NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

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 2003. 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. 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.

National Archives and Records Administration—Proposed Rule Stage

<table>
<thead>
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<th>Sequence Number</th>
<th>Title</th>
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National Archives and Records Administration—Final Rule Stage

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<td>NARA Facilities: Phone Numbers</td>
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<td>Implementation of OMB Circular A-110, Section 36</td>
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National Archives and Records Administration—Completed Actions

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<td>Price Changes to Federal Register Publications</td>
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<td>3555</td>
<td>Publication of Revised Bylaws of the Interagency Security Classification Appeals Panel</td>
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3538. 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:

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URL For Public Comments: www.regulations.gov
Agency Contact: Kimberly Richardson, Policy Specialist, National Archives and Records Administration, Room 4100, 8601 Adelphi Road, College Park, MD 20740–6001. Phone: 301 837–1850. Fax: 301 837–0319. Email: kimberly.richardson@nara.gov
RIN: 3095–AB16

3540. REVIEW OF RECORDS CENTER FACILITY STANDARDS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.
Unfunded Mandates: Undetermined
Legal Authority: 44 USC 2104(a)
CFR Citation: 36 CFR 1228.228(b); 36 CFR 1228.230(b); 36 CFR 1228.230(e); 36 CFR 1228.230(i); 36 CFR 1228.230(l); 36 CFR 1228.230(s)
Legal Deadline: None
Abstract: NARA proposes to modify its facility standards for records storage facilities that house Federal records to clarify and revise certain requirements that were identified as of particular concern to small businesses.

Timetable:

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URL For Public Comments: www.regulations.gov
Agency Contact: Jason R Baron, Director of Litigation, National Archives and Records Administration, Room 3110, NGC, 8601 Adelphi Road, College Park, MD 20740. Phone: 301 837–1750. Fax: 301 837–0293. Email: jason.baron@nara.gov
RIN: 3095–AB32
### 3542. USE OF MEETING ROOMS AND PUBLIC SPACE

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 44 USC 2104

**CFR Citation:** 36 CFR 1280

**Legal Deadline:** None

**Abstract:** NARA is updating its regulations on the use of NARA facilities. The renovation of the National Archives Building in Washington, DC has changed and expanded the space available for public programs and meetings.

**Timetable:**

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**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**URL For Public Comments:** 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–AB34

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### 3544. NONDISCRIMINATION ON THE BASIS OF AGE WHEN RECEIVING FEDERAL FINANCIAL ASSISTANCE

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 42 USC 6101 et seq; 45 CFR 90

**CFR Citation:** 36 CFR 1214

**Legal Deadline:** None

**Abstract:** NARA is proposing to add a new part to its regulations. This new part concerns nondiscrimination on the basis of age when receiving federal financial assistance. NARA and recipients of NARA grants must follow the nondiscrimination rules in this new part when they hire individuals for programs and projects.

**Timetable:**

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**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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### 3543. INFORMATION SECURITY OVERSIGHT OFFICE; NATIONAL INDUSTRIAL SECURITY PROGRAM

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** EO 12829, as amended by EO 12885

**CFR Citation:** 32 CFR 2001

**Legal Deadline:** None

**Abstract:** The Information Security Oversight Office is publishing through NARA an implementing directive for Executive Order 12829 that is binding on executive branch agencies that enter into classified contracts, licenses, or grants. The purpose of the National Industrial Security Program is to safeguard classified information that may be released or has been released to current, prospective, or former contractors, licensees, or grantees of United States agencies.

**Timetable:**

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**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kimberly Richardson, 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: kimberly.richardson@nara.gov

**RIN:** 3095–AB34

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### 3545. • DECLASSIFICATION OF NATIONAL SECURITY INFORMATION

**Priority:** Info./Admin./Other. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 44 USC 2104(a); 44 USC 2108(a); 5 USC 552, as amended; EO 12958 (60 FR 19825); 3 CFR, 1995 Comp., p. 333; EO 13142 (64 FR 66089); 3 CFR, 1999 Comp., p. 236; EO 13292 (68 FR 15315); 32 CFR 2001; 32 CFR 2004 (68 FR 55168)

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** NARA is updating references to Executive Order 12958, as amended, updating the section on reclassification to reflect the changes in the Executive order, and adding a section on automatic declassification to reflect how it will be applied to the equities of agencies that have not had a chance to review their information.

