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.


John W. Carlin, Archivist of the United States.

<table>
<thead>
<tr>
<th>National Archives and Records Administration—Prerule Stage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sequence Number</strong></td>
</tr>
<tr>
<td>3483</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>National Archives and Records Administration—Proposed Rule Stage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sequence Number</strong></td>
</tr>
<tr>
<td>3484</td>
</tr>
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<td>3485</td>
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</table>

<table>
<thead>
<tr>
<th>National Archives and Records Administration—Final Rule Stage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sequence Number</strong></td>
</tr>
<tr>
<td>3491</td>
</tr>
<tr>
<td>3492</td>
</tr>
<tr>
<td>3493</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>National Archives and Records Administration—Long-Term Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sequence Number</strong></td>
</tr>
<tr>
<td>3494</td>
</tr>
<tr>
<td>3495</td>
</tr>
</tbody>
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National Archives and Records Administration—Completed Actions

<table>
<thead>
<tr>
<th>Sequence Number</th>
<th>Title</th>
<th>Regulation Identification Number</th>
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</thead>
<tbody>
<tr>
<td>3496</td>
<td>Expanding Transfer Options for Electronic Records</td>
<td>3095-AB03</td>
</tr>
<tr>
<td>3497</td>
<td>NARA Official Seals</td>
<td>3095-AB12</td>
</tr>
</tbody>
</table>

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; E0 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 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–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.
Federal Register
Vol. 68, No. 101 / Tuesday, May 27, 2003 / Unified Agenda

NARA

Timetable:

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
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<td>06/17/03</td>
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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–AB19

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:

<table>
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<th>Action</th>
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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

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:

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<thead>
<tr>
<th>Action</th>
<th>Date</th>
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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:

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
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<tbody>
<tr>
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<td>06/00/03</td>
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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–AB21
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:

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM</td>
<td>08/25/98</td>
</tr>
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<td>10/26/98</td>
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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:

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interim Final Rule</td>
<td>03/16/00</td>
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<td>05/15/00</td>
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<td>10/00/03</td>
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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
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:

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
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<tbody>
<tr>
<td>Final Action</td>
<td>05/00/03</td>
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</tbody>
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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

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 1210; 36 CFR 1281
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:

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
</tr>
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<td>NPRM</td>
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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.

Email: nancy.allard@nara.gov

RIN: 3095–AB04
NARA

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
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<tbody>
<tr>
<td>ANPRM</td>
<td>10/10/01</td>
<td>66 FR 51740</td>
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**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

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**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:

<table>
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<tr>
<th>Reason</th>
<th>Date</th>
<th>CFR Citation</th>
</tr>
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<tbody>
<tr>
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<td>67 FR 79517</td>
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<td>01/29/03</td>
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**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

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**3497. NARA OFFICIAL SEALS**

Priority: Substantive, Nonsignificant

CFR Citation: 36 CFR 1200

Completed:

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**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 05/16/03; 8:45 am]