

**THE PRESIDIO TRUST
BOARD OF DIRECTORS**

**RESOLUTION 09-17
FINAL TOUHY REGULATIONS**

WHEREAS, 16 U.S.C. §460bb appendix 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, in the *United States ex rel. Touhy v. Ragen*, 340 U.S. 462 (1951) the United States Supreme Court upheld regulations governing the circumstances and manner in which a federal agency employee may respond to demands for testimony or for the production of documents in which the agency or the United States is not a party; and

WHEREAS, the Presidio Trust Board of Directors found it desirable to adopt such regulations for the orderly and efficient conduct of business and via Resolution 09-9 authorized the publication of proposed *Touhy* regulations to solicit public comment; and

WHEREAS, proposed *Touhy* regulations were published and made available for public comment through April 20, 2009;

WHEREAS, the Board of Directors desires to adopt final *Touhy* regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Presidio Trust Board of Directors hereby proposes to adopt the *Touhy* regulations attached hereto as part of the Presidio Trust's regulations; 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 publish in the Federal Register a notice of the Presidio Trust's final *Touhy* regulations as attached hereto, together with a preamble describing their import, as soon as may be practicable.

Adopted: June 2, 2009