

§ 1702.15

§ 1702.15 Preservation of records.

OFHEO shall preserve all correspondence relating to the written requests it receives and all records processed pursuant to such requests under this part, in accordance with the records retention provisions of General Records Schedule 14, Informational Services Records. OFHEO shall not destroy records that are subject to a pending request for access, amendment, appeal, or lawsuit pursuant to the Privacy Act.

§ 1702.16 Rights of parents and legal guardians.

For purposes of this part, a parent of any minor or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction may act on behalf of the individual.

§ 1702.17 Penalties.

The Privacy Act (5 U.S.C. 552a(i)(3)) makes it a misdemeanor, subject to a maximum fine of \$5,000, to knowingly and willfully request or obtain any record concerning an individual from OFHEO under false pretenses.

PART 1703—RELEASE OF INFORMATION

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Subpart A—General Definitions

§ 1703.1 Scope.

Definitions in §1703.2 relate to the meaning of terms used throughout part 1703.

[63 FR 71005, Dec. 23, 1998. Redesignated and amended at 65 FR 81327, Dec. 26, 2000]

§ 1703.2 General definitions.

For the purpose of this part:

(a) *Appeals Officer* means the person designated by the Director to process appeals of denials of requests for OFHEO records under the FOIA.

(b) *Director* means the Director of OFHEO or his or her designee.

(c) *Document* means any record or paper, including but not limited to a report, credit review, audit, examination, letter, telegram, memorandum, study, calendar and diary entry, log,