

In such cases the decision of the President and Chairman or his designee shall be made within 30 working days after the hearing, unless the time is extended, as above provided, and the appellant is advised in writing of such extension.

(e) The final decision of the President and Chairman or his designee in an appeal shall be in writing and the appellant shall be informed of the decision; if it is adverse to the appellant, the appellant shall be informed of the reasons for the refusal to amend the record and advised of his or her right to appeal the decision under 5 U.S.C. 552a(g)(1). The individual shall also be notified that he or she has the right to file with Eximbank a concise statement setting forth the reasons for his or her disagreement with the refusal of Eximbank to amend his or her record. Eximbank shall promptly inform any person or other agency about the correction of any record previously disclosed to that person or other agency (provided that an accounting of said disclosures was made). Eximbank shall, with respect to all prior disclosures and in any disclosure of a record made after the filing of a disagreement statement by the requesting individual, clearly note any portion of the record which is disputed and provide said recipient with copies of said statement, plus, at the agency's discretion, copies of a concise statement of the reasons for its decision not to make any corrections.

(f) Assistance in preparing a request to amend a record or in appealing an adverse determination on such a request may be obtained from the Office of the General Counsel of Eximbank.

[41 FR 19299, May 12, 1976, as amended at 43 FR 57864, Dec. 11, 1978]

§405.5 Disclosure of records pertaining to individuals to agencies or to individuals other than the individual to whom said records pertain.

Records subject to the Privacy Act that are requested by any individual other than the individual to whom they pertain (or as provided by §405.2(b) of this part) will not be made available except under the following circumstances:

(a) Records required to be made available by the Freedom of Information Act will be released in response to a request formulated in accordance with regulations found at 12 CFR part 404.

(b) Records not required by the Freedom of Information Act to be released, may be released, at the discretion of Eximbank, if the written consent of the individual to whom they pertain has been obtained or if such release would be authorized under 5 U.S.C. 552a (b) (1) or (3) through (11).

(c) If an individual elects to inspect a record in person and desires to be accompanied by another person, the individual shall present to the Vice President—Administration a signed statement addressed to the Vice President—Administration by that individual authorizing his or her record to be disclosed to him or her in the presence of the accompanying named person.

PART 407—REGULATIONS GOVERNING PUBLIC OBSERVATION OF EXIMBANK MEETINGS

- Sec. 407.1 Purpose, scope and definitions.
- 407.2 Closing meetings.
- 407.3 Procedures applicable to regularly scheduled meetings.
- 407.4 Procedures applicable to other meetings.
- 407.5 Certification by General Counsel.
- 407.6 Transcripts, recordings and minutes of closed meetings.
- 407.7 Relationship to Freedom of Information Act.

AUTHORITY: Sec. (g) Government in the Sunshine Act, 5 U.S.C. 552b(g); secs. (b) through (f), 5 U.S.C. 552b.

SOURCE: 42 FR 12417, Mar. 4, 1977, unless otherwise noted.

§407.1 Purpose, scope and definitions.

(a) Consistent with the principles that: (1) The public is entitled to the fullest practicable information regarding the decision-making processes of the Federal Government, and (2) the rights of individuals and the ability of the Export-Import Bank of the United States to carry out its statutory responsibilities should be protected, this part is promulgated pursuant to the directive of section (g) of the Government in the Sunshine Act, 5 U.S.C.