of the United States or an alien lawfully admitted for permanent residence. The parent of a minor or the legal guardian of any individual also may act on behalf of an individual. Corporations, partnerships, sole proprietorships, professional groups, businesses, whether incorporated or unincorporated, and other commercial entities are not "individuals".

(c) *Initial denial authority (IDA)*. A NGA employee, or designee, who has been granted authority to make an initial determination for NGA that records requested in a Privacy Act request should be withheld from disclosure or release.

(d) *Maintain*. Includes maintain, collect, use or disseminate.

(e) *Personal information*. Information about an individual that identifies, relates to or is unique to, or describes him or her; e.g., a social security number, age, military rank, civilian grade, marital status, race, or salary, home/office phone numbers, etc.

(f) *Record*. Any item, collection, or grouping of information, whatever the storage media (e.g., paper, electronic, etc.), about an individual that is maintained by NGA, including, but not limited to education, financial transactions, medical history, criminal or employment history, and that contains the individual's name or the identifying number, symbol or other identifying particulars assigned to the individual such as a finger or voice print or a photograph.

(g) *Routine use*. The disclosure of a record outside the Department of Defense for a use that is compatible with the purpose for which the information was collected and maintained by the Department of Defense. The routine use must be included in the published system notice for the system of records involved.