



ANNOUNCEMENT

from the Copyright Office, Library of Congress,
101 Independence Avenue, S.E., Washington, D.C. 20559-6000

FINAL REGULATIONS

IMPLEMENTATION OF THE ELECTRONIC-FREEDOM OF INFORMATION ACT AMENDMENTS OF 1996

The following excerpt is taken from Volume 63, Number 8 of the
Federal Register for Tuesday, January 13, 1998 (pp. 1926-1927)

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 203

[Docket No. 97-7]

Implementation of the Electronic Freedom of Information Act Amendments of 1996

AGENCY: Copyright Office, Library of
Congress.

ACTION: Final regulations.

SUMMARY: The Copyright Office is
issuing final regulations permitting public
access to Office records created on or after
November 1, 1996, in electronic format.
These final regulations conform the
Copyright Office's regulations to the
requirements of the Freedom of Information
Act (FOIA), as amended by the Electronic
Freedom of Information Act Amendments of
1996 (EFOIA).

EFFECTIVE DATE: February 12, 1998.

FOR FURTHER INFORMATION

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SUPPLEMENTARY INFORMATION:

The Copyright Office adopts final
regulations amending Part 203 of its
regulations to implement the EFOIA, Pub. L.
No. 104-231, 110 Stat. 3048 (1996), which
amended the FOIA, 5 U.S.C. et seq. The
Office is subject to the FOIA, which is part

of the Administrative Procedure Act, under
section 701(d) of title 17, U.S.C. Copyright
Office regulations describe records and
documents available for public inspection
under the Copyright Act, the Privacy Act of
1974, and the FOIA. See 37 CFR 201.2, 203,
204.

The EFOIA, signed into law on October 2,
1996, contains amendments that address
methods required to make agency records
available to the public by electronic means
and in electronic formats. This regulation
revises several provisions of the Office's
FOIA regulations under 37 CFR 203 to
comply with provisions of the EFOIA. The
final regulation also establishes a response
period of 30 days within which appeals to
denials for information must be made.
Interim regulations with a request for
comments were issued October 28, 1997. 62
FR 55740 (October 28, 1997). No comments
were received. The interim regulations,
together with the addition of the response
period for appeals, are adopted as final
regulations.

List of Subjects in 37 CFR Part 203

Freedom of Information Act, Policies and
procedures.

Final Regulations

In consideration of the foregoing, the
Copyright Office adopts the interim rule
amending part 203 of 37 CFR, as published
at 62 FR 55740 on October 28, 1997, with
the following changes:

PART 203--FREEDOM OF INFORMATION ACT: POLICIES AND PROCEDURES

1. The authority citation for part 203 is
revised to read as follows:

Authority: 17 U.S.C 702; 5 U.S.C 552, as
amended.

2. Section 203.4 is amended by adding
two new sentences at the end of paragraph (f)
and revising the last sentence of paragraph
(i)(2) to read as follows:

Sec. 203.4 Methods of operation.

(f) *** If a requestor wishes to appeal a
denial of some or all of his or her request for
information, he or she must make an appeal
in writing within 30 calendar days of the date
of the Office's denial. The request should be
directed to the General Counsel of the United
States Copyright Office.

(i) ***
(2) *** Denials of requests for expedited
processing may be appealed to the Office of
the General Counsel.

Dated: January 7, 1998.

David O. Carson,
General Counsel.

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