**Timetable:**

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**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

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Fax: 301 837–0319
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**RIN:** 3095–AB38
3546. 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:

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Regulatory Flexibility Analysis
Required: No
Government Levels Affected: None
URL For Public Comments: www.regulations.gov
Agency Contact: Nancy Allard, Regulatory Contact, National Archives and Records Administration, Room 4100, NPOL, 8601 Adelphi Road, College Park, MD 20740
Phone: 301 837–1850
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Email: nancy.allard@nara.gov
RIN: 3095–AA82

3547. 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 amending and revising in plain language its regulations concerning use of records and donated historical materials in NARA research rooms.
Timetable:

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<th>Action</th>
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Regulatory Flexibility Analysis
Required: No
Government Levels Affected: None
URL For Public Comments: 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

3548. RESTRICTIONS ON THE USE OF RECORDS
Priority: Substantive, Nonsignificant
Legal Authority: 44 USC 2101 to 2118; 22 USC 1461(b); 5 USC 552, as amended; EO 12958 (3 CFR, 1995 Comp., p. 333) as amended; ...
CFR Citation: 36 CFR 1254; 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 proposes to remove an existing policy that allows access to restricted information for purposes of biomedical statistical research.
Timetable:

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Regulatory Flexibility Analysis
Required: No
Government Levels Affected: None
URL For Public Comments: www.regulations.gov
Agency Contact: Kimberly Richardson, 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: kimberly.richardson@nara.gov
RIN: 3095–AB21

3550. NARA FACILITIES: PHONE NUMBERS
Priority: Routine and Frequent. Major status under 5 USC 801 is undetermined.
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.
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Regulatory Flexibility Analysis
Required: No
Government Levels Affected: None
URL For Public Comments: www.regulations.gov
### NARA Final Rule Stage

#### National Archives and Records Administration (NARA)

**3551. 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:**  
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**Regulatory Flexibility Analysis Required:** No  
**Government Levels Affected:** Federal, Local, State  
**Federalism:** Undetermined  
**URL For Public Comments:** 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–AB96

### National Archives and Records Administration (NARA)

#### Completed Actions

**3552. RECORDS MANAGEMENT; ELECTRONIC TEXT DOCUMENTS**

**Priority:** Other Significant  
**CFR Citation:** 36 CFR 1234  
**Completed:**  
**Reason** | **Date** | **FR Cite**  
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Merged With | 05/07/04 | 3095–AB16  
**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No  
**Government Levels Affected:** Federal  
**Agency Contact:** Nancy Allard  
Phone: 301 837–1850  
Fax: 301 837–0319  
Email: nancy.allard@nara.gov  
RIN: 3095–AB19

**3553. OFFICIAL SEALS AND LOGOS**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 36 CFR 1200  
**Completed:**  
**Reason** | **Date** | **FR Cite**  
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NPRM | 02/20/04 | 69 FR 7881  
Final Action | 05/11/04 | 69 FR 12781  
Final Action Effective | 06/10/04 | 36 CFR 1200  
**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None  
**Agency Contact:** Kimberly Richardson  
Phone: 301 837–1850  
Fax: 301 837–0319  
Email: kimberly.richardson@nara.gov  
RIN: 3095–AB35

**3554. • PRICE CHANGES TO FEDERAL REGISTER PUBLICATIONS**

**Priority:** Info./Admin./Other  
**Legal Authority:** 44 USC 15; EO 12866 1(b)  
**CFR Citation:** 1 CFR 11  
**Legal Deadline:** None  
**Abstract:** The Administrative Committee of the Federal Register (AFRO) is prescribing the prices to be charged for the paper and microfiche editions of Federal Register publications.  
**Timetable:**  
<table>
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**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No  
**Government Levels Affected:** Federal  
**Agency Contact:** Michael White, National Archives and Records Administration, Room 700, 800 N. Capitol Street NW., Washington, DC 20002  
Phone: 202 741–6025  
Email: michael.white@nara.gov  
RIN: 3095–AB35

**3555. • PUBLICATION OF REVISED BYLAWS OF THE INTERAGENCY SECURITY CLASSIFICATION APPEALS PANEL**

**Priority:** Info./Admin./Other  
**Legal Authority:** Sec 5.1(a), EO 12958 (60 FR 19825); Sec 5.1(b), EO 12958 (60 FR 19825); 3 CFR Comp., p. 333, as amended by EO 13292 (68 FR 15315, 03/28/2003)  
**CFR Citation:** 32 CFR 2001  
**Legal Deadline:** None  
**Abstract:** The Information Security Oversight Office, National Archives and Records Administration, is publishing a revision of the bylaws of the Interagency Security Classification Appeals Panel (ISCAP). The bylaws are revised in accordance with section 5.3(c) of Executive Order 12958, as amended, “Classified National Security Information.” Under the terms of E.O. 12958, as amended, the Director of...
ISOO serves as Executive Secretary to the ISCAP.

**Timetable:**

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**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**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–AB37

[FR Doc. 04–12483 Filed 06–25–04; 8:45 am]