



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
Reprinted from Federal Register-32 F.R. 9660-62  
July 4, 1967

## Title 24—HOUSING AND HOUSING CREDIT

### Subtitle A—Office of the Secretary, Department of Housing and Urban Development

#### PART 15—PUBLIC INFORMATION

In Subtitle A a new Part 15 is added as follows:

##### Subpart A—Purpose and Policy

- Sec.  
15.1 Definitions.  
15.2 Purpose.  
15.3 Statement of Policy.

##### Subpart B—Production and Disclosure of Records

- 15.11 Publication in the FEDERAL REGISTER.  
15.12 Materials not published in the FEDERAL REGISTER.  
15.13 Identifiable records produced upon request.  
15.14 Schedule of fees.

##### Subpart C—Exemptions

- 15.21 Exemptions authorized by 5 U.S.C. 552.

##### Subpart D—Where Records May Be Inspected and Information Obtained

- 15.31 Information centers.  
15.32 Information offices.  
15.33 Material in Department Central Information Center.

##### Subpart E—Procedure for Requesting Access to Records

- 15.41 Requests for records.

##### Subpart F—Disclosure of Records and Refusal To Disclose

- 15.51 Authority to release records or copies.  
15.52 Authority to deny requests for records.

##### Subpart G—Administrative Review of Denials of Requests for Records

- 15.61 Administrative review.

**AUTHORITY:** The provisions of this Part 15 are issued under 5 U.S.C. 552 and sec. 7(d), 79 Stat. 670; 42 U.S.C. 3535(d).

##### Subpart A—Purpose and Policy

###### § 15.1 Definitions.

As used in this Part—

(a) "Act" means section 552 of Title 5, United States Code, as amended by Public Law 90-23, 81 Stat. 54, June 5, 1967. Public Law 90-23 repealed and superseded Public Law 89-487, 80 Stat. 250, July 4, 1966, sometimes referred to as the "Freedom of Information Act" or "Public Information Act."

(b) "Department" means the Department of Housing and Urban Development which consists of the Office of the Secretary and the several organizational units.

(c) "Secretary" means the Secretary of Housing and Urban Development.

(d) "Organizational unit" means any one of the several offices, staffs, divisions, or administrations of the Department, including the Federal Housing Adminis-

tration (FHA) and the Federal National Mortgage Association (FNMA). Organizational unit also includes Department Regional Offices and local FHA and FNMA offices.

(e) "Person" means "person" as defined in 5 U.S.C. 551(2) to include corporations and organizations as well as individuals.

(f) "Information center" means any place, reading room, desk, or other area or facility established and maintained by the Department where the public may request and obtain information and records concerning the Department's operations and business.

###### § 15.2 Purpose.

This part contains the rules and regulations of the Department implementing 5 U.S.C. 552. It informs the public about where and how the Department's records and information may be obtained from its organizational units in Washington, D.C., and its regional and other local offices throughout the country.

###### § 15.3 Statement of policy.

The Department's policy is one of full and responsible disclosure of its identifiable records and information consistent with such competing public interests concerning the national security, personal privacy, and obligations of confidentiality as are recognized by 5 U.S.C. 552. Every effort will be made to furnish service with reasonable promptness to the public with respect to the obtaining of records and information.

##### Subpart B—Production and Disclosure of Records

###### § 15.11 Publication in the Federal Register.

Subject to the exemptions in § 15.21, the Department shall separately state and currently publish in the FEDERAL REGISTER for the guidance of the public:

(a) Descriptions of its central and field organization and the established places at which, the employees from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions;

(b) Statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available;

(c) Rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations;

(d) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the Department; and

(e) Each amendment, revision, or repeal of the foregoing.

Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to or be adversely affected by any matter required to be published in the FEDERAL REGISTER and not so published. For purposes of this § 15.11, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the FEDERAL REGISTER when incorporated by reference therein with the approval of the Director of the Office of the Federal Register, as provided in 32 F.R. 7899, June 1, 1967, 1 CFR Part 20.

###### § 15.12 Materials not published in Federal Register.

(a) Subject to the exemptions in § 15.21, the Department, in accordance with this part, shall make available for public inspection and copying:

(1) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(2) Statements of policy and interpretations which have been adopted by the Department and are not published in the FEDERAL REGISTER; and

(3) Administrative staff manuals and instructions to staff that affect a member of the public.

