

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**36 CFR Part 1254**

RIN 3095-AA69

Researcher Registration and Research Room Procedures**AGENCY:** National Archives and Records Administration (NARA).**ACTION:** Notice of proposed rulemaking.

SUMMARY: This rule proposes to update NARA regulations relating to researcher registration, research room procedures, and private microfilming projects. Significant changes include lowering the age at which NARA will allow full research privileges from 16 years old to 14 years old; extending the valid period of researcher cards from 2 years to 3 years; revising the list of equipment permitted in research rooms; and revising the criteria and procedures for private microfilming projects to provide more specific criteria relative to the types of requests that will be approved and conditions on approval. This rule would affect individuals who wish to use NARA research rooms in the National Archives Building and College Park facility in the Washington, DC, area, regional records services facilities, and Presidential libraries and organizations that wish to prepare microfilm publications from NARA holdings.

DATES: Comments must be received by October 13, 1998.

ADDRESSES: Comments must be sent to Regulation Comments Desk (NPOL), Room 4100, Policy and Communications Staff, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. They may be faxed to 301-713-7270.

Comments on the information collections contained in this proposed rule should also be sent to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attn: NARA Desk Officer, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Requests for information or for copies of the supporting statement for the information collections should be directed to Nancy Allard at telephone number 301-713-7360, ext. 226, or fax number 301-713-7270.

SUPPLEMENTARY INFORMATION: Following is a discussion of substantive changes contained in this proposed rule. Additional nonsubstantive changes have been made to correct titles and mailing addresses or to provide clarification.

In §§ 1254.1 and 1254.26(a), NARA proposes to lower to 14 years the minimum age at which an individual may be granted full research privileges. Currently, students who are younger than 16 must obtain special permission for a researcher card and must be accompanied by an adult while performing research. In the Washington, DC, area, students must also present a letter of reference from a teacher. This rule would remove these conditions. NARA has routinely granted permission to 14- and 15-year old students who apply to use original records, and has found that these students are as responsible as 16-year olds. NARA is taking this action to eliminate some of the correspondence and/or meetings which have been required to obtain the special permission under the current regulation.

We are updating § 1254.6 to provide that researcher identification cards are valid for 3 years. We are also updating research room procedures to reflect the practice of registering in a research room by scanning bar-coded researcher identification cards that have been issued through the automated registration system at the College Park facility.

We are revising § 1254.20 to ban use of smokeless tobacco products in a research room to the current prohibitions on eating, drinking, and chewing gum. Because all NARA facilities are now smoke-free, we have removed references to designated smoking areas. Researchers and staff who wish to smoke must now do so outside the facility.

In that section we are also modifying the grounds on which a researcher identification card may be revoked to add verbal and physical harassment of other researchers, NARA employees, volunteers, or contractor employees. Harassment is far more prevalent and more serious than the current grounds of annoyance. We are also clarifying the description of unacceptable behavior to read "actions or language." Finally, we are clarifying that the grounds for revoking privileges and for denying probationary reinstatement include danger to either documents or NARA property.

In § 1254.26, we have removed references to the Suitland Research Room, which closed for archival research on May 6, 1996, and changed the title of the section to specify archival research rooms. We have also updated the list of equipment that may be permitted in the research room to include scanners, to delete typewriters, to remove the requirement that cameras be hand-held, and to caution that

equipment that could potentially damage records will not be approved. We have added a provision that time limits may be set on use of researcher-owned equipment if the demand for the space set aside for this use exceeds the space available.

Section 1254.71, which applies to self-service copying at NARA archival facilities in the Washington, DC, area, has been revised to remove references to the Washington National Records Center, which no longer has an archival research room with a self-service copier; to delete the restricted hours for reserved use of self-service copiers because the copiers are now available for use during all research room hours; to clarify procedures to be followed for inspection of records before and after self-service copying; to allow self-service copying of bound archival volumes where specialized copiers are provided; and to permit, under special circumstances, research teams to bring their own copier equipment into the College Park research room. The proposed new provision for bringing copiers into the College Park research room includes a new information collection subject to the Paperwork Reduction Act.

Section 1254.71(g) is revised to reflect NARA plans to stop issuing refunds for debit cards used in self-service copier operations in the Washington, DC, area. Currently researchers may turn in partially used debit cards for refunds at the Cashier's Office in the National Archives Building or Archives II. Refunds of amounts over \$20.00 are made by Treasury check or, if purchased with a credit card, by recrediting the credit card. Other refunds are provided in cash. The U.S. Treasury Department has notified agencies that in accordance with the Debt Collection Improvement Act of 1996 (P.L. 104-134), Federal payments will be made by electronic funds transfer (EFT) beginning on January 1, 1999. Customer refunds are affected by this requirement and will be especially problematic to process as EFT payments. A review of debit card refunds made during a four-month period at the National Archives Building found that nearly 56 percent of the refunds were for \$2 or less, and that 78 percent of the refunds were for \$5 or less. At Archives II, the review showed a higher percentage of larger refunds, but almost 43 percent of the refunds were for \$5 or less and 65 percent of the refunds were for no more than \$10. NARA's customers are usually one time users of its available services; the dollar amounts for debit card refunds are small; and the administrative processing costs are relatively high. Therefore, it is

