Order 12606, The Family, has determined that this rule does not have potential for significant impact on family formation, maintenance, and general well-being, and, thus, is not subject to review under the Order. No significant change in existing HUD policies or programs will result from promulgation of this rule, as those policies and programs relate to family concerns. The final rule updates administrative regulations relating to the processing of requests for documents maintained by the Department.

Regulatory Agenda

This rule was listed as Item No. 1731 in the Department's Semiannual Agenda of Regulations published on November 14, 1994 (59 FR 57632, 57642), in accordance with Executive Order 12866 and the Regulatory Flexibility Act.

List of Subjects in 24 CFR Part 15

Classified information, Courts, Freedom of information, Government employees, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, part 15 of Title 24 of the Code of Federal Regulations is amended as follows.

PART 15—TESTIMONY, PRODUCTION AND DISCLOSURE OF MATERIAL OR INFORMATION BY HUD EMPLOYEES

1. The authority citation for part 15 is revised to read as follows:

Authority: 5 U.S.C. 552; Freedom of Information Reform Act of 1986 (Pub. L. 99-570); 42 U.S.C. 3535(d).

2. In § 15.1, the paragraph designations (a) through (i) are removed, and the definition for "Information center" is revised to read as follows:

§15.1 Definitions.

Information center means library, reading room, desk, or other facility, or any combination of places established and maintained by the Department, where the public may request and obtain information and records concerning the Department's operations and business.

3. In §15.13, paragraph (b) is revised to read as follows:

§15.13 Records produced upon request when reasonably described.

(b) When a request is made that reasonably describes a record of the Department that has been stored in a record center of the National Archives

and Record Administration, this record will be requested from the Records Center by the Department and made available to the requester if the record would otherwise be available under this part. Records accessioned by the National Archives will not be made available by the Department, but may be requested directly from the National Archives.

4. In § 15.14, paragraphs (a), (b), (c), (e), and (f) are revised to read as follows:

§15.14 Fees.

- (a) Copies of records. HUD will charge \$0.15 per page for photocopies of documents. For copies prepared by computer, HUD will charge the actual cost of the tape or disk plus \$25.00 per minute for central processing unit (CPU) time, so as to recoup reasonable direct costs of duplicating. For other methods of reproduction or duplication of documents, HUD will charge the actual direct costs of producing the documents.
- (b) Manual searches for records. HUD will charge \$16.35 per hour per person for searches/reviews performed by clerical staff, and \$37.00 per hour per person for searches/reviews performed by professional staff. Charges for search/ review time will be billed in 1/2 hour segments.
- (c) Computer searches for records. HUD will charge \$35.00 per hour for computer programming relating to a search, plus \$25.00 per minute for central processing unit (CPU) time.
- (e) Restrictions on assessing fees. HUD will provide the first 100 pages of duplication and the first two hours of search time, manual or computer, free of charge to noncommercial use requesters. There is no charge to noncommercial use requesters for time needed for review, as defined in paragraph (g)(4) of this section. Review time is chargeable only to commercial use requesters. HUD will only assess fees for amounts in excess of \$25.00.
- (f) Payment of fees. Payment of fees under this section and under § 15.16(a) shall be made by check or money order, payable to the Treasurer of the United States. Cash payments may be made in person at Headquarters or the Field Offices. The fees shall be sent to the Office of Executive Secretariat at Headquarters or to the appropriate Field Office.

5. In § 15.21, paragraph (a)(7) is revised to read as follows:

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

(a) * * *

- (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;
- (v) Would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or
- (vi) Could reasonably be expected to endanger the life or physical safety of any individual.
- 6. In section 15.31, paragraphs (a) and (b)(1) are revised and paragraph (b)(2) is removed and reserved, to read as follows:

§15.31 Information centers.

- (a) The Department maintains an information center as described in § 15.1(f) at Headquarters, 451 Seventh Street SW., Washington, DC 20410.
 - (b) * *
- (1) In each of its Secretary Representatives' Offices, as follows:
- New England, Boston Office—Room 375, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Boston, Massachusetts 02222-1092.
- New York/New Jersey, New York Office-26 Federal Plaza, New York, New York 10278-0068.
- Mid-Atlantic, Philadelphia Office—Liberty Square Building, 105 South 7th Street, Philadelphia, Pennsylvania 19106-3392.
- Southeast/Caribbean, Atlanta Office-Richard B. Russell Federal Building, 75 Spring Street, S.W., Atlanta, Georgia 30303-3388.
- Midwest, Chicago Office—Ralph Metcalfe Federal Building, 77 West Jackson Boulevard, Chicago, Illinois 60604-3507.