

PART 1700—ORGANIZATION AND FUNCTIONS

- Sec.
1700.1 Purpose.
1700.2 Functions.
1700.3 Membership.
1700.4 Chairperson.
1700.5 Executive Director.

AUTHORITY: 5 U.S.C. 552; 20 U.S.C. 1501 *et seq.*

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 responsibilities referred to in paragraph (d) of this section in resolutions and in the minutes of its meetings.

(f) The Executive Director may delegate the duties and responsibilities referred to in paragraph (d) of this section, as necessary, to other members of the Commission staff.

PART 1701—DISCLOSURE OF INFORMATION

Sec.

1701.1 Statement of policy.

1701.2 Disclosure of records and informational materials.

1701.3 Requests.

1701.4 Fees.

1701.5 Prompt response.

1701.6 Form of denial.

1701.7 Appeals.

AUTHORITY: 5 U.S.C. 552, 20 U.S.C. 1501 et seq.

§ 1701.1 Statement of policy.

The records of the National Commission 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 furnished to any member of the public.

[39 FR 39879, Nov. 4, 1974]

§ 1701.2 Disclosure of records and informational materials.

(a) With the exception of records and materials exempt from disclosure pursuant to paragraph (b) of this section, any person in accordance with the procedure provided in §1701.3 may inspect and copy any document of the National Commission on Libraries and Information Science.

(b) The provisions of 5 U.S.C. section 552 which require that agencies make their records available for public inspection 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 personnel rules and practices of the Commission;

(3) Specifically exempted from disclosure by statute;

(4) Trade secrets and information which is privileged or which relates to the business, personal or financial affairs of any person and which is furnished 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 constitute 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 enforcement 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 enforcement 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 confidential source, (v) disclose investigative techniques and procedures, or (vi) endanger the life or physical safety of law enforcement personnel.

(8) Contained in or related to examination, operating or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(9) Geological and geophysical information and data, including maps, concerning wells.

(c) The Commission shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter issued, adopted, 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. However, in accordance with 5 U.S.C. 552(a)(4)(A) the Commission deems that publication of the index or supplements