



Federal Register

**Tuesday,
May 27, 2003**

Part XXX

**National Archives
and Records
Administration**

Semiannual Regulatory Agenda

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Ch. XII

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: National Archives and Records Administration.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda announces the proposed regulatory actions that the

National Archives and Records Administration (NARA) plans for the next 12 months and those actions that have been completed since the fall of 2002. This agenda was developed under the guidelines in OMB's Memorandum for Regulatory Policy Officers at Executive Departments and Agencies and Managing and Executive Directors of Certain Agencies and Commissions, dated January 29, 2003. NARA's purpose in publishing this agenda is to allow interested persons an opportunity to have more comprehensive documentation of NARA's regulatory

plans and to participate in the rulemaking process. Some of the regulations listed in the agenda are considered significant under Executive Order 12866, "Regulatory Planning and Review."

FOR FURTHER INFORMATION CONTACT: Nancy Allard, Regulatory Contact, Policy and Communications Staff, (301) 837-1477.

Dated: March 18, 2003.

John W. Carlin,
Archivist of the United States.

National Archives and Records Administration—Prerule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|----------------------------------|----------------------------------|
| 3483 | Federal Records Management | 3095-AB16 |

National Archives and Records Administration—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 3484 | Nondiscrimination in Federally Assisted Programs—Implementation of Title VI of the Civil Rights Act of 1964 | 3095-AB09 |
| 3485 | Revision of NARA Research Room Procedures | 3095-AB10 |
| 3486 | Restrictions on the Use of Records | 3095-AB11 |
| 3487 | Public Use of NARA Facilities | 3095-AB17 |
| 3488 | Information Security Oversight Office; Classified National Security Information | 3095-AB18 |
| 3489 | Official Seals and Logos | 3095-AB19 |
| 3490 | Nondiscrimination on the Basis of Handicap when Receiving Federal Financial Assistance | 3095-AB21 |

National Archives and Records Administration—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 3491 | Presidential Library Facilities | 3095-AA82 |
| 3492 | Implementation of OMB Circular A-110, Section 36 | 3095-AA96 |
| 3493 | NARA Facilities—Phone Numbers | 3095-AB20 |

National Archives and Records Administration—Long-Term Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 3494 | Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants) | 3095-AB04 |
| 3495 | Records Management; Electronic Text Documents | 3095-AB05 |

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National Archives and Records Administration—Completed Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 3496 | Expanding Transfer Options for Electronic Records | 3095-AB03 |
| 3497 | NARA Official Seals | 3095-AB12 |

National Archives and Records Administration (NARA)

Prerule Stage

3483. FEDERAL RECORDS MANAGEMENT**Priority:** Other Significant**Legal Authority:** 44 USC 2104(a); 44 USC ch 21; 44 USC ch 29; 44 USC ch 33**CFR Citation:** 36 CFR 1201**Legal Deadline:** None**Abstract:** As part of its initiative to redesign Federal records management, NARA is reviewing its records

management regulations in 36 CFR ch. XII, subchapter B to ensure that the regulations are appropriate, effective, and clear. Where needed, we intend to develop updated regulations.

Timetable:

| Action | Date |
|--------------|----------|
| Begin Review | 09/17/02 |
| End Review | 12/00/03 |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Nancy Allard, Regulatory Contact, National Archives and Records Administration, Room 4100, NPOL, 8601 Adelphi Road, College Park, MD 20740-6001
Phone: 301 837-1850
Fax: 301 837-0319
Email: nancy.allard@nara.gov**RIN:** 3095-AB16

National Archives and Records Administration (NARA)