(b) To prevent a clearly unwarranted invasion of personal privacy, the Department may delete identifying details when it makes available or publishes any material. Whenever such deletions are required, the record or copy will be made available with the space formerly occupied by such identifying details left blank, and the justification for the deletion shall be explained fully in writing.

(c) The Department shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter issued, adopted, or promulgated after July 4, 1967, and which is required by this § 15.12 to be made available or published.

###### § 15.13 Identifiable records produced upon request.

Requests for records and copies may be made in person during normal business hours at information centers listed below in § 15.31 of this part. Requests may also be made by mail addressed to such centers.

(a) Each request for a record or copy thereof should identify the record specifically with respect to names, dates, subject matter, and location, if known. The Department will notify any person making a request if further identifying information is needed before his request can be honored.

(b) Charges will be made in accordance with the schedule of fees set forth in § 15.14 for any records search which involves more than one man-hour of work, and for duplicating, reproducing, certifying, or authenticating copies



of documents furnished.

(c) When a request is made for an identifiable record of the Department which has been stored in the National Archives or other record centers of the General Services Administration, such record will be requested by the Department if it otherwise would be available under this part.

(d) Every effort will be made to make a record in use by the staff of the Department available when requested, and such availability will be deferred only to the extent necessary to avoid serious interference with the business of the Department.

(e) Copies of a requested record need not be furnished if the record is published in the FEDERAL REGISTER or is available for purchase from the Superintendent of Documents of the Government Printing Office. Such records may, however, be examined in one of the Department's information centers.

#### § 15.14 Schedule of fees.

For the services listed below performed in the location and disclosure or furnishing of copies of records under 5 U.S.C. 552, and pursuant to the policy established by Congress in 5 U.S.C. (1964 Ed.) 140, Act of August 31, 1951, the following charges will apply:

##### (a) Records search:

(1) First man-hour on any single request: no fee.

(2) Each additional man-hour or fraction thereof: \$5.

##### (b) Copies of documents:

(1) Xerox or equivalent, page size up to 8½ inches by 14 inches, per page: \$0.25.

(2) Photostat, page size up to 8½ inches by 14 inches, per page: \$1.

(c) If charge is less than \$1.00 per order: no fee.

(d) Maximum number of copies furnished of any record: 10.

(e) Certification of true copies, each: \$1.

(f) Attestation under the seal of the Department or of FNMA, as the case may be, each: \$2.

(g) Payment of fees under this § 15.20 shall be made in cash, or by U.S. money order, or by certified bank check payable to the Treasurer of the United States except that, in case of the Federal Housing Administration and the Federal National Mortgage Association, drafts should be made payable to those organizational units. Postage stamps will not be accepted.

#### Subpart C—Exemptions

##### § 15.21 Exemptions authorized by 5 U.S.C. 552.

A requested record shall not be withheld from inspection or copying unless it both (1) comes within one of the classes of records exempted by 5 U.S.C. 552, and (2) there is need in the public interest to withhold it. In determining the scope of the classes of records described in paragraph (a) of this section, the Attorney General's Memorandum on the Public Information Act, June 1967, will be used as a guide.

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

(1) Specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy;

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

(3) Specifically exempted from disclosure by statute;

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

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

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

(7) Investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency;

(8) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of the Department in connection with its responsibility for the regulation or supervision of financial institutions; or

(9) Geological and geophysical information and data, including maps, concerning wells.

#### Subpart D—Where Records May Be Inspected and Obtained

##### § 15.31 Information centers.

(a) The Department maintains a Central Information Center in Washington, D.C., at the following location:

Department of Housing and Urban Development, 1626 K Street NW. (Room 102), Washington, D.C. 20410.

(b) The Department also maintains an information center—

(1) In each of its Regional Offices as follows:

Region I—346 Broadway, New York, N.Y. 10013.

Region II—Widener Building, 1339 Chestnut Street, Philadelphia, Pa. 19107.

Region III—Peachtree-Seventh Building, Atlanta, Ga. 30323.

Region IV—360 North Michigan Avenue, Chicago, Ill. 60601.

Region V—Federal Office Building, 819 Taylor Street, Fort Worth, Tex. 76102.

Region VI—450 Golden Gate Avenue, Post Office Box 36003, San Francisco, Calif. 94102; Northwest Operations Office, First Avenue, Seattle, Wash. 98104.