not cost effective to continue this practice. We note that the Library of Congress does not offer refunds on debit cards. To ensure that researchers are aware of the change in policy, NARA will post a notice at the Cashier's Office and at all debit card dispensers that there will be no refunds, and the debit cards will be reprinted with a statement that no refunds will be provided. In addition, NARA proposes to establish a maximum dollar amount of \$21.00 to deter researchers from purchasing large dollar value debit cards before determining how many copies they may want to make. Since debit cards have no expiration date, researchers may reuse their debit cards at any time by simply adding dollar value. The debit card dispensers allow researchers to add value to the debit card in \$1, \$5, \$10, and \$20 increments, but the maximum dollar value will be imposed so that a researcher may not have more than \$21.00 on a debit card at any given time. We specifically seek your comments on the need for a limit on the value of the debit card and, if needed, whether \$21 is an appropriate limit.

NARA also proposes to amend Subpart F of Part 1254 concerning the use of privately-owned microfilm equipment to film archival records and donated historical materials in NARA custody. In addition to updating NARA organizational titles and addresses and other minor clarifications, we are providing more specific criteria relative to the types of requests that will be approved and conditions on approval. In § 1254.94, we have added three criteria for evaluating the extent to which a proposed project would further NARA's efforts to preserve and provide access to the historical records of the Government; a requirement that detailed roll lists be provided to NARA with the film; a requirement that any finding aids produced by the project be provided to NARA. The latter two requirements normally have been included in agreements that NARA has negotiated with private microfilers; we are adding the requirements to the regulation to conform the regulation with practice. We are adding a procedure in § 1254.92(j) for handling multiple requests equitably when the facility cannot accommodate all requests at the same time. We are also adding two conditions on approval relating to availability of NARA staff to provide the necessary support services and reimbursement for NARA support services. In § 1294.100, Microfilming procedures, we are adding provisions to allow NARA to charge direct costs of

training and monitoring services provided to an approved project.

Information Collections Subject to the Paperwork Reduction Act

The information collections in §§ 1254.71(e), and 1254.92 are subject to the Paperwork Reduction Act. Under this Act, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The information collection in § 1254.92 has been approved by OMB with the control number 3095-0017. The changes that NARA is proposing for that section do not affect the information collection.

NARA invites the general public and other Federal agencies to comment on the proposed information collection in § 1254.71(e), request to bring a personal copier into the Archives II research room. The affected public are research teams that desire to bring their own copier equipment into the research room because of the large volume of copies to be made. We estimate that we will receive a maximum of 5 requests per year and that the respondent burden to provide the information will be 3 hours per request, for a total burden of 15 hours. The comments and suggestions should address one or more of the following points: (a) whether the proposed collection information is necessary for the proper performance of the functions of NARA; (b) the accuracy of NARA's estimate of the burden of the proposed information collections; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of information technology. Comments should be sent to NARA and OMB (see ADDRESSES).

This proposed rule is not a significant regulatory action for the purposes of Executive Order 12866; it has been submitted to the Office of Management and Budget for review of the information collections subject to the Paperwork Reduction Act. As required by the Regulatory Flexibility Act, it is hereby certified that this proposed rule will not have a significant impact on small entities.

List of Subjects in 36 CFR Part 1254

Archives and records, Confidential business information, Freedom of information, Micrographics, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, NARA proposes to amend part 1254 of title 36, Code of Federal Regulations, as follows:

PART 1254—AVAILABILITY OF RECORDS AND DONATED HISTORICAL MATERIALS

1. The authority citation for part 1254 continues to read:

Authority: 44 U.S.C. 2101—2118; 5 U.S.C. 552; and E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235.

2. Section 1254.1 is amended by revising paragraph (d) to read:

§ 1254.1 General provisions.

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(d) A Regional Administrator, a director of a Presidential Library, or a director of a Washington, DC, area research unit may require that researchers under the age of 14 years be accompanied by an adult researcher who agrees in writing to be present when the documents are used and to be responsible for compliance with the research room rules set forth in subpart B.

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3. Section 1254.2 is amended by revising paragraph (a) to read:

§ 1254.2 Location of documents and hours of use.

(a) Researchers should identify the location of the documents needed. Information about the location of records may be obtained by writing to the National Archives and Records Administration (NWCCR1), Washington, DC 20408; by sending an e-mail message to INQUIRE@NARA.GOV; sending a fax request to (301) 713-6920; or calling (202) 501-5400 or (301) 713-6800.

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4. Section 1254.6 is revised to read:

§ 1254.6 Researcher identification card.

An identification card is issued to each person whose application is approved to use records other than microfilm. Cards are valid for 3 years. Cards may be renewed upon application. Cards are valid at each facility. Cards are not transferable and must be presented if requested by a guard or research room attendant.

