

§ 1000.2

Record means a record as defined in 5 U.S.C. 552(f)(2). A Record must exist and be in the Board's custody and control at the time of the request to be considered subject to this part and FOIA.

Representative of the news media refers to any person actively gathering news for an entity that is organized and operated to publish or broadcast news to the public. The term "news" means information that is about current events or that would be of current interest to the public. As traditional methods of news delivery evolve (e.g., electronic dissemination of newspapers through telecommunications services and Web sites), such media would be included in this category. In the case of freelance journalists, they may be regarded as working for a news organization if they can demonstrate a solid basis for expecting publication through that organization, even though they are not actually employed by it.

Review means the process of examining documents located in response to a request that is for a commercial use to determine whether any portion of any document located is exempt from release or otherwise permitted to be withheld. It also includes processing any documents for disclosure (doing all that is necessary to excise them and otherwise prepare them for release). Review does not include time spent resolving general legal or policy issues regarding the application of exemptions.

Search means the process of looking for and retrieving records or information responsive to a request. It includes page-by-page or line-by-line identification of information within records and also includes reasonable efforts to locate and retrieve information from Records maintained in electronic form or format.

§ 1000.2 Purpose.

These regulations describe how the Board implements the requirements of the Freedom of Information Act, 5 U.S.C. 552 *et seq.*, and the procedures by which records may be obtained from the Board. Official records of the Board made available pursuant to FOIA shall be furnished to members of the public

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only pursuant to statute and as prescribed in these regulations.

§ 1000.3 Authority and functions of Board.

The Board advises the President and other senior Executive Branch officials to ensure that concerns with respect to privacy and civil liberties are appropriately considered in the implementation of all laws, regulations, and Executive Branch policies related to efforts to protect the Nation against terrorism. This includes advising on whether adequate guidelines, supervision, and oversight exist to protect these important legal rights of all Americans. The Board was established by the Intelligence Reform and Terrorism Prevention Act of 2004 (Pub. L. No. 108-458).

§ 1000.4 Other information.

Additional information regarding the Board, including its members, organization, public statements, and relevant legislation, may be located on its Web site: <http://www.privacyboard.gov>.

§ 1000.5 Public reference.

(a) The Board will make available for public inspection a copy of all material required to be made public by 5 U.S.C. 552(a)(2), including all documents published by the Board in the FEDERAL REGISTER and currently in effect. This material will also be available on the Board's Web site, <http://www.privacyboard.gov>.

(b) In order to view documents maintained pursuant to § 1000.5(a), members of the public should contact the Board at (202) 456-1240 or by e-mail at privacyboard@who.eop.gov.

(c) The FOIA Officer shall also maintain a file open to the public, which shall contain copies of all grants or denials of appeals by the Board.

(d) The public may contact the Board's Chief FOIA Officer and the Public Liaison by writing to the address listed in § 1000.6(a) or by calling (202) 456-1240.

§ 1000.6 How to request records.

(a) A request for records pursuant to FOIA must be submitted in writing. An individual may submit a request via mail: FOIA Officer, Privacy and Civil