

Department of Justice

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forth the time and place of the meeting, and the persons present.

(d) Nothing herein shall affect any other provision in Commission procedures or regulations requiring the preparation and maintenance of a record of all official actions of the Commission.

§ 16.207 Public access to nonexempt transcripts and minutes of closed Commission meetings—Documents used at meetings—Record retention.

(a) *Public access to records.* Within a reasonable time after any closed meeting, the Commission shall make available to the public, in the Commission's Public Reading Room located at 5550 Friendship Boulevard, Chevy Chase, Maryland 20815-7286, the transcript, electronic recording, or minutes of the discussion of any item on the agenda, or of any item of the testimony of any witness received at such meeting, maintained hereunder, except for such item or items of such discussion or testimony which contain information exempt under any provision of the Government in the Sunshine Act (Pub. L. 94-409), or of any amendment thereto. Copies of nonexempt transcripts, or minutes, or a transcription of such recording disclosing the identity of each speaker, shall be furnished to any person at the actual cost of duplication or transcription.

(b) Access to documents identified or discussed in any Commission meeting, open or closed, shall be governed by Department of Justice regulations at this part 16, subparts C and D. The Commission reserves the right to invoke statutory exemptions to disclosure of such documents under 5 U.S.C. 552 and 552a, and applicable regulations. The exemptions provided in 5 U.S.C. 552b(c) shall apply to any request made pursuant to 5 U.S.C. 552 or 552a to copy and inspect any transcripts, recordings or minutes prepared or maintained pursuant hereto.

(c) *Retention of records.* The Commission shall maintain a complete verbatim copy of the transcript, or a complete copy of the minutes, or a complete electronic recording of each meeting, or portion of a meeting, closed to the public, for a period of at least two years after such meeting, or until one year after the conclusion of

any Commission proceeding with respect to which the meeting or portion thereof was held, whichever occurs later.

[42 FR 14713, Mar. 16, 1977, as amended by Order No. 960-81, 46 FR 52357, Oct. 27, 1981]

§ 16.208 Annual report.

The Commission shall report annually to Congress regarding its compliance with Sunshine Act requirements, including a tabulation of the total number of meetings open to the public, the total number of meetings closed to the public, the reasons for closing such meetings, and a description of any litigation brought against the Commission under this section, including any costs assessed against the Commission in such litigation and whether or not paid.

Subpart G—Access to Documents by Former Employees of the Department

SOURCE: Order No. 2333-2000, 65 FR 68892, Nov. 15, 2000, unless otherwise noted.

§ 16.300 Access to documents for the purpose of responding to an official inquiry.

(a) To the extent permitted by law, former employees of the Department shall be given access to documents that they originated, reviewed, or signed while employees of the Department, for the purpose of responding to an official inquiry by a federal, state, or local government entity or professional licensing authority. Documents include memoranda, drafts, reports, notes, written communications, and documents stored electronically that are in the possession of the Department. Access ordinarily will be provided on government premises.

(b) Requests for access to documents under this section must be submitted in writing to the head of the component where the employee worked when originating, reviewing, or signing the documents. If the employee requesting access was the Attorney General, Deputy Attorney General, or Associate Attorney General, the request may be granted by the Assistant Attorney

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General for Administration. This authority may not be delegated below the level of principal deputy component head.

(c) The written request should describe with specificity the documents to which access is sought (including time periods wherever possible), the reason for which access is sought (including the timing of the official inquiry involved), and any intended disclosure of any of the information contained in the documents.

(d) The requester must agree in writing to safeguard the information from unauthorized disclosure and not to further disclose the information, by any means of communication, or to make copies, without the permission of the Department. Determinations regarding any further disclosure of information or removal of copies shall be made in accordance with applicable standards and procedures.

§ 16.301 Limitations.

(a) The Department may deny or limit access under this subpart where providing the requested access would be unduly burdensome.

(b) Access under this subpart to classified information is governed by Executive Order 12958 and 28 CFR 17.46. Requests for access to classified information must be submitted to (or will be referred to) the Department Security Officer and may be granted by the Department Security Officer in consultation with the appropriate component head.

(c) Nothing in this subpart shall be construed to supplant the operation of other applicable prohibitions against disclosure.

(d) This subpart is not intended to, does not, and may not be relied upon to, create any right or benefit, substantive or procedural, enforceable at law by a party against the United States.

APPENDIX I TO PART 16—COMPONENTS OF THE DEPARTMENT OF JUSTICE

Unless a separate address is listed below, the address for each component is: [component name], U.S. Department of Justice, 950 Pennsylvania Avenue, NW., Washington, DC 20530-0001. For all components marked by an asterisk, FOIA and Privacy Act requests

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should be sent to the Office of Information and Privacy, U.S. Department of Justice, Flag Bldg., Suite 570, Washington, DC 20530-0001. The components are:

A

Office of the Attorney General *
Office of the Deputy Attorney General *
Office of the Associate Attorney General *
Office of the Solicitor General

B

Office of Information and Privacy *
Office of the Inspector General
Office of the Intelligence Policy and Review
Office of Intergovernmental Affairs *
Office of Investigative Agency Policies
Office of Legal Counsel
Office of Legislative Affairs *
Office of Policy Development *
Office of Professional Responsibility
Office of Public Affairs *

C

Antitrust Division, U.S. Department of Justice, LPB Bldg., Suite 200, Washington, DC 20530-0001
Civil Division, U.S. Department of Justice, 901E Bldg., Room 808, Washington, DC 20530-0001
Civil Rights Division, U.S. Department of Justice, NYAV Bldg., Room 8000B, Washington, DC 20530-0001
Criminal Division, U.S. Department of Justice, WCTR Bldg., Suite 1075, Washington, DC 20530-0001
Environment and Natural Resources Division, U.S. Department of Justice, Post Office Box 4390, Washington, DC 20044-4390
Justice Management Division
Tax Division, U.S. Department of Justice, JCB Bldg., Room 6823, Washington, DC 20530-0001
Bureau of Alcohol, Tobacco, Firearms, and Explosives, U.S. Department of Justice, Washington, DC 20226
Bureau of Prisons, U.S. Department of Justice, HOLC Bldg., Room 738, 320 First Street, NW., Washington, DC 20534-0001
Community Relations Service, U.S. Department of Justice, BICN Bldg., Suite 2000, Washington, DC 20530-0001
Drug Enforcement Administration, U.S. Department of Justice, Washington, DC 20537-0001
Executive Office for Immigration Review, U.S. Department of Justice, Suite 2400, 5107 Leesburg Pike, Falls Church, VA 22041-0001
Executive Office for United States Attorneys, U.S. Department of Justice, BICN Bldg., Room 7100, Washington, DC 20530-0001
Executive Office for United States Trustees, U.S. Department of Justice, 901E Bldg., Room 780, Washington, DC 20530-0001