

Miscellaneous Agencies

§ 456.2

of the Chairman's determination under 5 U.S.C. 552a(g)(1)(A).

§ 455.9 Disclosure of record to a person other than the individual to whom the record pertains.

An individual to whom a record is to be disclosed in person may have a person of his or her own choosing accompany the individual when the record is disclosed.

§ 455.10 Fees.

(a) The Commission will not charge an individual for the costs of making a search for a record or the costs of reviewing the record. When the Commission makes a copy of a record as a necessary part of the process of disclosing the record to an individual, the Commission will not charge the individual for the cost of making that copy.

(b) If an individual requests the Commission to furnish him or her with a copy of the record (when a copy has not otherwise been made as a necessary part of the process of disclosing the record to the individual), the Commission will charge a fee of \$0.25 per page (maximum per page dimension of 8½ × 13 inches) to the extent that the request exceeds \$5.00 in cost to the Commission. Requests not exceeding \$5.00 in cost to the Commission will be met without cost to the requester.

§ 455.11 Penalties.

Title 18 U.S.C. 1001, Crimes and Criminal Procedures, makes it a criminal offense, subject to a maximum fine of \$10,000 or imprisonment for not more than five years or both, to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States. Section 552a(i)(3) of the Privacy Act (5 U.S.C. 552a(i)(3)), makes it a misdemeanor, subject to a maximum fine of \$5,000, to knowingly and willfully request or obtain any record concerning an individual under false pretenses. Section 552a(i) (1) and (2) of the Privacy Act (5 U.S.C. 552a(i) (1) and (2)) provide penalties for violations by agency employees of the Privacy Act or regulations established thereunder.

§ 455.12 Exemptions.

No Commission records system is exempted from the provisions of 5 U.S.C. 552a as permitted under certain conditions by 5 U.S.C. 552a (j) and (k).

PART 456—NATIONAL CAPITAL PLANNING COMMISSION FREEDOM OF INFORMATION ACT

Sec.

- 456.1 General information.
- 456.2 Organization.
- 456.3 Definitions.
- 456.4 General policy.
- 456.5 Public reading rooms and information routinely available.
- 456.6 FOIA request requirements.
- 456.7 FOIA response requirements.
- 456.8 Multi-track processing.
- 456.9 Expedited processing.
- 456.10 Consultations and referrals.
- 456.11 Classified and controlled unclassified information.
- 456.12 Confidential commercial information.
- 456.13 Appeals.
- 456.14 Fees.
- 456.15 Fee waiver requirements.
- 456.16 Preservation of FOIA records.

AUTHORITY: 40 U.S.C. 8701 *et seq.*, as amended and 5 U.S.C. 552, as amended.

SOURCE: 79 FR 10952, Feb. 27, 2014, unless otherwise noted.

§ 456.1 General information.

This part contains the rules the National Capital Planning Commission (NCPCC or Commission) shall follow in processing third party Requests for Records concerning the activities of the NCPCC under the Freedom of Information Act (FOIA), 5 U.S.C. 552, as amended. Requests made by a U.S. citizen or an individual lawfully admitted for permanent residence to access his or her own records under the Privacy Act, 5 U.S.C. 552a are processed under this part and in accordance with part 455 of Title 1 of the Code of Federal Regulations (CFR) to provide the greatest degree of access while safeguarding an individual's personal privacy. Information routinely provided to the public as part of regular NCPCC activity shall be provided to the public without regard to this part.

§ 456.2 Organization.

(a) The NCPCC serves as the planning agency for the federal government in