

African Development Foundation

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estimate of such cost before it is incurred.

(c) *Revision of schedule.* The fee schedule will be revised from time to time, without notice, to assure recovery of actual costs of rendering information services to any person. The revised schedule will be available without charge.

§ 1502.8 Exemptions.

The following categories are examples of records which, if maintained by the Foundation, may be exempted from disclosure under 5 U.S.C. 552(b):

(a) Records specifically required by executive order to be exempt from disclosure in the interest of the national defense or foreign policy which properly classified pursuant to such executive order;

(b) Records related solely to the internal personnel rules and practices of the Foundation;

(c) Records specifically exempted from disclosure by statute (other than 5 U.S.C. 552b), providing that such statute (1) requires that the matter be withheld from the public in such a manner as to leave no discretion, or (2) establishes criteria for withholding or refers to particular types of matters to be withheld;

(d) Trade secrets and commercial or financial information obtained from any person which is privileged or confidential;

(e) Interagency or intra-agency memoranda or letters which would not be available by law to a private party in litigation with the Foundation;

(f) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(g) Investigatory files (including security investigation files and files concerning the conduct of employees) compiled for law enforcement purposes, except to the extent available by law to a private party.

The Foundation will not honor requests for exempt records or information.

§ 1502.9 Processing of requests.

(a) *Processing.* A person who has made a written request for records which meets the requirements of §1502.4 shall

be informed by the Director of A&F within ten working days of receipt of the Foundation's decision whether to deny or grant access to the records.

(b) *Denials.* If the Director of A&F, with the concurrence of the General Counsel, denies a request for records, the requestor will be informed of the name and title of the official responsible for the denial, the reasons for it, and the right to appeal the decision to the President of the Foundation within 15 working days of receipt of the denial. The President shall determine any appeal within 20 days of receipt and notify the requestor within the time period of the decision. If the decision is to uphold the denial, the requestor will be informed of the reasons for the decision and of the right to a judicial review of the decision in the federal courts.

(c) *Extension of time.* Where it is reasonably necessary to the proper processing of requests, the time required to respond to an FOIA request or an appeal may be extended for an additional 10 working days upon written notification to the requestor providing the reasons for the extension.

§ 1502.10 Judicial review.

On complaint, the district court of the United States in the district in which the complainant resides, or has his/her principal place of business, or in which the agency records are situated, or in the District of Columbia, has jurisdiction to enjoin the Foundation from withholding Foundation records, and to order the production of any agency records improperly withheld from the complainant (5 U.S.C. 552(a)(4)(B)).

PART 1503—OFFICIAL SEAL

Sec.

1503.1 Authority.

1503.2 Description.

1503.3 Custody and authorization to affix.

AUTHORITY: Pub. L. 95-533, 94 Stat. 3131 (22 U.S.C. 290h 4(2)(3)).

SOURCE: 50 FR 18634, May 2, 1985, unless otherwise noted.

§ 1503.1 Authority.

Pursuant to section 506(a)(3) of Pub. L. 96-533, the African Development

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Foundation official seal and design thereof, which accompanies and is made part of this document, is hereby adopted, approved, and judicially noticed.

§ 1503.2 Description.

The official seal of the African Development Foundation is described as follows:

(a) Forming an outer circle is a ring of type in dark blue capital letters

spelling the words “AFRICAN DEVELOPMENT FOUNDATION—UNITED STATES OF AMERICA;”

(b) Within that circle is an inner circle with the stylized letters ADF in dark blue superimposed on a light grey background.

(c) The official seal of the African Development Foundation when reproduced in black and white and when embossed, is as it appears below.



§ 1503.3 Custody and authorization to affix.

(a) The seal is the official emblem of the African Development Foundation

and its use is therefore permitted only as provided in this part.

(b) The seal shall be kept in the custody of the General Counsel, or any

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other person he authorizes, and should be affixed by him, the Chairman of the Board of Directors, or the President of the African Development Foundation to authenticate records of the Foundation and for other official purposes. The General Counsel may redelegate and authorize redelegation of this authority.

(c) The President of the African Development Foundation shall designate and prescribe by internal written delegation and policies the use of the seal for other publication and display purposes and those Foundation officials authorized to affix the seal for these purposes.

(d) Use by any person or organization outside of the Foundation may be made only with the Foundation's prior written approval. Such request must be made in writing to the General Counsel.

PART 1504—EMPLOYEE RESPONSIBILITIES AND CONDUCT

AUTHORITY: 5 U.S.C. 7301.

SOURCE: 61 FR 6507, Feb. 21, 1996, unless otherwise noted.

§ 1504.1 Cross-references to employee ethical conduct standards and financial disclosure regulations.

Directors and other employees of the African Development Foundation are subject to the Standards of Ethical Conduct for Employees of the Executive Branch at 5 CFR part 2635, and the executive branch financial disclosure regulations at 5 CFR part 2634.

PART 1506—COLLECTION OF CLAIMS

Sec.

1506.1 Purpose.

1506.2 Applicability of Federal Claims Collection Standards.

1506.3 Subdivision of claims.

1506.4 Late payment, penalty and administrative charges.

1506.5 Demand for payment.

1506.6 Collection by offset.

1506.7 Disclosures to consumer reporting agencies and contracts with collection agencies.

AUTHORITY: 31 U.S.C. 3711, and 4 CFR parts 101 through 105.

SOURCE: 53 FR 5567, Feb. 25, 1988, unless otherwise noted.

§ 1506.1 Purpose.

These regulations prescribe the procedures to be used by the African Development Foundation (ADF) in the collection of claims owed to the African Development Foundation and to the United States.

§ 1506.2 Applicability of Federal Claims Collection Standards.

Except as otherwise provided by law, the African Development Foundation will conduct administrative actions to collect claims (including offset, compromise, suspension, termination, disclosure and referral) in accordance with the Federal Claim Collection Standards ("FCCS") of the General Accounting Office and Department of Justice, 4 CFR parts 101-105.

§ 1506.3 Subdivision of claims.

A debtor's liability arising from a particular contract or transaction shall be considered a single claim for purposes of the monetary ceilings of the FCCS.

§ 1506.4 Late payment, penalty and administrative charges.

(a) Except as otherwise provided by statute, loan agreement or contract, the African Development Foundation will assess:

(1) *Late payment charges* (interest) on unpaid claims at the prompt payment interest rate established by the Secretary of the Treasury as the current value of funds to the United States Treasury.

(2) *Penalty charges* at 6 percent a year on any portion of a claim that is delinquent for more than 90 days.

(3) *Administrative charges* to cover the costs of processing and calculating delinquent claims.

(b) Late payment charges shall be computed from the date of mailing or hand delivery of the notice of the claim and interest requirements.

(c) *Waiver.* (1) Late payment charges are waived on any claim or any portion of a claim which is paid within 30 days after the date on which late payment charges begin to accrue.