

§ 15.2

Housing and Urban Development, or any other Federal executive or administrative agency or department, or any official thereof in his official capacity.

Legal proceeding among private litigants means any legal proceeding in which the United States is not a party.

[40 FR 48123, Oct. 14, 1975, as amended at 52 FR 12160, Apr. 15, 1987; 60 FR 11903, Mar. 3, 1995; 61 FR 5203, Feb. 9, 1996]

§ 15.2 Purpose and applicability.

(a) This part contains the regulations of the Department implementing 5 U.S.C. 552 and prescribing the Department's policies and procedures with respect to testimony of its employees as witnesses in legal proceedings. It informs the public about where and how the Department's records and information may be obtained from its organizational units as defined in §15.1(d), and about the Department's policy concerning allowing its employees to testify in legal proceedings.

(b) All subparts of part 15, other than subpart I, apply to all organizational units, except that their applicability to the Office of Inspector General is subject to the provisions of parts 2002 and 2004 of this title, and their applicability to the Office of Interstate Land Sales Registration is subject to the provisions of §1700.30 of this title. Subpart I applies to all organizational units other than the Office of Inspector General.

[52 FR 12160, Apr. 15, 1987]

§ 15.3 Statement of policy.

The Department's policy is one of full and responsible disclosure of its identifiable records and information consistent with such competing public interests concerning the national security, personal privacy, and obligations of confidentiality as are recognized by 5 U.S.C. 552.

Subpart B—Production and Disclosure of Records

§ 15.11 Publication in the Federal Register.

Subject to the exemptions in §15.21, the Department shall separately state and currently publish in the FEDERAL

24 CFR Subtitle A (4–1–99 Edition)

REGISTER for the guidance of the public:

(a) Descriptions of its central and field organization and the established places at which, the employees from whom and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions;

(b) Statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available;

(c) Rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations;

(d) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the Department; and

(e) Each amendment, revision, or repeal of the foregoing.

Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to or be adversely affected by any matter required to be published in the FEDERAL REGISTER and not so published. For purposes of this section, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the FEDERAL REGISTER when incorporated by reference therein with the approval of the Director of the Office of the Federal Register, as provided in 1 CFR part 51.

§ 15.12 Materials not published in Federal Register.

(a) Subject to the exemptions in §15.21, the Department, in accordance with this part, shall make available for public inspection and copying:

(1) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(2) Statements of policy and interpretations which have been adopted by the Department and are not published in the FEDERAL REGISTER; and