Proposed Rule Stage

3484. NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS—IMPLEMENTATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**Priority:** Other Significant**Legal Authority:** 44 USC 2104(a); 42 USC 2000d to 2000d-7; EO 12250**CFR Citation:** 36 CFR 1213**Legal Deadline:** None**Abstract:** NARA is adopting Governmentwide regulations on nondiscrimination on the grounds of race, color, or national origin in any program or activity receiving Federal financial assistance from NARA. These regulations will affect the National Historical Publications and Records Commission grant program.**Timetable:**

| Action | Date |
|--------|----------|
| NPRM | 12/00/03 |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local**Federalism:** Undetermined**Agency Contact:** Kimberly Richardson, Policy Specialist, National Archivesand Records Administration, Room 4100, 8601 Adelphi Road, College Park, MD 20602-6001
Phone: 301 837-1850
Fax: 301 837-0319
Email: kimberly.richardson@nara.gov**RIN:** 3095-AB09**3485. REVISION OF NARA RESEARCH ROOM PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 44 USC 2104(a)**CFR Citation:** 36 CFR 1254**Legal Deadline:** None**Abstract:** NARA is updating and revising in plain language its regulations concerning use of records and donated historical materials in NARA research rooms.**Timetable:**

| Action | Date |
|-------------------------|----------|
| NPRM | 09/00/03 |
| NPRM Comment Period End | 11/00/03 |
| Final Action | 01/00/04 |
| Final Action Effective | 02/00/04 |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**URL For Public Comments:** <http://www.regulations.gov>**Agency Contact:** Jennifer Davis Heaps, Policy Specialist, National Archives and Records Administration, Room 4100, 8601 Adelphi Road, College Park, MD 20740
Phone: 301 837-1850
Fax: 301 837-0319
Email: jennifer.heaps@nara.gov**RIN:** 3095-AB10**3486. RESTRICTIONS ON THE USE OF RECORDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 44 USC 2101 to 2118; 22 USC 1461(b)**CFR Citation:** 36 CFR 1256**Legal Deadline:** None**Abstract:** NARA is updating and rewriting in plain language its regulations on statutory and other restrictions on access to archival records and donated historical materials transferred to the National Archives of the United States.

NARA

Proposed Rule Stage

Timetable:

| Action | Date |
|----------------------------|----------|
| NPRM | 05/00/03 |
| NPRM Comment Period End | 07/00/03 |
| Final Action | 09/00/03 |
| Final Action Effective | 10/00/03 |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**URL For Public Comments:**<http://www.regulations.gov>

Agency Contact: Jennifer Davis Heaps, Policy Specialist, National Archives and Records Administration, Room 4100, 8601 Adelphi Road, College Park, MD 20740

Phone: 301 837-1850

Fax: 301 837-0319

Email: jennifer.heaps@nara.gov

RIN: 3095-AB11

3487. PUBLIC USE OF NARA FACILITIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 44 USC 2104(a)**CFR Citation:** 36 CFR 1280**Legal Deadline:** None

Abstract: NARA is amending its regulations on public use of NARA facilities to clarify the grounds on which individuals may be banned from the property for harmful or disruptive behavior. There is no anticipated cost. This rule will protect our visitors, staff members, and volunteers.

Timetable:

| Action | Date |
|----------------------------|----------------------|
| NPRM | 04/18/03 68 FR 19168 |
| NPRM Comment Period End | 06/17/03 |
| Final Action | 08/00/03 |
| Final Action Effective | 09/00/03 |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**URL For Public Comments:**<http://www.regulations.gov>

Agency Contact: Kimberly Richardson, Policy Specialist, National Archives and Records Administration, Room

4100, 8601 Adelphi Road, College Park, MD 20602-6001

Phone: 301 837-1850

Fax: 301 837-0319

Email: kimberly.richardson@nara.gov

RIN: 3095-AB17

3488. • INFORMATION SECURITY OVERSIGHT OFFICE; CLASSIFIED NATIONAL SECURITY INFORMATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 3 CFR ch 1; EO 12958; EO 13142**CFR Citation:** 32 CFR 2001**Legal Deadline:** None

Abstract: NARA is publishing an amendment to its Directive No. 1, implementing Executive Order 12958. The amendment changes classification and declassification markings.