Region VII—Ponce De Leon and Boliva, Post Office Box 3869, GPO, San Juan, P.R. 00936.

(2) In each FNMA Agency Office as follows:

211 South Broad Street, Philadelphia, Pa. 19107.

34 Peachtree Street NE., Atlanta, Ga. 30303.

1112 Commonwealth Edison Building, 72 West Adams Street, Chicago, Ill. 60603.

411 North Akard Street, Dallas, Tex. 75201.

3540 Wilshire Boulevard, Los Angeles, Calif. 90005.

(3) In each FHA Local Insuring Office at its respective local address as listed in local telephone directories.

##### § 15.32 Information officers.

There shall be an information officer in each of the information centers described in § 15.31 who shall be responsible

for making information and records available to the public in accordance with this part. The information officer in the Department Central Information Center shall be designated by the Director, Division of Public Affairs. The information officer in each Regional Office and field office shall be designated by the Regional Administrator or the Director of the office, as the case may be, with the concurrence of the Director, Division of Public Affairs.

##### § 15.33 Material in Department Central Information Center.

(a) The Central Information Center shall contain or have ready access to the following as a minimum:

(1) FEDERAL REGISTER, Code of Federal Regulations, and regulations of the Department contained therein;

(2) Precedent final opinions and orders in the adjudication of cases;

(3) Administrative staff manuals which affect the public;

(4) Program manuals which affect the public and forms;

(5) Interpretations relied upon as precedents;

(6) A current index of the foregoing materials issued, adopted, promulgated after July 4, 1967.

(b) Each Regional Office information center, each FHA Local Insuring Office, and each FNMA Agency Office shall contain or shall have ready access to such of the above records as pertain to the activities of that office.

(c) Facilities shall be available to each information center for the copying of properly requested and available records.

#### Subpart E—Procedures for Requesting Access to Records

##### § 15.41 Requests for records.

(a) Requests for identifiable records should be made at the established information centers.

(b) A request should specify the requested record by brief description, containing the name, number or date as applicable, in enough detail that the record can be identified and located. A reasonable time should be allowed for records to be located, copied, and mailed or otherwise delivered.

(c) The request should be accompanied by the fee or an offer to pay the fee when determined.

(d) Copies of available records shall be produced as promptly as possible. Copying service shall be limited to not more than 10 copies of any single page. Records which are published or available for sale need not be supplied.

#### Subpart F—Disclosure of Records and Refusal To Disclose

##### § 15.51 Authority to release records or copies.

The head of each organizational unit or the designee of each of these officers, with respect to records pertaining to programs or activities for which each has primary responsibility, is authorized to release any Department record or copy thereof when disclosure is clearly appropriate under this part. Such authorized persons may release records for which another officer has primary responsibility



only with the consent of the other officer or his designee.

**§ 15.52 Authority to deny requests for records.**

The officers and their designees described in the preceding § 15.51 may deny a request for a record. Any denial shall be promptly made in writing and contain a simple statement of reasons for the denial. Prior to a denial, the officer or designee shall clear the matter with the Office of General Counsel or the office of the appropriate Regional Counsel or, in the case of an officer or designee in any FNMA office, with the Office of the General Counsel, FNMA, or the appropriate FNMA Agency Counsel. Denial shall terminate the authority of the particular officer or designee to release or disclose the requested record, which

thereafter may not be made available except with the express authorization of the Secretary or his designee.

**Subpart G—Administrative Review of Denials of Requests for Records**

**§ 15.61 Administrative review.**

(a) Review shall be available only from a written denial of a request for a record issued under § 15.52, and only if a written request for review is filed within 30 days after issuance of the written denial. The filing of a request for review may be accomplished by mailing to the Secretary of Housing and Urban Development, 1626 K Street NW. (Room 600), Washington, D.C. 20410, a copy of the request if in writing, a copy of the written denial issued under § 15.52, and

a statement of the circumstances, reasons, or arguments advanced in support of disclosure of the original request for the record. Review will be made promptly by the Secretary or his designee on the basis of the written record described in this § 15.61.

(b) The decision after review will be in writing, will be promptly communicated to the person requesting review, and will constitute final action of the Department on the request, subject to judicial review as provided in 5 U.S.C. 552(a)(3).

*Effective date.* This regulation is effective as of July 4, 1967.

ROBERT C. WEAVER,  
*Secretary of Housing and  
Urban Development.*