

**PART 15—PUBLIC ACCESS TO HUD RECORDS UNDER THE FREEDOM OF INFORMATION ACT AND TESTIMONY AND PRODUCTION OF INFORMATION BY HUD EMPLOYEES**

**Subpart A—Purpose and Policy**

Sec.

- 15.1 What is the purpose of this part?  
 15.2 What definitions apply to this part?  
 15.3 What exemptions are authorized by 5 U.S.C. 552?

**Subpart B—FOIA Disclosure of Information**

- 15.101 What is HUD's overall policy concerning disclosing identifiable records?  
 15.102 Where and when may I inspect and copy records that FOIA requires HUD to make regularly available to the public?  
 15.103 How can I get other records from HUD?  
 15.104 What are the time periods for HUD to respond to my request for records?  
 15.105 How will HUD process my request?  
 15.106 How will HUD respond to my request?  
 15.107 How does HUD handle requests that involve classified records?  
 15.108 What are HUD's policies concerning designating confidential commercial or financial information under Exemption 4 of the FOIA and responding to requests for business information?  
 15.109 How will HUD respond to a request for information from Form HUD-92410 (Statement of Profit and Loss)?  
 15.110 What fees will HUD charge?  
 15.111 How do I appeal a denial of my request for records or a fee determination?  
 15.112 How will HUD respond to my appeal?

**Subpart C—Production in Response to Subpoenas or Demands of Courts or Other Authorities**

- 15.201 Purpose and scope.  
 15.202 Production or disclosure prohibited unless approved by the Secretary.  
 15.203 Procedure in the event of a demand for production or disclosure.  
 15.204 Procedure in the event of an adverse ruling.

**Subpart D—Testimony of Employees in Legal Proceedings**

- 15.301 Purpose.  
 15.302 Testimony in proceedings in which the United States is a party.  
 15.303 Legal proceedings among non-federal litigants; general rule.  
 15.304 Legal proceedings among private litigants; subpoenas.

15.305 Legal proceedings among non-federal litigants; expert or opinion testimony.

**APPENDIX A TO PART 15—HUD FOIA READING ROOMS**

AUTHORITY: 42 U.S.C. 3535(d).  
 Subpart A also issued under 5 U.S.C. 552.  
 Section 15.107 also issued under E.O. 12958, 60 FR 19825, 3 CFR Comp., p. 333.  
 Subparts C and D also issued under 5 U.S.C. 301.

**Subpart A—Purpose and Policy**

SOURCE: 66 FR 6967, Jan. 22, 2001, unless otherwise noted.

**§ 15.1 What is the purpose of this part?**

(a) *Subpart B of this part.* Subpart B of this part describes the procedures by which HUD makes documents available under the Freedom of Information Act (FOIA) (5 U.S.C. 552). Subpart A of this part applies to all HUD organizational units; however, applicability of subpart A to the Office of the Inspector General is subject to parts 2002 and 2004 of the title.

(b) *Subpart C of this part.* Subpart C of this part describes the procedures HUD follows in responding to subpoenas or demands of courts and other agencies to produce or disclose documents.

(c) *Subpart D of this part.* Subpart D of this part describes the procedures HUD follows concerning the testimony of its employees in legal proceedings.

(d) *Inapplicability of subparts B and C to Office of Inspector General.* Subparts B and C of this part do not apply to employees in the Office of the Inspector General. The procedures that apply to employees in the Office of the Inspector General are described in part 2004 of this title.

**§ 15.2 What definitions apply to this part?**

The following definitions apply to this part.

(a) *Terms defined in part 5 of this title.* The terms *HUD*, *Secretary*, and *Organizational unit* are defined in part 5 of this title.

(b) Other terms used in this part. As used in this part:

*Business information* means commercial or financial information provided to HUD by a submitter that arguably is