

PART 1001—EMPLOYEE RESPONSIBILITIES AND CONDUCT

AUTHORITY: 5 U.S.C. 7301.

§1001.1 Cross-references to employee ethical conduct standards and financial disclosure regulations.

Directors and other employees of the Inter-American Foundation should refer to the Standards of Ethical Conduct for Employees of the Executive Branch at 5 CFR part 2635, the Inter-American Foundation regulations at 5 CFR part 7301 which supplement the executive branch standards, and the executive branch financial disclosure regulations at 5 CFR part 2634.

[59 FR 3772, Jan. 27, 1994]

PART 1002—AVAILABILITY OF RECORDS

Sec.

- 1002.1 Introduction.
- 1002.2 Definitions.
- 1002.3 Access to Foundation records.
- 1002.4 Written requests.
- 1002.5 Records available at the Foundation.
- 1002.6 Records of other Departments and Agencies.
- 1002.7 Fees.
- 1002.8 Exemptions.
- 1002.9 Denial of records; review.

AUTHORITY: 5 U.S.C. 552, and 31 U.S.C. 483(a).

SOURCE: 37 FR 8375, Apr. 26, 1972, unless otherwise noted.

§1002.1 Introduction.

(a) It is the policy of the Inter-American Foundation that information about its operations, procedures, and records be freely available to the public in accordance with the provisions of the Freedom of Information Act.

(b) The Foundation will make the fullest possible disclosure of its information and identifiable records consistent with the provisions of this Act and the regulations in this part.

§1002.2 Definitions.

As used in this part, the following words have the meaning set forth below:

Act. "Act" means the Act of June 5, 1967, sometimes referred to as the

"Freedom of Information Act" or the Public Information Section of the Administrative Procedure Act, as amended, Pub. L. 90-23, 81 Stat. 54, and codified at 5 U.S.C. 552.

Foundation. "Foundation" means the Inter-American Foundation.

President. "President" means the President of the Foundation.

Records. The word "records" includes all books, papers, or other documentary materials made or received by the Foundation in connection with the transaction of its business which have been preserved or are appropriate for preservation by the Foundation as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities, or because of the informational value of data contained therein. Library or other material acquired and preserved solely for reference or exhibition purposes, and stocks of publications and processed documents are not included within the definition of the word "records."

§1002.3 Access to Foundation records.

Any person desiring to have access to Foundation records should call or apply in person between the hours of 10 a.m. and 4 p.m. on weekdays (holidays excluded) at the Foundation offices at 1515 Wilson Boulevard, Arlington, VA 22209. Requests for access should be made to the Director, Administration and Finance Division (A&F Director) at the Foundation offices. If request is made for copies of any record, the Office of A&F will assist the person making such request in seeing that such copies are provided according to the rules in this part.

§1002.4 Written requests.

In order to facilitate the processing of written requests, every petitioner should:

- (a) Address his request to:

Director, Administration and Finance Division, Inter-American Foundation, Fifth Floor, 1515 Wilson Boulevard, Arlington, VA 22209.

- (b) Identify the desired record by name or brief description, or number, and date, as applicable. The identification should be specific enough so that a

§ 1002.5

record can be readily identified and found;

(c) Include a check or money order to the order of the "Inter-American Foundation" covering the appropriate search and copying fees, or request a determination of fee;

(d) Allow a reasonable amount of time for reply. Furnishing the requested information will involve search and retrieval of records, copying and mailing;

(e) Blanket requests or requests for "the entire file of" or "all matters relating to" a specified subject will not be accepted.

§ 1002.5 Records available at the Foundation.

The Administration and Finance Division will make available, to the extent not authorized to be withheld, the following works or classes of information:

(a) A copy of Agency regulations, including a copy of title 22 of the Code of Federal Regulations, or of any other title of the Code in which Agency regulations may have been published;

(b) Final unclassified reports;

(c) Copies of grants, loans, or other agreements in force;

(d) Personnel information affecting the public;

(e) Procurement information affecting the public;

(f) Contracts;

(g) Reimbursable agreements with other agencies.

§ 1002.6 Records of other Departments and Agencies.

Requests for records that have been originated by or are primarily the concern of another U.S. Department or Agency will be forwarded to the particular Department of Agency involved, and the petitioner notified. In response to requests for records or publications published by the Government Printing Office or other Government printing activity, the Foundation will refer the petitioner to the appropriate sales office and refund any fee payments therefor which accompany the request.

§ 1002.7 Fees.

Except as otherwise specifically provided by the Foundation, a fee will be levied for all searches for, or copies of, records. These fees will be computed so as to recover the full cost of searching and copying.

(a) *Advance payment and deposits.* When the amount of a fee can be readily computed (as, for example, when a specified number of copy pages are requested) advance payment will be required. When the amount cannot be readily computed (as, for example, when an unknown amount of stafftime must be used in complying with a request), the A&F Director may require payment of a reasonable deposit before undertaking to collect the requested records. At the earliest practicable time, the A&F Director will determine the full amount of the fee and, before complying fully with the request, will require payment of any balance due or refund any overpayment.

(b) *Schedule of fees.* The following fees apply for services rendered to the public:

(1) Searching for records and collateral assistance, per hour or fraction thereof	\$5.00
(2) Making copies (Xerox or comparable) per page ...	0.40

Should a situation arise which is not covered by the above schedule, the fee to be charged will include all direct and indirect costs of the service, including but not limited to materials, labor, and the like. The amount of the fee including charges, if any, for records printed by contractors or grantees will be determined by the A&F Director.

(c) *Revision of schedule.* The fee schedule will be revised from time to time, without notice, to assure recovery of the cost of rendering information services to any person. The revised schedule will be available without charge.

§ 1002.8 Exemptions.

The Act authorizes exemption from disclosure of records and information concerning matters that are:

(a) Specifically required by Executive order to be exempt from disclosure in the interest of the national defense or foreign policy;