

to individuals named in the records at their request. These accountings must state the date, nature, and purpose of each disclosure of a record and the name and address of the recipient. The application of this provision would make known to subjects of an investigation that an investigation is taking place and that they are the subjects of it. Release of such information could result in the alteration or destruction of documentary evidence, improper influencing of witnesses, and reluctance of witnesses to offer information, and could otherwise impede or compromise an investigation.

(2) 5 U.S.C. 552a(d)(1), (d)(2), (d)(3), and (d)(4), (e)(4)(G) and (e)(4)(H), and (f), relate to an individual's right to be notified of the existence of, and the right to examine, records pertaining to such individual. Notifying an individual at the individual's request of the existence of records and allowing the individual to examine an investigative file pertaining to such individual, or granting access to an investigative file, could:

- (i) Interfere with investigations and enforcement proceedings;
- (ii) Constitute an unwarranted invasion of the personal privacy of others;
- (iii) Disclose the identity of confidential sources and reveal confidential information supplied by those sources; or
- (iv) Disclose investigative techniques and procedures.

(3) 5 U.S.C. 552a(e)(4)(I) requires the publication of the categories of sources of records in each system. Application of this provision could disclose investigative techniques and procedures and cause sources to refrain from giving such information because of fear of reprisal, or fear of breach of promises of anonymity and confidentiality, thus compromising the agency's ability to conduct investigations and to identify, detect, and apprehend violators.

(4) 5 U.S.C. 552a(e)(1) requires each agency to maintain in its records only information about an individual that is relevant and necessary to accomplish a purpose of the agency required by statute or Executive Order. Limiting the system as described would impede enforcement activities because:

- (i) It is not always possible to determine the relevance or necessity of spe-

cific information in the early stages of an investigation; and

(ii) In any investigation the Office may obtain information concerning violations of laws other than those within the scope of its jurisdiction. In the interest of effective law enforcement, the Office should retain this information to aid in establishing patterns of criminal activity, and to provide leads for those law enforcement agencies charged with enforcing criminal or civil laws.

(d) *Documents exempted.* Exemptions will be applied only when appropriate under 5 U.S.C. 552a(k).

[55 FR 31371, Aug. 2, 1990]

PART 505—FREEDOM OF INFORMATION ACT

Sec.

- 505.1 Basis and scope.
- 505.2 Public Reading Room.
- 505.3 Requests for records.
- 505.4 Administrative appeal of initial determination to deny records.
- 505.5 Delivery of process.

AUTHORITY: 5 U.S.C. 552; 12 U.S.C. 1462a, 1463, 1464.

CROSS REFERENCE: See 31 CFR part 1, subpart A.

§ 505.1 Basis and scope.

(a) This part is issued by the Office of Thrift Supervision ("OTS") as a supplement to the Freedom of Information Act regulations of the Department of the Treasury, 31 CFR part 1, subpart A, which apply to the OTS as a component part of the Department of the Treasury.

(b) This part is issued by the OTS pursuant to the requirement of section 552 of title 5 of the United States Code, which requires every federal agency to publish in the FEDERAL REGISTER the established places at which, the employees from whom, and the methods whereby, the public may obtain information, make submittals on requests, or obtain decisions, and the forms available or the places at which forms and instructions as to the scope and contents of all papers, reports, or examinations may be found. Information about the Public Reading Room is set forth in § 505.2 of this part. Procedures for requests for records are set forth in

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§ 505.3 of this part. Information about administrative appeals is set forth in § 505.4 of this part. Provisions relating to delivery of process upon the OTS are set forth in § 505.5 of this part.

[54 FR 49444, Nov. 30, 1989, as amended at 60 FR 66716, Dec. 26, 1995; 66 FR 65819, Dec. 21, 2001]

§ 505.2 Public Reading Room.

OTS will make materials available for review on an ad hoc basis when necessary. Contact the FOIA Office, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, or you may visit the Public Reading Room at 1700 G Street, NW., by appointment only. (Please identify the materials you would like to inspect, to assist us in serving you.) We schedule appointments on business days between 10 a.m. and 4 p.m. In most cases, appointments will be available the next business day following the date we receive your request.

[66 FR 65819, Dec. 21, 2001, as amended at 67 FR 78151, Dec. 23, 2002]

§ 505.3 Requests for records.

A designated official will make the initial determination under 31 CFR 1.5(g) whether to grant a request for OTS records. Requests may be mailed to: Freedom of Information Act Request, FOIA Office, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, or marked "FOIA" and delivered in person to the FOIA Office, 1700 G Street, NW., Washington, DC 20552. Requests may also be sent by e-mail or facsimile to the e-mail address and facsimile number in § 505.2 of this part.

[67 FR 78151, Dec. 23, 2002]

§ 505.4 Administrative appeal of initial determination to deny records.

A designated official will make appellate determinations under 31 CFR 1.5(h) with respect to OTS records. Appeals by mail should be addressed to: FOIA Appeals, 1700 G Street, NW., Washington, DC 20552. Appeals may be delivered personally to FOIA Appeals, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552. Appeals may also be sent by e-mail or fac-

simile to the e-mail address and facsimile number in § 505.2 of this part.

[67 FR 78151, Dec. 23, 2002]

§ 505.5 Delivery of process.

Service of process will be received as set forth in § 510.4 of this chapter.

[54 FR 49444, Nov. 30, 1989]

PART 506—INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT

AUTHORITY: 44 U.S.C. 3501 *et seq.*

§ 506.1 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This part collects and displays the control numbers assigned to information collection requirements contained in regulations of the Office of Thrift Supervision by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995, Pub. L. 104-13, 109 Stat. 163, and is adopted in compliance with the requirements of 5 CFR 1320.8. Information collection requirements that are not mandated by statute must be assigned control numbers by OMB in order to be enforceable. Respondents/recordkeepers are not required to comply with any collection of information unless it displays a currently valid OMB control number.

(b) *Display.*

12 CFR part or section where identified and described	Current OMB control No.
502.70	1550-0053.
510	1550-0081.
Part 516	1550-0056.
Part 528	1550-0021.
533.4	1550-0105.
533.6	1550-0105.
533.7	1550-0105.
536.40	1550-0106.
543.2	1550-0005.
543.3	1550-0005.
543.9	1550-0007.
544.2	1550-0018.
544.5	1550-0018.
544.8	1550-0011.
545.93 and 545.95	1500-0006.
545.96(c)	1550-0011.
546.2	1550-0016.
546.4	1550-0066.
Part 550	1550-0037.
Part 551	1550-0109.
551.50	1550-0109.
551.70 through 551.100	1550-0109.
551.140	1550-0109.