

names and addresses otherwise permitted to be made public.

## PART 201—PUBLIC INFORMATION AND REQUESTS

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AUTHORITY: 5 U.S.C. 301, 5 U.S.C. 552 as amended; Executive Order 12600, 3 CFR, 1987 Comp., p. 235.

SOURCE: 74 FR 60132, Nov. 20, 2009, unless otherwise noted.

### § 201.1 Scope.

This part sets forth the policies and procedures of the Recovery Accountability and Transparency Board (Board) regarding public access to documents under the Freedom of Information Act (FOIA or the Act), 5 U.S.C. 552. The provisions in the Act shall take precedence over any part of the Board's regulations in conflict with the Act. This part gives the procedures the public may use to inspect and obtain copies of Board records under the FOIA, including administrative procedures which must be exhausted before a requestor invokes the jurisdiction of an appropriate United States District Court for the Board's failure to respond to a proper request within the statutory time limits, for a denial of Board records or challenges to the adequacy of a search, or for denial of fee waiver.

### § 201.2 Definitions.

For words used in this document, unless the context indicates otherwise, singular includes the plural, plural in-

cludes the singular, present tense includes the future tense, and words of one gender include the other gender.

(a)(1) *Agency records*—Materials that are in the control of the Board and associated with Board business, including:

- (i) Materials produced by the Board.
- (ii) Materials produced by staff for the Board.
- (iii) Materials distributed by presenters at a Board meeting or Board Committee meeting.

(2) All references to records include the entire record and/or any part of the record.

(b) *Board*—The Recovery Accountability and Transparency Board.

(c) *Chairman*—The Chairman of the Board is designated or appointed by the President.

(d) *Designated FOIA Officer*—The person designated to administer the Board's activities in regard to the regulations in this part. The FOIA Officer shall be:

(1) The Board officer having custody of, or responsibility for, agency records in the possession of the Board.

(2) The Board officer having responsibility for authorizing or denying production of records from requests filed under the FOIA.

(e) *Executive Director*—The chief operating officer of the Board.

(f) *Member*—An individual appointed to serve on the Board pursuant to Title XV, Subtitle B of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111–5).

(g) *Days*—Standard working days, excluding weekends and federal holidays.

### § 201.3 Publicly available documents and electronic reading room.

(a) Many Board records are available electronically at the Board's Web site (<http://www.recovery.gov>).

(b) Records available electronically on the Board's Web site include:

- (1) The rules and regulations of the Board.
- (2) Statements of policy adopted by the Board.

(3) Board reports to the President and Congress, including the Committees on Appropriations of the Senate and House of Representatives.