

23.105 Exemption authority.

(a) The head of an agency *may* exempt-

(1) Intelligence activities of the *United States*, and related personnel, resources, and facilities, to the extent the Director of National Intelligence or *agency head* determines it necessary to protect intelligence sources and methods from unauthorized disclosure;

(2) Law enforcement activities of that agency and related personnel, resources, and facilities, to the extent the head of an agency determines it necessary to protect undercover operations from unauthorized disclosure;

(3) Law enforcement, protective, *emergency* response, or military tactical vehicle fleets of that agency; and

(4) Agency activities and facilities in the interest of national security.

(b) If the *head of the agency* issues an exemption under paragraph (a) of this section, the agency *must* notify the Chair of the Council on *Environmental* Quality *in writing* within 30 days of the issuance of the exemption.

(c) The *agency head may* submit through the Chair of the Council on *Environmental* Quality a request for exemption of an agency activity other than those activities listed in paragraph (a) of this section and related personnel, resources, and facilities.

Parent topic: [Subpart 23.1 - Sustainable Acquisition Policy](#)