

## National Transportation Safety Board

## § 802.2

802.7 Requests: How, where, and when presented; verification of identity of individuals making requests; accompanying persons; and procedures for acknowledgment of requests.

### Subpart C—Initial Determinations

802.8 Disclosure of requested information.

### Subpart D—Correction or Amending the Record

802.10 Request for correction or amendment to record.

802.11 Agency review of requests for correction or amendment of record.

802.12 Initial adverse agency determination on correction or amendment.

### Subpart E—Review of Initial Adverse Determination

802.14 Review procedure and judicial review.

### Subpart F—Fees

802.15 Fees.

### Subpart G—Penalties

802.18 Penalties.

### Subpart H—Specific Exemptions

802.20 Security records.

**AUTHORITY:** Privacy Act of 1974, Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a); Independent Safety Board Act of 1974, Pub. L. 93-633, 88 Stat. 2166 (49 U.S.C. 1901 et seq.); and Freedom of Information Act, Pub. L. 93-502, November 21, 1974, amending 5 U.S.C. 552.

**SOURCE:** 41 FR 22358, June 3, 1976, unless otherwise noted.

## Subpart A—Applicability and Policy

### § 802.1 Purpose and scope.

The purpose of this part is to implement the provisions of 5 U.S.C. 552a with respect to the availability to an individual of records of the National Transportation Safety Board (NTSB) maintained on individuals. NTSB policy encompasses the safeguarding of individual privacy from any misuse of Federal records and the provision of access to individuals to NTSB records concerning them, except where such access is in conflict with the Freedom of Information Act, or other statute.

[41 FR 39753, Sept. 16, 1976]

### § 802.2 Definitions.

In this part:

*Board* means the five Members of the National Transportation Safety Board, or a quorum thereof;

*Individual* means a citizen of the United States or an alien lawfully admitted for permanent residence;

*National Transportation Safety Board (NTSB)* means the agency set up under the Independent Safety Board Act of 1974;

*Record* means any item, collection, or grouping of information about an individual that is maintained under the control of the NTSB pursuant to Federal law or in connection with the transaction of public business, including, but not limited to, education, financial transactions, medical history, and criminal or employment history, and that contains a name, or an identifying number, symbol, or other identifying particular assigned to an individual, such as a finger or voice imprint or photograph;

*Routine use* means the use of such record for a purpose compatible with the purpose for which it was collected, including, but not limited to, referral to law enforcement agencies of violations of the law and for discovery purposes ordered by a court referral to potential employers, and for security clearance;

*Statistical record* means a record in a system of records maintained for statistical research or reporting purposes only and which is not used wholly or partially in any determination concerning an identifiable individual;

*System Manager* means the agency official who is responsible for the policies and practices of his particular system or systems of record, as specified in the NTSB notices of systems or records; and

*System of records* means a group of any records under the control of the NTSB from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual, whether presently in existence or set up in the future.