

INDEX—Continued

Housing and Community Development Act	1506.12, 1508.12.
Human Environment	1502.3, 1502.22, 1508.14.
Impacts	1508.8, 1508.25(c).
Implementing the Decision	1505.3.
Incomplete or Unavailable Information.	1502.22.
Incorporation by Reference ...	1500.4(j), 1502.21.
Index	1502.10(j).
Indian Tribes	1501.2(d)(2), 1501.7(a)(1), 1502.15(c), 1503.1(a)(2)(ii), 1506.6(b)(3)(ii), 1508.5, 1508.12.
Intensity	1508.27(b).
Interdisciplinary Preparation ..	1502.6, 1502.17.
Interim Actions	1506.1.
Joint Lead Agency	1501.5(b), 1506.2.
Judicial Review	1500.3.
Jurisdiction by Law	1508.15.
Lead Agency	1500.5(c), 1501.1(c), 1501.5, 1501.6, 1501.7, 1501.8, 1504.3, 1506.2(b)(4), 1506.8(a), 1506.10(e), 1508.16.
Legislation	1500.5(j), 1502.3, 1506.8, 1508.17, 1508.18(a).
Limitation on Action During NEPA Process.	1506.1.
List of Preparers	1502.10(h), 1502.17.
Local or State	1500.4(n), 1500.5(h), 1501.2(d)(2), 1501.5(b), 1501.5(d), 1501.7(a)(1), 1501.8(c), 1502.16(c), 1503.1(a)(2), 1506.2(b), 1506.6(b)(3), 1508.5, 1508.12, 1508.18.
Major Federal Action	1502.3, 1508.18.
Mandate	1500.3.
Matter	1504.1, 1504.2, 1504.3, 1508.19.
Methodology	1502.24.
Mitigation	1502.14(h), 1502.16(h), 1503.3(d), 1505.2(c), 1505.3, 1508.20.
Monitoring	1505.2(c), 1505.3.
National Historic Preservation Act.	1502.25.
National Register of Historical Places.	1508.27(b)(8).
Natural or Depletable Resource Requirements.	1502.16(f).
Need for Action	1502.10(d), 1502.13.
NEPA Process	1508.21.
Non-Federal Sponsor	1501.2(d).
Notice of Intent	1501.7, 1507.3(e), 1508.22.
OMB Circular A-95	1503.1(a)(2)(iii), 1505.2, 1506.6(b)(3)(i).
102 Monitor	1506.6(b)(2), 1506.7(c).
Ongoing Activities	1506.12.
Page Limits	1500.4(a), 1501.7(b), 1502.7.
Planning	1500.5(a), 1501.2(b), 1502.4(a), 1508.18.
Policy	1500.2, 1502.4(b), 1508.18(a).
Program Environmental Impact Statement.	1500.4(i), 1502.4, 1502.20, 1508.18.
Programs	1502.4, 1508.18(b).
Projects	1508.18.
Proposal	1502.4, 1502.5, 1506.8, 1508.23.
Proposed Action	1502.10(e), 1502.14, 1506.2(c).
Public Health and Welfare	1504.1.

INDEX—Continued

Public Involvement	1501.4(e), 1503.1(a)(3), 1506.6.
Purpose	1500.1, 1501.1, 1502.1, 1504.1.
Purpose of Action	1502.10(d), 1502.13.
Record of Decision	1505.2, 1506.1.
Referrals	1504.1, 1504.2, 1504.3, 1506.3(d).
Referring Agency	1504.1, 1504.2, 1504.3.
Response to Comments	1503.4.
Rural Electrification Administration.	1506.1(d).
Scientific Accuracy	1502.24.
Scope	1502.4(a), 1502.9(a), 1508.25.
Scoping	1500.4(b), 1501.1(d), 1501.4(d), 1501.7, 1502.9(a), 1506.8(a).
Significantly	1502.3, 1508.27.
Similar	1508.25.
Small Business Associations	1506.6(b)(3)(vi).
Social Effects	1508.8.
Special Expertise	1508.26.
Specificity of Comments	1500.4(1), 1503.3.
State and Areawide Clearinghouses.	1501.4(e)(2), 1503.1(a)(2)(iii), 1506.6(b)(3)(i).
State and Local	1500.4(n), 1500.5(h), 1501.2(d)(2), 1501.5(b), 1501.5(d), 1501.7(a)(1), 1501.8(c), 1502.16(c), 1503.1(a)(2), 1506.2(b), 1506.6(b)(3), 1508.5, 1508.12, 1508.18.
State and Local Fiscal Assistance Act.	1508.18(a).
Summary	1500.4(h), 1502.10(b), 1502.12.
Supplements to Environmental Impact Statements.	1502.9(c).
Table of Contents	1502.10(c).
Technological Development ..	1502.4(c)(3).
Terminology	1508.1.
Tiering	1500.4(i), 1502.4(d), 1502.20, 1508.28.
Time Limits	1500.5(e), 1501.1(e), 1501.7(b)(2), 1501.8.
Timing	1502.4, 1502.5, 1506.10.
Treaties	1508.17.
When to Prepare an Environmental Impact Statement.	1501.3.
Wild and Scenic Rivers Act ...	1506.8(b)(ii).
Wilderness Act	1506.8(b)(ii).
Writing	1502.

