

**THE PRESIDIO TRUST
BOARD OF DIRECTORS**

RESOLUTION 99-4
**ADOPTION OF FINAL REGULATIONS RE: FREEDOM OF INFORMATION,
PRIVACY, AND FEDERAL TORT CLAIMS ACTS**

WHEREAS, Title I of P.L. 104-333 authorizes the Presidio Trust to adopt and to enforce such rules and regulations as may be necessary and appropriate to carry out its duties and responsibilities; and

WHEREAS, the staff of the Presidio Trust has drafted a proposed version of the Regulations provided herewith (concerning the Freedom of Information Act, the Privacy Act, and the Federal Tort Claims Act), with direction from members of the Presidio Trust Board of Directors, and in consultation with the Secretary of the Interior and his designees, which proposed version was published in the Federal Register on September 18, 1998; and

WHEREAS, public comment on the proposed version of the Regulations provided herewith was sought for a period of 60 days, which public comment period closed on November 17, 1998; and

WHEREAS, the Presidio Trust has considered all comments received and revised the Regulations accordingly; and

WHEREAS, the Presidio Trust has reviewed the Environmental Assessments performed on the proposed version of the Regulations, and issued a finding of no significant impact concerning the proposed version of the Regulations; and

WHEREAS, the revisions to the proposed version of the Regulations are not substantial;

NOW, THEREFORE, BE IT RESOLVED, that the Presidio Trust Board of Directors has determined, on the basis of the Environmental Assessment on the proposed version of these Regulations and for the reasons stated therein, not to prepare an environmental impact statement and instead to issue a finding of no significant impact for the adoption of these Regulations as final regulations; and

BE IT FURTHER RESOLVED, that the Presidio Trust adopts the Regulations provided herewith as final regulations, to be effective 30 days after they are published in the Federal Register; and

BE IT FURTHER RESOLVED, that the Board of Directors directs the Executive Director, in consultation with the General Counsel, to take such steps as may be necessary to have these Regulations (including such non-substantive changes as may be necessary thereto) published in the Federal Register forthwith as final regulations, together with a preamble describing their import and the Presidio Trust's compliance with applicable requirements; and

BE IT FURTHER RESOLVED, that fees to be charged for providing photocopies and other services to requesters pursuant to the Freedom of Information Act and the Privacy Act shall be set at the level that recoups the full direct costs to the Presidio Trust that are allowable under these statutes and the Presidio Trust's regulations, consistent with the Uniform Freedom of Information Act Fee Schedule and Guidelines promulgated by the Office of Management and Budget at 52 Fed. Reg. 10012 (Mar. 27, 1987); and

BE IT FURTHER RESOLVED, that the Executive Director shall periodically determine the full allowable direct costs to the Presidio Trust of providing photocopies and other services to requesters under the Freedom of Information Act and the Privacy Act and shall include a schedule of such fees to be charged in the Presidio Trust's current Compendium.

Adopted: December 14, 1998