NATIONAL SECURITY COUNCIL

32 CFR Part 2101

Freedom of Information Act Requests for Classified Documents—Processing, Fees, Reports, Applicable Material, Declassification Criteria, Partial Release

AGENCY: National Security Council.

ACTION: Removal of final rule.

SUMMARY: This action removes the National Security Council regulations for processing FOIA requests for classified documents. The National Security Council is an entity within the Executive Office of the President that exists solely to advise and assist the President in the discharge of his constitutionally based responsibilities over the national security affairs of the United States, and thus NSC records are not subject to disclosure under the Freedom of Information Act. This action is consistent with the holding of the U.S. Court of Appeals for the District of Columbia in *Armstrong, et al.* v. *Executive Office of the President, et al.*, 90 F.3d 553 (1996), *cert. denied*, 117 S. Ct. 1842 (1997). Requesters may continue to seek access to NSC documents by writing to the National Security Council, Access Management Staff, Washington, DC 20504.

EFFECTIVE DATE: June 8, 1998.

FOR FURTHER INFORMATION CONTACT: Rod Soubers, 202–456–9201.

SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 2101

Freedom of information.

PART 2101—[REMOVED]

Accordingly, by the authority of 44 U.S.C. 2201 and 50 U.S.C. 402, 32 CFR part 2101 is removed.

Glyn T. Davies,

Executive Secretary.

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