Timetable:

| Action | Date |
|--------|----------|
| NPRM | 09/00/03 |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**URL For Public Comments:**<http://www.regulations.gov>

Agency Contact: J. William Leonard, Director, Information Security Oversight Office, National Archives and Records Administration, Room 500, 700 Pennsylvania Avenue NW., Washington, DC 20408

Phone: 202 219-5250

Fax: 202 219-5385

Email: william.leonard@nara.gov

RIN: 3095-AB18

3489. • OFFICIAL SEALS AND LOGOS**Priority:** Substantive, Nonsignificant**Legal Authority:** 44 USC 2104(e); 44 USC 2116(b); 44 USC 2302**CFR Citation:** 36 CFR 1200**Legal Deadline:** None

Abstract: NARA is amending its regulations to include rules on the use of NARA logos by the public and other Federal agencies. The existing regulations only cover official NARA seals.

Timetable:

| Action | Date |
|--------|----------|
| NPRM | 07/00/03 |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Kimberly Richardson, Policy Specialist, National Archives and Records Administration, Room 4100, 8601 Adelphi Road, College Park, MD 20602-6001

Phone: 301 837-1850

Fax: 301 837-0319

Email: kimberly.richardson@nara.gov

RIN: 3095-AB19

3490. • NONDISCRIMINATION ON THE BASIS OF HANDICAP WHEN RECEIVING FEDERAL FINANCIAL ASSISTANCE**Priority:** Substantive, Nonsignificant**Legal Authority:** 29 USC 794**CFR Citation:** 36 CFR 1208**Legal Deadline:** None

Abstract: NARA is proposing to modify its regulations on nondiscrimination on the basis of handicap by adding rules that recipients of NARA grants must follow when they hire individuals for programs and projects.

Timetable:

| Action | Date |
|----------------------------|----------|
| NPRM | 06/00/03 |
| NPRM Comment Period End | 08/00/03 |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Kimberly Richardson, Policy Specialist, National Archives and Records Administration, Room 4100, 8601 Adelphi Road, College Park, MD 20602-6001

Phone: 301 837-1850

Fax: 301 837-0319

Email: kimberly.richardson@nara.gov

RIN: 3095-AB21

National Archives and Records Administration (NARA)

Final Rule Stage

3491. PRESIDENTIAL LIBRARY FACILITIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 44 USC 2104(a); 44 USC 2112**CFR Citation:** 36 CFR 1281**Legal Deadline:** None

Abstract: NARA is issuing regulations relating to the acceptance of a Presidential library facility by the Archivist of the United States from a non-Federal group or institution. The regulations will address requirements in the Presidential Libraries Act of 1986 for architectural and design standards, certifications, and reporting to Congress.

Timetable:

| Action | Date |
|-------------------------|----------------------|
| NPRM | 08/25/98 63 FR 45203 |
| NPRM Comment Period End | 10/26/98 |
| Final Action | 10/00/03 |
| Final Action Effective | 11/00/03 |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**URL For Public Comments:**<http://www.regulations.gov>

Agency Contact: Nancy Allard, Regulatory Contact, National Archives and Records Administration, Room 4100, NPOL, 8601 Adelphi Road, College Park, MD 20740-6001
Phone: 301 837-1850

Fax: 301 837-0319
Email: nancy.allard@nara.gov

RIN: 3095-AA82**3492. IMPLEMENTATION OF OMB CIRCULAR A-110, SECTION 36****Priority:** Other Significant**Legal Authority:** 5 USC 301**CFR Citation:** 36 CFR 1210**Legal Deadline:** None

Abstract: This rule will incorporate the provisions of OMB Circular A-110, section 36, regarding the availability of data produced under an award through the Freedom of Information Act (FOIA) into our NHPRC grants administration regulation at 36 CFR part 1210.

