

**§ 1830.5 Exemptions.**

The Office of Special Counsel will claim exemptions from the provisions of the Privacy Act at subsections (c)(3) and (d) as permitted by subsection (k) for records subject to the Act that fall within the category of investigatory material described in paragraphs (2) and (5) and testing or examination material described in paragraph (6) of that subsection. The exemptions for investigatory material are necessary to prevent frustration of inquiries into allegations of prohibited personnel practices or political activity and to protect identities of confidential sources of information. The exemption for testing or examination material is necessary to prevent the disclosure of information which would potentially give an individual an unfair competitive advantage or diminish the utility of established examination procedures. The Office of Special Counsel also reserves the right to assert exemptions for records received from another agency that could be properly claimed by that agency in responding to a request and the Office of Special Counsel may refuse access to information compiled in reasonable anticipation of a civil action or proceeding.

**PART 1840—SUBPOENAS**

AUTHORITY: 5 U.S.C. 1212(e).

**§ 1840.1 Service of subpoenas by mail.**

In addition to all other methods of authorized service, an Office of Special Counsel subpoena may be served by mailing a copy to the person at his or her residence or place of business by certified or registered mail.

[54 FR 47345, Nov. 14, 1989]

**PART 1850—ENFORCEMENT OF  
NONDISCRIMINATION ON THE  
BASIS OF HANDICAP IN PRO-  
GRAMS OR ACTIVITIES CON-  
DUCTED BY THE OFFICE OF SPE-  
CIAL COUNSEL**

Sec.

1850.101 Purpose.  
1850.102 Application.  
1850.103 Definitions.

1850.104—1850.109 [Reserved]  
1850.110 Self-evaluation.  
1850.111 Notice.  
1850.112—1850.129 [Reserved]  
1850.130 General prohibitions against discrimination.  
1850.131—1850.139 [Reserved]  
1850.140 Employment.  
1850.141—1850.148 [Reserved]  
1850.149 Program accessibility: Discrimination prohibited.  
1850.150 Program accessibility: Existing facilities.  
1850.151 Program accessibility: New construction and alterations.  
1850.152—1850.159 [Reserved]  
1850.160 Communications.  
1850.161—1850.169 [Reserved]  
1850.170 Compliance procedures.  
1850.171—1850.999 [Reserved]

AUTHORITY: 29 U.S.C. 794.

SOURCE: 53 FR 25881 and 25885, July 8, 1988, unless otherwise noted. Redesignated at 54 FR 47345, Nov. 14, 1989.

**§ 1850.101 Purpose.**

The purpose of this regulation is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.

**§ 1850.102 Application.**

This regulation (§§ 1850.101–1850.170) applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with handicaps in the United States.

**§ 1850.103 Definitions.**

For purposes of this regulation, the term—

*Assistant Attorney General* means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

*Auxiliary aids* means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the agency. For example, auxiliary aids useful for persons with impaired vision