PART 1700—ORGANIZATION AND FUNCTIONS

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SOURCE: 63 FR 51533, Sept. 28, 1998, unless otherwise noted.

§ 1700.1 Purpose.
The National Commission on Libraries and Information Science (NCLIS):
(a) Advises the President and the Congress on library and information services adequate to meet the needs of the people of the United States;
(b) Advises Federal, State, and local governments, and other public and private organizations regarding library services and information science, including consultations on relevant treaties, international agreements, and implementing legislation; and
(c) Promotes research and development activities to extend and improve the nation’s library and information handling capabilities as essential links in national and international networks.

§ 1700.2 Functions.
The Commission’s functions include the following:
(a) Developing and recommending overall plans for library and information services adequate to meet the needs of the people of the United States;
(b) Coordinating, at the Federal, State and local levels, implementation of the plans referred to in paragraph (a) of this section and related activities;
(c) Conducting studies, surveys and analyses of, and hearings on, the library and informational needs of the Nation, including the special needs of rural areas, economically, socially or culturally deprived persons and the elderly;
(d) Evaluating the means by which the needs referred to in paragraph (c) of this section may be met through the establishment or improvement of information centers and libraries;
(e) Appraising the adequacies and deficiencies of current library and information resources and services; and
(f) Evaluating current library and information science programs.

§ 1700.3 Membership.
(a) The Commission is composed of the Librarian of Congress, the Director of the Institute of Museum and Library Services (who serves as an ex officio, nonvoting member), and 14 members appointed by the President, by and with the advice and consent of the Senate.
(b) The President designates one of the members of the Commission as the Chairperson.

§ 1700.4 Chairperson.
(a) To facilitate its work, the Commission from time to time delegates to the Chairperson various duties and responsibilities.
(b) The Commission records formal delegation of the duties and responsibilities referred to in paragraph (a) of this section in resolutions and in the minutes of its meetings.
(c) The Chairperson may delegate the duties and responsibilities referred to in paragraph (a) of this section, as necessary, to other Commissioners or the Executive Director of the Commission.

§ 1700.5 Executive Director.
(a) The Executive Director serves as the administrative and technical head of the Commission staff, directly responsible for managing its day-to-day operations and assuring that Commission operations conform to all applicable Federal laws.
(b) The Executive Director is directly responsible to the Commission, works under the general direction of the Chairperson, and assists the Chairperson in carrying out the Commission’s organizational and administrative responsibilities.
(c) The Executive Director acts as the principal staff advisor to the Chairperson and Commissioners, participating with the Commissioners in the development, recommendation and implementation of overall plans and policies to achieve the Commission’s goals.
(d) To facilitate its work, the Commission from time to time delegates to
the Executive Director various duties and responsibilities.

(e) The Commission records formal
delegation of the duties and respons-
sibilities referred to in paragraph (d) of
this section in resolutions and in the
minutes of its meetings.

(f) The Executive Director may dele-
gate the duties and responsibilities re-
ferred to in paragraph (d) of this sec-
tion, as necessary, to other members of
the Commission staff.

PART 1701—DISCLOSURE OF
INFORMATION

§ 1701.1 Statement of policy.
The records of the National Commis-
sion on Libraries and Information
Science shall be available to the fullest
extent possible consistent with the
terms and policies of 5 U.S.C. section
552 and on request will be promptly fur-
nished to any member of the public.

(39 FR 38679, Nov. 4, 1974)

§ 1701.2 Disclosure of records and in-
formational materials.

(a) With the exception of records and
materials exempt from disclosure pur-
suant to paragraph (b) of this section,
any person in accordance with the pro-
cedure provided in §1701.3 may inspect
and copy any document of the National
Commission on Libraries and Informa-
tion Science.

(b) The provisions of 5 U.S.C. section
552 which require that agencies make
their records available for public in-
spection and copying do not apply to
Commission records which are:

(1)(i) Specifically authorized under
criteria established by an Executive
Order to be kept secret in the interest
of national defense or foreign policy
and (ii) are in fact properly classified
pursuant to such Executive Order;

(2) Related solely to the internal per-
sonnel rules and practices of the Com-
mission;

(3) Specifically exempted from disclo-
sure by statute;

(4) Trade secrets and information
which is privileged or which relates to
the business, personal or financial af-
fairs of any person and which is fur-
nished in confidence;

(5) Inter-agency and intra-agency
memoranda or letters which would not
be available by law to a private party
in litigation with the Commission;

(6) Personnel, medical and similar
files the disclosure of which would con-
stitute a clearly unwarranted invasion
of personal privacy;

(7) Investigatory records compiled for
law enforcement purposes, but only to
the extent that the production of such
records would: (i) Interfere with en-
forcement proceedings, (ii) deprive a
person of a right to a fair trial or an
impartial adjudication, (iii) constitute
an unwarranted invasion of personal
privacy, (iv) disclose the identity of a
confidential source and, in the case of
a record compiled by a criminal law en-
forcement authority in the course of a
criminal investigation, or by an agency
conducting a lawful national security
intelligence investigation, confidential
information furnished only by the con-
fidential source, (v) disclose investiga-
tive techniques and procedures, or (vi)
endanger the life or physical safety of
law enforcement personnel.

(8) Contained in or related to exam-
nation, operating or condition reports
prepared by, on behalf of, or for the use
of an agency responsible for the regula-
tion or supervision of financial institu-
tions; or

(9) Geological and geophysical infor-
mation and data, including maps, con-
cerning wells.

(c) The Commission shall maintain
and make available for public inspec-
tion and copying a current index pro-
viding identifying information for the
public as to any matter issued, adopt-
ed, or promulgated by the Commission
since its creation on July 20, 1970, and
required by section 552(a)(2) of title 5 to
be made available or published. How-
ever, in accordance with 5 U.S.C.
552(a)(4)(A) the Commission deems that
publication of the index or supplements