

§51-7.5

§51-7.5 Environmental information.

Interested parties may contact the Executive Director at (703) 603-7740 for information regarding the Committee's compliance with NEPA.

[56 FR 48986, Sept. 26, 1991, as amended at 59 FR 16777, Apr. 8, 1994]

PART 51-8—PUBLIC AVAILABILITY OF AGENCY MATERIALS

Sec.

- 51-8.1 Purpose.
- 51-8.2 Scope.
- 51-8.3 Definitions.
- 51-8.4 Availability of materials.
- 51-8.5 Requests for records.
- 51-8.6 Aggregating requests.
- 51-8.7 Committee response to requests for records.
- 51-8.8 Business information.
- 51-8.9 Records of other agencies.
- 51-8.10 Appeals.
- 51-8.11 Extensions of time.
- 51-8.12 Fee schedule.
- 51-8.13 Fees charged by category of requester.
- 51-8.14 Fee waivers and reductions.
- 51-8.15 Collection of fees and charges.
- 51-8.16 Preservation of records.

AUTHORITY: 5 U.S.C. 552.

SOURCE: 54 FR 15189, Apr. 17, 1989. Redesignated at 56 FR 48983, Sept. 26, 1991.

§51-8.1 Purpose.

These regulations implement the provisions of the "Freedom of Information Act," 5 U.S.C. 552. They establish procedures under which the public may inspect and obtain copies of material maintained by the Committee, provide for administrative appeal of initial determinations to deny requests for material, and prescribe fees to be charged by the Committee to recover search, review, and duplication costs.

[59 FR 59344, Nov. 16, 1994]

§51-8.2 Scope.

(a) These regulations shall apply to all final determinations made by the Committee, including all objections; and to any other Committee records reasonably described and requested by a person in accordance with these regulations—except to the extent that such material is exempt in accordance with paragraph (b) of this section. Where a request does not reasonably describe

41 CFR Ch. 51 (7-1-04 Edition)

the requested information, the requester will be asked to provide more specific information.

(b) Requests for inspection and copies shall not be granted with respect to matters that are:

(1) Related to records:

(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) In fact properly classified pursuant to such Executive Order;

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

(3) Specifically exempted from disclosure by statute;

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

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

(6) Personnel, 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,

(ii) Would deprive a person of a right to a fair trial or an impartial adjudication,

(iii) Could reasonably be expected to constitute an unwarranted invasion of personal privacy,

(iv) Could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution, which furnished information on a confidential basis and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source,