

Office of the Secretary of Defense

§ 318.4

318.8 Appeal of initial adverse Agency determination for access, correction or amendment.

318.9 Disclosure of record to persons other than the individual to whom it pertains.

318.10 Fees.

318.11 Exemption rules.

AUTHORITY: Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a).

SOURCE: 61 FR 63713, Dec. 2, 1996, unless otherwise noted.

§ 318.1 Purpose and scope.

(a) This rule implements the provisions of the Privacy Act of 1974, as amended, and adopts the policies and procedures as set forth by the Department of Defense Privacy Program, 32 CFR part 310.

(b) This rule establishes procedures whereby individuals can:

(1) Request notification of whether Defense Threat Reduction Agency (DTRA) maintains or has disclosed a record pertaining to them in any non-exempt system of records;

(2) Request a copy or other access to such a record or to an accounting of its disclosure;

(3) Request that the record be amended; and

(4) Appeal any initial adverse determination of any such request.

(c) Specifies those system of records which the Director, Defense Threat Reduction Agency has determined to be exempt from the procedures established by this rule and by certain provisions of the Privacy Act.

(d) DTRA policy encompasses the safeguarding of individual privacy from any misuse of DTRA records and the provides the fullest access practicable by individuals to DTRA records concerning them.

[61 FR 63713, Dec. 2, 1996, as amended at 63 FR 60212, Nov. 9, 1998]

§ 318.2 Applicability.

The provisions of this rule apply to Defense Threat Reduction Agency (DTRA), and Defense Threat Reduction Agency (DTRA).

[61 FR 63713, Dec. 2, 1996, as amended at 63 FR 60212, 60213, Nov. 9, 1998]

§ 318.3 Designations and responsibilities.

(a) The General Counsel, Defense Threat Reduction Agency, is designated as the Agency Privacy Act Officer.

(1) The Privacy Act Officer is the principal point of contact for privacy matters and is the Agency Initial Denial Authority.

(2) The Privacy Act Officer is responsible for monitoring and ensuring Agency compliance with the DoD Privacy Program in accordance with 32 CFR part 310.

(b) The Director, DTRA, is the Agency Appellate Authority.

(c) The Director, DTRA is responsible for implementing the Agency Privacy Act Program in accordance with the specific requirements of 32 CFR part 310.

(d) Agency component and element responsibilities are set forth in DTRA Instruction 5400.11B,¹ January 12, 1995.

[61 FR 63713, Dec. 2, 1996, as amended at 63 FR 60212, 60213, Nov. 9, 1998]

§ 318.4 Procedures for requests pertaining to individual records in a record system.

(a) An individual seeking notification of whether a system of records, maintained by the Defense Threat Reduction Agency, contains a record pertaining to himself/herself and who desires to review, have copies made of such records, or to be provided an accounting of disclosures from such records, shall submit his or her request in writing. Requesters are encourage to review the systems of records notices published by the Agency so as to specifically identify the particular record system(s) of interest to be accessed.

(b) In addition to meeting the requirements set forth in section 318.4 of this part, the individual seeking notification, review or copies, and an accounting of disclosures will provide in writing his or her full name, address, Social Security Number, and a telephone number where the requester can be contacted should questions arise

¹Copies may be obtained from Office of General Counsel, Defense Threat Reduction Agency, 45045 Aviation Drive, Dulles, VA 20166-7517.