

relating to his investments or other financial interests referred to in §1100.26, upon making of a determination that this information is not relevant in light of the duties the appointee is to perform.

**§ 1100.28 Supplementary statement.**

Changes in or additions to the information contained in an employee's statement of employment and financial interests shall be reported as of June 30 of each year. Even though no changes or additions occur, a negative report is required. The supplementary statement, negative or otherwise, will be submitted by July 31 of each year. Notwithstanding the filing of the annual report, Section personnel shall at all times avoid acquiring a financial interest that could result, or taking action that would result, in a violation of the conflict-of-interest provisions of 18 U.S.C. 208 or this order.

**§ 1100.29 Interests of employee's relatives.**

The interests of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this order, 'member of an employee's immediate household' means those blood relatives who are residents of the employee's household.

**§ 1100.30 Information not required to be submitted.**

An employee is not required to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interests in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic or political organization or a similar organization not conducted as a business enterprise. For the purpose of this order, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed 'business enterprises' and are required to be included in an employee's statement of employment and financial interests.

**§ 1100.31 Information not known to employees.**

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but known to another person, the employee shall request that other person to submit the information on his behalf.

**§ 1100.32 Confidentiality of employee's statements.**

Each statement of employment and financial interests, and each supplementary statement, will be held in confidence. The Section may not disclose information from a statement except as the Commissioner or the Civil Service Commission may determine for good cause. Persons designated to review the statements are responsible for maintaining the statements in confidence and shall not allow access to, or allow information to be disclosed from the statement except to carry out the purpose of this order, or Federal laws or regulations.

**§ 1100.33 Effect of employee's statements on other requirements.**

The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

**PART 1101—PRIVACY ACT OF 1974**

Sec.

1101.1 Purpose and scope.

1101.2 Definitions.

1101.3 General policy: Collection and use of personal information.

1101.4 Reports on new systems of records; computer matching programs.

1101.5 Security, confidentiality and protection of records.

1101.6 Requests for access to records.

1101.7 Disclosure of records to individuals who are subjects of those records.

## § 1101.1

## 22 CFR Ch. XI (4-1-04 Edition)

- 1101.8 Disclosure of records to third parties.
- 1101.9 Exemptions.
- 1101.10 Accounting for disclosures.
- 1101.11 Fees.
- 1101.12 Request to correct or amend a record.
- 1101.13 Agency review of request to correct or amend a record.
- 1101.14 Appeal of Agency decision not to correct or amend a record.
- 1101.15 Judicial review.
- 1101.16 Criminal penalties.
- 1101.17 Annual Report to Congress.

AUTHORITY: Privacy Act of 1974 (Pub. L. 93-579, as amended, 5 U.S.C. 552a).

SOURCE: 57 FR 24945, June 12, 1992, unless otherwise noted.

### § 1101.1 Purpose and scope.

The purpose of these regulations is to prescribe responsibilities, rules, guidelines, and policies and procedures to implement the Privacy Act of 1974 (Pub. L. 93-579, as amended; 5 U.S.C. 552a) to assure that personal information about individuals collected by the United States Section is limited to that which is legally authorized and necessary and is maintained in a manner which precludes unwarranted intrusions upon individual privacy. Further, these regulations establish procedures by which an individual can: (a) Determine if the United States Section maintains records or a system of records which includes a record pertaining to the individual and (b) gain access to a record pertaining to him or her for the purpose of review, amendment or correction.

### § 1101.2 Definitions.

For the purpose of these regulations:

- (a) *Act* means the Privacy Act of 1974.
- (b) *Agency* is defined to include any executive department, military department, Government corporation, Government controlled corporation or other establishment in the executive branch of the Government (including the Executive Office of the President, or any independent regulatory agency) (5 U.S.C. 552).
- (c) *Commission* means the International Boundary and Water Commission, United States and Mexico.
- (d) *Commissioner* means head of the United States Section, International Boundary and Water Commission, United States and Mexico.

(e) *Individual* means a citizen of the United States or an alien lawfully admitted for permanent residence.

(f) *Maintain* includes maintain, collect, use, or disseminate.

(g) *Record* means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment 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.

(h) *Routine use* means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it is collected.

(i) *Section* means the United States Section, International Boundary and Water Commission, United States and Mexico.

(j) *Statistical record* means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by 13 U.S.C. 8 (Census data).

(k) *System of records* means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

### § 1101.3 General policy: Collection and use of personal information.

(a) Heads of Divisions, Branches, and the projects shall ensure that all Section personnel subject to their supervision are advised of the provisions of the Act, including the criminal penalties and civil liabilities provided therein, and that Section personnel are made aware of their responsibilities to protect the security of personal information, to assure its accuracy, relevance, timeliness and completeness, to avoid unauthorized disclosure either orally or in writing, and to ensure that no system of records concerning individuals, no matter how small or specialized, is maintained without public notice.