

(b) A finding of no significant impact (40 CFR 1508.13) may be prepared in any format considered to be effective or necessary by the agency involved in the proposed action.

(c) The finding of no significant impact, and the environmental assessment on which it was based, as well as any comments received in response to these documents shall be included in the public record of the proposed action.

(d) Department of Labor agencies shall comply with the format requirements for environmental impact statements as set forth at 40 CFR 1502.10, except when an agency determines that there is a compelling reason to do otherwise, such as more effective communication or reduced duplication of effort and paperwork (40 CFR 1506.4). For example, in OSHA/MSHA informal rulemaking proceedings, environmental documents may be combined with the FEDERAL REGISTER notice of proposed or final rulemaking. Filing and circulation of the combined preamble/environmental document shall be in accordance with the requirements of 40 CFR 1506.9.

(e) The final environmental impact statement shall contain any changes in information or supplemental information received since the filing and circulation of the draft environmental impact statement, as well as a summary, or copies of the substantive comments received in response to the draft environmental impact statement. If such changes and comments are minor, an agency may circulate only the changes and comments, including responses to the comments, rather than the entire impact statement, to the extent permitted by 40 CFR 1502.19. However, the entire document, with a new cover sheet, shall be filed with EPA and placed in the rulemaking record.

§ 11.13 Public participation.

(a) When an agency has determined that preparation of an environmental impact statement is required, the agency shall publish a notice of intent to prepare an environmental impact statement in the FEDERAL REGISTER and shall invite public participation in the agency's scoping process as required by 40 CFR 1501.7.

(b) When the draft environmental impact statement has been prepared and filed with the EPA pursuant to § 11.11(f), comments on the document shall be solicited from appropriate Federal, State and local agencies, Indian tribes, and other persons or organizations who may be interested or affected, as required by 40 CFR 1503.1.

(c) In the case of an action with effects primarily of local concern, agencies shall consider the use of clearinghouses, newspapers and other public media likely to generate local participation in the agency process as ways of supplementing the notices otherwise specified in this part. The use of such public media does not, however, require or authorize the use of paid advertising.

§ 11.14 Legislation.

Notwithstanding any provisions of this part, environmental assessments or impact statements prepared in connection with requests for new legislation or modification of existing statutes shall be handled in accordance with applicable OMB and Department of Labor procedures on the preparation and submission of legislative proposals and the requirements of 40 CFR 1506.8.

PART 12—UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS

AUTHORITY: Section 213, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894 (42 U.S.C. 4601) as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, title IV of Public Law 100-17, 101 Stat. 246-256 (42 U.S.C. 4601 note).

§ 12.1 Uniform relocation assistance and real property acquisition.

Regulations and procedures for complying with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Pub. L. 91-646, 84 Stat. 1894, 42 U.S.C. 4601), as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987 (title IV of Pub. L. 100-17, 101 Stat.

§ 14.1

246–255, 42 U.S.C. 4601 note) are set forth in 49 CFR part 24.

[52 FR 48020, Dec. 17, 1987, and 54 FR 8912, Mar. 2, 1989]

PART 14—SECURITY REGULATIONS

Subpart A—Introduction to Security Regulations

Sec.

- 14.1 Purpose.
- 14.2 Policy.
- 14.3 DOL Classification Review Committee.
- 14.4 Definitions.

Subpart B—Review of Classified Information

- 14.10 Mandatory review for declassification.

Subpart C—Transmission of Classified Information

- 14.20 Dissemination to individuals and firms outside the executive branch.
- 14.21 Release of classified information to foreign governments.
- 14.22 Availability of classified information to persons not employed by the Department of Labor.

AUTHORITY: E.O. 12356 of April 2, 1982 (47 FR 14874).

SOURCE: 50 FR 51391, Dec. 17, 1985, unless otherwise noted.

Subpart A—Introduction to Security Regulations

§ 14.1 Purpose.

These regulations implement Executive Order 12356, entitled National Security Information, dated April 2, 1982, and directives issued pursuant to that Order through the National Security Council and the Atomic Energy Act of 1954, as amended.

§ 14.2 Policy.

The interests of the United States and its citizens are best served when information regarding the affairs of Government is readily available to the public. Provisions for such an informed citizenry are reflected in the Freedom of Information Act (5 U.S.C. 552) and in the current public information policies of the executive branch.

(a) *Safeguarding national security information.* Some official information within the Federal Government is di-

29 CFR Subtitle A (7-1-97 Edition)

rectly concerned with matters of national defense and the conduct of foreign relations. This information must, therefore, be subject to security constraints, and limited in term of its distribution.

(b) *Exemption from public disclosure.* Official information of a sensitive nature, hereinafter referred to as national security information, is expressly exempted from compulsory public disclosure by Section 552(b)(1) of title 5 U.S.C. Persons wrongfully disclosing such information are subject to prosecution under United States criminal laws.

(c) *Scope.* To ensure that national security information is protected, but only to the extent and for such a period as is necessary, these regulations:

(1) Identify information to be protected.

(2) Prescribe procedures on classification, declassification, downgrading, and safeguarding of information.

(3) Establish a monitoring system to ensure the effectiveness of the Department of Labor (DOL) security program and regulations.

(d) *Limitation.* The need to safeguard national security information in no way implies an indiscriminate license to withhold information from the public. It is important that the citizens of the United States have access, consistent with national security, to information concerning the policies and programs of their Government.

§ 14.3 DOL Classification Review Committee.

A DOL Classification Review Committee is hereby established.

(a) *Composition of committee.* The members of this Committee are:

Chairperson—Director, Directorate or Administrative Service and Safety and Health Programs, OASAM

Member—Director, Office of Management, Administration and Planning, Bureau of International Labor Affairs

Member—Security Officer, Bureau of Labor Statistics

Member—Security Officer, Occupational Safety and Health Administration

Member—Director, Office of Management, Office of the Solicitor

Member—Assistant Inspector General for Investigations.