

§ 2.290

43 CFR Subtitle A (10–1–14 Edition)

(d) Under 28 U.S.C. 1733, Federal Rule of Civil Procedure 44(a)(1), or comparable State or Tribal law, a request for an authenticated copy of a Department record may be granted by the person having the legal custody of the record. If you believe that you have custody of a record:

- (1) Consult your delegated authority to determine if you can grant a request for authentication of records; and
- (2) Consult the Solicitor’s Office or, in the case of the Office of Inspector General, its General Counsel, concerning the proper form of the authentication (as authentication requirements may vary by jurisdiction).

§ 2.290 Must I get approval before testifying as an expert witness on a subject outside the scope of my official duties?

(a) You must comply with 5 CFR 2635.805(c), which details the authoriza-

tion procedure for an employee to testify as an expert witness, not on behalf of the United States, in any judicial or administrative proceeding in which the United States is a party or has a direct and substantial interest. This procedure means:

- (1) You must obtain the written approval of your Deputy Ethics Official;
- (2) You must be in an approved leave status if you testify during duty hours; and
- (3) You must state for the record that you are appearing as a private individual and that your testimony does not represent the official views of the Department.

(b) If you testify as an expert witness on a matter outside the scope of your official duties, and which is not covered by paragraph (a) of this section, you must comply with 5 CFR 2635.802 and 5 CFR 3501.105.

APPENDIX A TO PART 2—FEE SCHEDULE

Types of Records	Fee
(1) Physical records: Pages no larger than 8.5 × 14 inches, when reproduced by standard office copying machines or scanned into an electronic format	\$.15 per page (\$.30 for double-sided copying).
Color copies of pages no larger than 8.5 × 11 inches	\$.90 per page.
Pages larger than 8.5 × 14 inches	Direct cost to DOI.
Color copies of pages no larger than 11 × 17 inches	\$1.50 per page.
Photographs and records requiring special handling (for example, because of age, size, or format).	Direct cost to DOI.
(2) Electronic records: Charges for services related to processing requests for electronic records	Direct cost to DOI.
(3) Certification	Fee.
Each certificate of verification attached to authenticate copies of records	\$.25
(4) Postage: Charges that exceed the cost of first class postage, such as express mail or overnight delivery	Postage or delivery charge.
(5) Other Services: Cost of special services or materials, other than those provided for by this fee schedule, when requester is notified of such costs in advance and agrees to pay them.	Direct cost to DOI.

[77 FR 76914, Dec. 31, 2012]

APPENDIX B TO PART 2—MINERAL LEASING ACT AND MINERAL LEASING ACT FOR ACQUIRED LANDS—SPECIAL RULES

(a) *Definitions.* As used in the section:

(1) *Exploration license* means a license issued by the Secretary of the Interior to conduct coal exploration operations on land subject to the Mineral Leasing Act, under 30 U.S.C. 201(b), or subject to the Mineral Leasing Act for Acquired Lands, under 30 U.S.C. 351–360.

(2) *Fair-market value of coal to be leased* means the minimum amount of a bid the Secretary is willing to accept in leasing coal within leasing tracts offered in general lease sales or reserved and offered for lease to public bodies, including Federal agencies, rural electric cooperatives, or non-profit corporations controlled by any of such entities, under 30 U.S.C. 201(a)(1) or 30 U.S.C. 351–360.

(3) *Information* means data, statistics, samples and other facts, whether analyzed or processed or not, pertaining to Federal coal resources.