

§ 1703.6

(3) Minutes of meetings of the standing committees of the Commission.

(4) Transcripts or minutes of Commission meetings.

§ 1703.6 Schedules of fees.

The Executive Director may charge a fee for searching for and copying documents or records requested pursuant to § 1703.3, as follows:

(a) The fee for copies shall be \$0.10 per copy per page. Copying fees of less than \$3 per request are waived.

(b) The search charge shall be \$9 per hour for the services of non-professional personnel and \$15 per hour for the services of professional personnel. Search charges shall be calculated to the nearest quarter hour. There shall be no search charge for searches requiring less than one-half man hour.

(c) No fee will be charged in connection with any record which is not made available because it is found to be exempt from disclosure.

(d) Charges may be waived or reduced where the Executive Director determines that such waiver or reduction is in the public interest.

Subpart B—Privacy Act Implementation

§ 1703.20 Purpose and scope.

The purpose of this subpart is the implementation of the Privacy Act of 1974, 5 U.S.C. 552a, by establishing procedures whereby an individual can determine if a system of records maintained by the Commission contains a record pertaining to himself, and procedures for providing access to such a record for the purpose of review, amendment, or correction. Requests for assistance in interpreting or complying with these regulations should be addressed to the Executive Director, Advisory Commission on Intergovernmental Relations, 1111 20th Street, NW., Washington, DC 20575.

§ 1703.21 Definitions.

As used in this subpart, the terms *individual*, *maintain*, *record*, *system of records*, and *routine use* have the meaning specified in 5 U.S.C. 552a(a).

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§ 1703.22 Procedures for requests pertaining to individual records in a system of records.

(a) An individual can determine if a particular system of records maintained by the Commission contains a record pertaining to himself by submitting a written request for such information to the Executive Director. The Executive Director or his designee will respond to a written request under this subpart within a reasonable time by stating that a record on the individual either is or is not contained in the system.

(b) If an individual seeks access to a record pertaining to himself in a system of records, he shall submit a written request to the Executive Director. The Executive Director or his designee will, within ten working days after its receipt, acknowledge the request and if possible decide if it should be granted. In any event, a decision will be reached promptly and notification thereof provided to the individual seeking access. If the request is denied, the individual will be informed of the reasons therefor and his right to seek judicial review.

(c) In cases where an individual has been granted access to his records, the Executive Director may, prior to releasing such records, require the submission of a signed notarized statement verifying the identity of the individual to assure that such records are disclosed to the proper person. No verification of identity will be required when such records are available under the Freedom of Information Act, 5 U.S.C. 552, as amended.

§ 1703.23 Request for amendment or correction of a record.

(a) An individual may file a request with the Executive Director for amendment or correction of a record pertaining to himself in a system of records. Such written request shall state the nature of the information in the record the individual believes to be inaccurate or incomplete, the amendment or correction desired and the reasons therefor. The individual should supply whatever information or documentation he can in support of his request for amendment or correction of a record.

(b) The Executive Director or his designee will, within ten working days after its receipt, acknowledge a request for amendment or correction of a record. A decision will be reached promptly and notification thereof provided to the individual seeking to amend or correct a record. The Executive Director may request such additional information or documentation as he may deem necessary to arrive at a decision upon the request. If the request is granted, the record as amended will be called to the attention of all prior recipients of the individual's record.

(c) If the request is denied, the individual will be informed of the reasons therefor and his right to appeal the denial in writing to the Chairman of the Commission. The Chairman will render a decision on an appeal within thirty working days following the date on which the appeal is received. The individual will be notified promptly of the Chairman's decision and, if the appeal is denied, the reasons therefor and the individual's right to seek judicial review and his right to file a concise statement of disagreement, which statement will be noted in the records to which it pertains and supplied to all prior and subsequent recipients of the disputed record. If an appeal is granted, the record as amended will be called to the attention of all prior recipients of the individual's record.

(d) Requests for amendment or correction of a record must be accompanied by a signed notarized statement verifying the identity of the requesting party.

§ 1703.24 Disclosure of a record to a person other than the individual to whom it pertains.

Except in accordance with 5 U.S.C. 552a(b), or as required by the Freedom of Information Act, 5 U.S.C. 552, as amended, or other applicable statute, the Commission will not disclose a record to any individual other than the individual to whom the record pertains without the written consent of such individual. An accounting of the date, nature, and purpose of each disclosure of a record as well as the name and address of the person or agency to whom the disclosure was made will be main-

tained. This accounting will be made available to the individual to whom the record pertains upon the submission of a written, notarized request to the Executive Director.

§ 1703.25 Schedule of fees.

Copies of record supplied to any individual at his request shall be provided for \$.10 per copy per page. Copying fees of less than \$3 per request are waived.

PART 1720—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

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AUTHORITY: 29 U.S.C. 794.

SOURCE: 51 FR 4574, 4579, Feb. 5, 1986, unless otherwise noted. Redesignated at 51 FR 24800, July 9, 1986.

§ 1720.101 Purpose.

This part effectuates section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.