

§ 1101.5

(C) When the Council acts under § 1101.4(b)(5)(vii) (A) or (B), the administrative time limits prescribed in subsection (a)(6) of the FOIA (i.e., 10 working days from receipt of initial requests and 20 working days from receipt of appeals from initial denial, plus permissible extensions of these time limits) will begin only after the Council has received the fee payments described.

(6) *Records of another agency.* If a requested record is the property of another federal agency or department, and that agency or department, either in writing or by regulation, expressly retains ownership of such record, upon receipt of a request for the record the Council will promptly inform the requester of this ownership and immediately shall forward the request to the proprietary agency or department either for processing in accordance with the latter's regulations or for guidance with respect to disposition.

[45 FR 46794, July 11, 1980, as amended at 53 FR 7341, Mar. 8, 1988]

§ 1101.5 Testimony and production of documents in response to subpoena, order, etc.

No person shall testify, in court or otherwise, as a result of activities on behalf of the Council without prior written authorization from the Council. This section shall not restrict the authority of a Council member to testify before Congress on matters within his or her official responsibilities as a Council member. No person shall furnish documents reflecting information of the Council in compliance with a subpoena, order, or otherwise, without prior written authorization from the Council. The Council may authorize testimony or production of documents after the litigant (or the litigant's attorney) submits an affidavit to the Council setting forth the interest of the litigant and the testimony or documents desired. Authorization to testify or produce documents is limited to authority expressly granted by the Council. When the Council has not authorized testimony or production of documents, the individual to whom the subpoena or order has been directed will appear in court and respectfully state that he or she is unable to comply fur-

ther with the subpoena or order by reason of this section.

PART 1102—APPRAISER REGULATION

Subpart A—Temporary Waiver Requests

Sec.

- 1102.1 Authority, purpose, and scope.
- 1102.2 Requirements for requests.
- 1102.3 Other requests and information submissions.
- 1102.4 Notice and comment.
- 1102.5 Subcommittee determination.
- 1102.6 Waiver extension.
- 1102.7 Waiver termination.

Subpart B—Rules of Practice for Proceedings

- 1102.20 Authority, purpose, and scope.
- 1102.21 Definitions.
- 1102.22 Appearance and practice before the Subcommittee.
- 1102.23 Formal requirements as to papers filed.
- 1102.24 Filing requirements.
- 1102.25 Service.
- 1102.26 When papers are deemed filed or served.
- 1102.27 Computing time.
- 1102.28 Documents and exhibits in proceedings public.
- 1102.29 Conduct of proceedings.
- 1102.30 Rules of evidence.
- 1102.31 Burden of proof.
- 1102.32 Notice of Intention to Commence a Proceeding.
- 1102.33 Rebuttal or Notice Not To Contest.
- 1102.34 Briefs, memoranda and statements.
- 1102.35 Opportunity for informal settlement.
- 1102.36 Oral presentations.
- 1102.37 Decision of the Subcommittee and judicial review.
- 1102.38 Compliance activities.
- 1102.39 Duty to cooperate.

Subpart C—Rules Pertaining to the Privacy of Individuals and Systems of Records Maintained by the Appraisal Subcommittee

- 1102.100 Authority, purpose and scope.
- 1102.101 Definitions.
- 1102.102 Times, places and requirements for requests pertaining to individual records in a record system and for the identification of individuals making requests for access to records pertaining to them.
- 1102.103 Disclosure of requested records.
- 1102.104 Special procedure: Medical records.
- 1102.105 Requests for amendment of records.
- 1102.106 Review of requests for amendment.