

(e) In unusual circumstances as specified in this paragraph, and subject to the concurrence of any Assistant Inspector General or appointed designee, the time limits prescribed in either paragraph (a) or (c) of this section may be extended. Any extension will be in writing to the requester and will include reasons for the extension and the date on which the disposition of the request will be sent. No extension will be for more than ten working days. As used in this paragraph, *unusual circumstances* means (but only to the extent necessary to the proper processing of the particular request) that there is a need:

(1) To search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request; or

(2) To search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(3) For consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more offices of the Office of Inspector General having a substantial interest in the subject matter of the request.

[49 FR 11165, Mar. 26, 1984. Redesignated and amended at 53 FR 37550, 37552, Sept. 27, 1988; 57 FR 2227; Jan. 21, 1992; 59 FR 14097, Mar. 25, 1994; 67 FR 47217, July 17, 2002]

§ 2002.19 Authority to release records or copies.

Any Assistant Inspector General or an appointed designee is authorized to release any record (or copy) pertaining to activities for which he or she has primary responsibility, unless disclosure is clearly inappropriate under this part. No authorized person may release records for which another officer has primary responsibility without the consent of the officer or his or her designee.

[49 FR 11165, Mar. 26, 1984. Redesignated at 53 FR 37550, Sept. 27, 1988, as amended at 59 FR 14098, Mar. 25, 1994]

§ 2002.21 Authority to deny requests for records and form of denial.

(a) An Assistant Inspector General may deny a request for a record. Any denial will:

(1) Be in writing;

(2) State simply the reasons for the denial;

(3) State that review of the denial by the Inspector General of HUD may be requested;

(4) Set forth the steps for obtaining review consistent with § 2002.25; and

(5) Be signed by the Assistant Inspector General responsible for the denial.

(b) The classes of records authorized to be exempted from disclosure by the Freedom of Information Act (5 U.S.C. 552) are those which concern matters that are:

(1)(i) Specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy; and

(ii) Are in fact properly classified under the cited executive order;

(2) Related solely to the internal personnel rules and practices of HUD;

(3) Specifically exempted from disclosure by statute (other than section 552b of title 5), provided that the statute either:

(i) Requires that the matters be withheld from the public in a manner that leaves no discretion on the issue; or

(ii) Establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(4) Trade secrets and commercial or financial information that are obtained from a person and are privileged or confidential;

(5) Inter-agency or intra-agency memoranda or letters that would not be available by law to a party other than an agency in litigation with HUD;

(6) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(7) Records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information:

(i) Could reasonably be expected to interfere with enforcement proceedings;