PART 1515—FREEDOM OF INFORMATION ACT PROCEDURES

PURPOSE

Sec.

1515.1 What are these procedures?

ORGANIZATION OF CEQ

1515.2 What is the Council on Environmental Quality (CEQ)?

1515.3 How is CEQ organized?

PROCEDURES FOR REQUESTING RECORDS

1515.5 How to make a Freedom of Information Act request.

§ 1515.1

40 CFR Ch. V (7-1-07 Edition)

AVAILABILITY OF INFORMATION

1515.10 What information is available, and how can it be obtained?

COSTS

1515.15 What fees may be charged, and how should they be paid?

AUTHORITY: 5 U.S.C. 552, as amended by Pub. L. 93-502.

SOURCE: 42 FR 65158, Dec. 30, 1977, unless otherwise noted.

PURPOSE

§ 1515.1 What are these procedures?

The Freedom of Information Act (5 U.S.C. 552, commonly known as FOIA) is a law which creates a procedure for any person to request official documents and other records from United States Government agencies. The law requires every Federal agency to make available to the public the material requested, unless the material falls under one of the limited exceptions stated in section 552(b)(5) of the Act, and the agency has good reason to refuse the request. These procedures explain how the Council on Environmental Quality—one of several offices in the Executive Office of the President—will carry out the Freedom of Information Act. They are written from the standpoint of a member of the public requesting material from the Council.

ORGANIZATION OF CEQ

§ 1515.2 What is the Council on Environmental Quality (CEQ)?

(a) The Council on Environmental Quality ("CEQ" or "the Council") was created by the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 through 4347). The Council's authority is derived from that Act, the Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. 4371-4374), Reorganization Plan No. 1 of 1977 (July 15, 1977), and Executive Order 11514, Protection and Enhancement of Environmental Quality, March 5, 1970, as amended by Executive Order 11991, May 24, 1977.

(b) The Council's primary responsibilities include the following:

(1) To review and evaluate the programs and activities of the Federal Government to determine how they are

contributing to the attainment of the national environmental policy;

(2) To assist Federal agencies and departments in appraising the effectiveness of their existing and proposed facilities, programs, policies, and activities affecting environmental quality;

(3) To develop and recommend to the President policies to improve environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation;

(4) To advise and assist the President in achieving international cooperation for dealing with environmental problems;

(5) To assist in coordinating among Federal agencies and departments those programs which affect, protect, and improve environmental quality, including Federal compliance with the environmental impact statement process, and to seek resolution of significant environmental issues;

(6) To foster research relating to environmental quality and the impacts of new or changing technologies; and

(7) To analyze long and short term environmental problems and trends and assist in preparing an annual Environmental Quality Report to the President and the Congress.

(c) The Council maintains a "Quarterly Index" which lists its current policies and procedures, as required by section 552(a)(2) of the Freedom of Information Act. This index is updated and published in the FEDERAL REGISTER quarterly, starting in 1976. The Quarterly Index—and the specific items listed in the index—are available on request from the Freedom of Information Officer. You may also inspect or copy any of these materials at the Council's office during the hours stated below in § 1515.3(f).

§ 1515.3 How is CEQ organized?

(a) The Council is made up of three members appointed by the President and subject to approval by the Senate. One member is designated as chairman by the President. All three serve in a full-time capacity.

(b) The National Environmental Policy Act and the Environmental Quality Improvement Act give the Council the authority to hire any officers and staff