

## §9.52

identifying particular assigned to an individual.

(f) *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 the Census Act, 13 U.S.C. 8.

(g) *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 was collected, as described in a notice published in the FEDERAL REGISTER.

### PROCEDURES APPLICABLE TO REQUESTS BY INDIVIDUALS FOR INFORMATION, ACCESS OR AMENDMENT OF RECORDS MAINTAINED ABOUT THEM

#### PRESENTATION OF REQUESTS

### §9.52 Types of requests.

(a) Individuals may make the following requests respecting records about themselves maintained by NRC in a system of records subject to the provisions of the Privacy Act of 1974:

(1) Request a determination whether a record about the individual is contained in a system of records.

(2) Request access to a record about the individual. Access requests may include requests to review the record and to have a copy made of all or any portion thereof in a form comprehensible to the individual.

(3) Request correction or amendment of a record about the individual.

(b) *Requests for accounting of disclosures.* Individuals may, at any time, request an accounting by NRC of disclosures to any other person or Government agency of any record about themselves contained in a system of records controlled by NRC, except the following: (1) Disclosures made pursuant to the Freedom of Information Act, 5 U.S.C. 552; (2) disclosures made within the Nuclear Regulatory Commission; (3) disclosures made to another Government agency or instrumentality for an authorized law enforcement activity pursuant to 5 U.S.C. 552a(b)(7); (4) disclosures expressly exempted by NRC regulations from the requirements of 5

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U.S.C. 552a(c)(3) pursuant to 5 U.S.C. 552a (j)(2) and (k).

[40 FR 44484, Sept. 26, 1975, as amended at 60 FR 63900, Dec. 13, 1995]

### §9.53 Requests; how and where presented.

(a) Requests may be made in person or in writing. Assistance regarding requests or other matters relating to the Privacy Act of 1974 may be obtained by writing to the Freedom of Information Act and Privacy Act Officer, by an appropriate method listed in §9.6. Requests relating to records in multiple systems of records should be made to the same Officer. That Officer shall assist the requestor in identifying his request more precisely and shall be responsible for forwarding the request to the appropriate system manager.

(b) All written requests must be made to the Freedom of Information Act and Privacy Act Officer, by an appropriate method listed in §9.6, and should be clearly marked "Privacy Act Request," "Privacy Act Disclosure Accounting Request," or "Privacy Act Correction Request," as appropriate. A request that is not so marked will be deemed not to have been received by the NRC until it is actually received by the Freedom of Information Act and Privacy Act Officer.

(c) Requests may be made in person during official hours at the U.S. Nuclear Regulatory Commission office where the record is located, as listed in the "Notice of System of Records" for the system in which the record is contained.

[40 FR 44484, Sept. 26, 1975, as amended at 41 FR 20645, May 20, 1976; 52 FR 31609, Aug. 21, 1987; 54 FR 53316, Dec. 28, 1989; 63 FR 15743, Apr. 1, 1998; 68 FR 58800, Oct. 10, 2003]

### §9.54 Verification of identity of individuals making requests.

(a) Identification requirements in paragraphs (a) (1) and (2) of this section are applicable to any individual who makes requests respecting records about himself, except that no verification of identity shall be required if the records requested are available to the public under the provisions of the Freedom of Information Act. With respect to certain sensitive records, additional requirements for