Office of the Secretary of the Treasury

§ 1.1 General.

(a) Purpose and scope. (1) This subpart contains the regulations of the Department of the Treasury implementing the Freedom of Information Act (FOIA), 5 U.S.C. 552, as amended by the Electronic Freedom of Information Act Amendments of 1996. The regulations set forth procedures for requesting access to records maintained by the Department of the Treasury. These regulations apply to all components of the Department of the Treasury. Any reference in this subpart to the Department or its officials, employees, or records shall be deemed to refer also to the components or their officials, employees, or records. Persons interested in the records of a particular component should also consult the appendix to this subpart that pertains to that component. In connection with such publication, and at other appropriate times, components may issue supplementary regulations applicable only to the component in question, which are consistent with these regulations. In the event of any actual or apparent inconsistency, these Departmental regulations shall govern. Persons interested in the records of a particular component should, therefore, also consult the Code of Federal Regulations for any rules or regulations promulgated specifically with respect to that component (see Appendices to this subpart for cross references). The head of each component is hereby authorized to substitute the officials designated and change the addresses specified in the appendix to this subpart applicable to the components. The components of the Department of the Treasury for the purposes of this subpart are the following offices and bureaus:

(i) The Departmental Offices, which include the offices of:
(A) The Secretary of the Treasury, including immediate staff;
(B) The Deputy Secretary of the Treasury, including immediate staff;
(C) The Chief of Staff, including immediate staff;
(D) The Executive Secretary of the Treasury and all offices reporting to such official, including immediate staff;
(E) Under Secretary (International Affairs) and all offices reporting to such official, including immediate staff;
(F) Assistant Secretary (International Economics and Development) and all offices reporting to such official, including immediate staff;
(G) Assistant Secretary (Financial Markets and Investment Policy) and all offices reporting to such official, including immediate staff;
(H) Under Secretary (Domestic Finance) and all offices reporting to such official, including immediate staff;
(I) Fiscal Assistant Secretary and all offices reporting to such official, including immediate staff;
(J) Assistant Secretary (Financial Institutions) and all offices reporting to such official, including immediate staff;
(K) Assistant Secretary (Financial Markets) and all offices reporting to

Appendix A to Subpart C—Departmental Offices
Appendix B to Subpart C—Internal Revenue Service
Appendix C to Subpart C—United States Customs Service
Appendix D to Subpart C—United States Secret Service
Appendix E to Subpart C—Bureau of Alcohol, Tobacco and Firearms
Appendix F to Subpart C—Bureau of Engraving and Printing
Appendix G to Subpart C—Financial Management Service
Appendix H to Subpart C—United States Mint
Appendix I to Subpart C—Bureau of the Public Debt
Appendix J to Subpart C—Office of the Comptroller of the Currency
Appendix K to Subpart C—Federal Law Enforcement Training Center
Appendix L to Subpart C—Office of Thrift Supervision
Appendix M to Subpart C [Reserved]
Appendix N to Subpart C—Financial Crimes Network


Source: 52 FR 28305, July 14, 1987, unless otherwise noted.

Subpart A—Freedom of Information Act

Source: 65 FR 40504, June 30, 2000, unless otherwise noted.
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such official, including immediate staff;

(L) Assistant Secretary (Financial Stability) and all offices reporting to such official, including immediate staff;

(M) Under Secretary (Terrorism & Financial Intelligence) and all offices reporting to such official, including immediate staff;

(N) Assistant Secretary (Terrorist Financing) and all offices reporting to such official, including immediate staff;

(O) Assistant Secretary (Intelligence and Analysis) and all offices reporting to such official, including immediate staff;

(P) General Counsel and all offices reporting to such official, including immediate staff; except legal counsel to the components listed in paragraphs (a)(1)(i)(W), (a)(1)(i)(X), (a)(1)(i)(Y), and (a)(1)(ii) through (x) of this section;

(Q) Treasurer of the United States including immediate staff;

(R) Assistant Secretary (Legislative Affairs) and all offices reporting to such official, including immediate staff;

(S) Assistant Secretary (Public Affairs) and all offices reporting to such official, including immediate staff;

(T) Assistant Secretary (Economic Policy) and all offices reporting to such official, including immediate staff;

(U) Assistant Secretary (Tax Policy) and all offices reporting to such official, including immediate staff;

(V) Assistant Secretary (Management) and Chief Financial Officer, and all offices reporting to such official, including immediate staff;

(W) The Inspector General, and all offices reporting to such official, including immediate staff;

(X) The Treasury Inspector General for Tax Administration, and all offices reporting to such official, including immediate staff;

(Y) The Special Inspector General for the Troubled Asset Relief Program, and all offices reporting to such official, including immediate staff;

(ii) Alcohol and Tobacco Tax and Trade Bureau.

(iii) Bureau of Public Debt.

(iv) Financial Management Service.

(v) Internal Revenue Service.

(vi) Comptroller of the Currency.

(vii) Office of Thrift Supervision.

(viii) Bureau of Engraving and Printing.

(ix) United States Mint.

(x) Financial Crimes Enforcement Network.

(2) For purposes of this subpart, the office of the legal counsel for the components listed in paragraphs (a)(1)(i)(W), (a)(1)(i)(X), (1)(i)(Y) and (a)(1)(ii) through (x) of this section, are to be considered a part of their respective component. Any office which is now in existence or may hereafter be established, which is not specifically listed or known to be a component of any of those listed above, shall be deemed a part of the Departmental Offices for the purpose of these regulations.

(b) Definitions. As used in this subpart, the following terms shall have the following meanings:

(1) Agency has the meaning given in 5 U.S.C. 551(1) and 5 U.S.C. 552(f).

(2) Appeal means a request for a review of an agency’s determination with regard to a fee waiver, category of requester, expedited processing, or denial in whole or in part of a request for access to a record or records.

(3) Bureau means an entity of the Department of the Treasury that is authorized to act independently in disclosure matters.

(4) Business information means trade secrets or other commercial or financial information.

(5) Business submitter means any entity which provides business information to the Department of the Treasury or its bureaus and which has a proprietary interest in the information.

(6) Computer software means tools by which records are created, stored, and retrieved. Normally, computer software, including source code, object code, and listings of source and object codes, regardless of medium, are not agency records. However, when data are embedded within the software and cannot be extracted without the software, the software may have to be treated as an agency record. Proprietary (or copyrighted) software is not an agency record.
§ 1.3  Publication in the Federal Register.

(a) General. The FOIA (5 U.S.C. 552) provides for access to information and records developed or maintained by Federal agencies. The provisions of section 552 are intended to assure the right of the public to information. Generally, this section divides agency information into three major categories and provides methods by which each category of information is to be made available to the public. The three major categories of information are as follows:

1. Information required to be published in the Federal Register (see §1.3);
2. Information required to be made available for public inspection and copying or, in the alternative, to be published and offered for sale (see §1.4); and
3. Information required to be made available to any member of the public upon specific request (see §1.5).