Timetable:

| Action | Date |
|---------------------------------------|----------------------|
| Interim Final Rule | 03/16/00 65 FR 14406 |
| Interim Final Rule Comment Period End | 05/15/00 |
| Final Action | 10/00/03 |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local, Federal**Federalism:** Undetermined

Agency Contact: Nancy Allard, Regulatory Contact, National Archives and Records Administration, Room 4100, NPOL, 8601 Adelphi Road, College Park, MD 20740-6001
Phone: 301 837-1850
Fax: 301 837-0319

Phone: 301 837-1850
Fax: 301 837-0319
Email: nancy.allard@nara.gov

RIN: 3095-AA96**3493. • NARA FACILITIES—PHONE NUMBERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 44 USC 2104(a)**CFR Citation:** 36 CFR 1253**Legal Deadline:** None

Abstract: NARA is amending its regulation that lists the phone numbers of NARA facilities that are open to the public. This rule updates phone numbers for the facilities.

Timetable:

| Action | Date |
|--------------|----------|
| Final Action | 05/00/03 |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Kimberly Richardson, Policy Specialist, National Archives and Records Administration, Room 4100, 8601 Adelphi Road, College Park, MD 20602-6001

Phone: 301 837-1850
Fax: 301 837-0319
Email: kimberly.richardson@nara.gov

RIN: 3095-AB20

National Archives and Records Administration (NARA)

Long-Term Actions

3494. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (GRANTS)**Priority:** Other Significant**Legal Authority:** 44 USC 2104(a); EO 12549; EO 12698; 31 USC 6101 note**CFR Citation:** 36 CFR 1209; 36 CFR 1211**Legal Deadline:** None

Abstract: This rule will modify the Governmentwide nonprocurement common rule for debarment and suspension and the Governmentwide rule implementing the Drug-Free Workplace Act of 1988.

Timetable:

| Action | Date |
|-------------------------|---------------------|
| NPRM | 01/23/02 67 FR 3265 |
| NPRM Comment Period End | 03/25/02 |
| Next Action | Undetermined |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local

Agency Contact: Nancy Allard, Regulatory Contact, National Archives and Records Administration, Room 4100, NPOL, 8601 Adelphi Road, College Park, MD 20740-6001
Phone: 301 837-1850
Fax: 301 837-0319

Email: nancy.allard@nara.gov**RIN:** 3095-AB04**3495. RECORDS MANAGEMENT; ELECTRONIC TEXT DOCUMENTS****Priority:** Other Significant**Legal Authority:** 44 USC 2104(a)**CFR Citation:** 36 CFR 1234**Legal Deadline:** None

Abstract: In response to a petition, NARA sought Federal agency and public comment concerning the management, scheduling and preservation of text documents created in electronic form. NARA is evaluating a revision of the regulation.

NARA

Long-Term Actions

Timetable:

| Action | Date |
|-----------------------------|----------------------|
| ANPRM | 10/10/01 66 FR 51740 |
| ANPRM Comment Period End | 01/08/02 |
| Next Action | Undetermined |

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Nancy Allard,
Regulatory Contact, National Archives

and Records Administration, Room
4100, NPOL, 8601 Adelphi Road,
College Park, MD 20740-6001
Phone: 301 837-1850
Fax: 301 837-0319
Email: nancy.allard@nara.gov
RIN: 3095-AB05

National Archives and Records Administration (NARA)

Completed Actions

**3496. EXPANDING TRANSFER
OPTIONS FOR ELECTRONIC
RECORDS****Priority:** Other Significant**CFR Citation:** 36 CFR 1228.270**Completed:**

| Reason | Date |
|------------------------|----------------------|
| Final Action | 12/30/02 67 FR 79517 |
| Final Action Effective | 01/29/03 |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** Federal**Agency Contact:** Nancy Allard

Phone: 301 837-1850
Fax: 301 837-0319
Email: nancy.allard@nara.gov
RIN: 3095-AB03

3497. NARA OFFICIAL SEALS**Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 1200**Completed:**

| Reason | Date |
|------------------------|----------------------|
| Final Action | 12/04/02 67 FR 72101 |
| Final Action Effective | 01/03/03 |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** Federal

Agency Contact: Kimberly Richardson
Phone: 301 837-1850
Fax: 301 837-0319
Email: kimberly.richardson@nara.gov

RIN: 3095-AB12

[FR Doc. 03-7437 Filed 5-23-03; 8:45 am]

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