§ 1254.8 [Amended]

5. In paragraphs (b) and (c) of § 1254.8, remove the phrase "the Director of the Legal Services Staff (NXL) or his designee" and add in its place the phrase "the General Counsel (NGC) or his/her designee".

6. Section 1254.10 is revised to read:

§ 1254.10 Registration.

Researchers must register each day they enter a research facility, furnishing the information on the registration sheet or scanning a bar-coded researcher

identification card, and may be asked to provide additional personal identification.

7. Section 1254.12 is amended by revising paragraph (a) to read:

§ 1254.12 Researcher's responsibility for documents.

(a) The research room attendant may limit the quantity of documents delivered to a researcher at one time. The researcher must sign for the documents received and may be required to show his/her researcher identification card. The researcher is responsible for the proper handling of and prevention of damage to all documents delivered to him/her until he/she returns them. When the researcher is finished using the documents, the documents must be returned to the research room attendant. The reference service slip that accompanies the documents to the research room must not be removed. If asked to do so, the researcher must return documents as much as 15 minutes before closing time. Before leaving a research room, even for a short time, a researcher must notify the research room attendant and place all documents in their proper containers.

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8. Section 1254.14 is amended by revising paragraph (b) to read:

§ 1254.14 Restrictions on using microfilm readers.

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(b) The number of researchers in the microfilm research room in the National Archives Building may be limited, for fire safety reasons, to those researchers assigned a microfilm reader.

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9. Section 1254.16 is amended by revising paragraphs (d) and (e) to read:

§ 1254.16 Prevention of damage to documents.

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(d) Documents must be identified for reproduction only with a paper tab provided by NARA. Documents may not be identified with paper clips, rubber bands, self-stick notes or similar devices.

(e) Microfilm must be carefully removed from and returned, rewound, to the proper microfilm boxes. Care must be taken loading and unloading microfilm from microfilm readers. Damaged microfilm must be reported to the research room attendant as soon as it is discovered.

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10. Section 1254.20 is revised to read:

§ 1254.20 Conduct.

(a) *Regulations.* Researchers are subject to the provisions of part 1280 of this chapter and to all rules and regulations issued and posted or distributed by a facility director supplementing Subpart B of this part, including rules on the use of NARA equipment. Eating, drinking, chewing gum, or using smokeless tobacco products in a research room are prohibited. Smoking is prohibited in all NARA facilities. Loud talking and other activities likely to disturb other researchers are also prohibited. Persons desiring to use typewriters, computers, sound recording devices, or similar equipment must work in areas designated by the research room attendant, when so required.

(b) *Revocation of a researcher identification card.* If researchers who receive researcher identification cards refuse to comply with the rules and regulations of a NARA facility, or by their actions or language demonstrate that they present a danger to the documents or NARA property, or present a danger, verbally or physically harass, or annoy other researchers, NARA or contractor employees, or volunteers, they may have their identification cards revoked by the director. A researcher whose card is revoked is denied research privileges at all NARA facilities and must receive a written notice of the reasons for the revocation within 3 workdays. A researcher whose identification card is revoked has 30 calendar days after the revocation to appeal in writing to the Archivist of the United States, National Archives and Records Administration (N), 8601 Adelphi Rd., College Park, MD 20740-6001, for reinstatement of research privileges. On receiving an appeal, the Archivist of the United States has 30 days to decide whether or not to reinstate the research privileges. If the revocation is upheld or if no appeal is made, the researcher may not apply for another identification card for 6 months from the date of the revocation, and all NARA facilities will be so notified. At the end of 6 months, a researcher whose identification card was revoked may reapply for a new card. Upon application, a new identification card is issued for a probationary period of 2 months. However, if the probationary reinstatement of a researcher poses a serious threat to the safety of documents, persons or property, the director may deny probationary reinstatement and will so advise the applicant in writing within 3 workdays of receiving the application. At the end

of the probationary period the researcher may apply for a new, unrestricted identification card. If the researcher's conduct in NARA facilities during the probationary period is proper, a regular identification card is issued. If the researcher's conduct during the probationary period is found unsatisfactory or if the director denies reinstatement, research privileges will again be denied for 6 months. A second and any later revocation of research privileges may be appealed to the Archivist of the United States under the procedures in this section.

(c) *Withdrawal of research privileges for researchers not required to have a researcher identification card.* If researchers who are not required to have researcher identification cards refuse to comply with the rules and regulations of a NARA facility or by their actions or language demonstrate that they present a danger to NARA property, or present a danger, verbally or physically harass, or annoy other researchers, NARA or contractor employees, or volunteers, NARA may withdraw all research privileges. A researcher whose research privileges are withdrawn under this paragraph will lose research privileges at all NARA research rooms, including those for which no researcher identification card is required. A researcher whose research privileges have been withdrawn may not apply for a researcher identification card, or for readmittance to research rooms not requiring a research card, until research privileges have been restored (see below). A researcher whose research privileges are withdrawn under this paragraph will be sent a written notice of the reasons for the withdrawal within 3 workdays. The researcher has 30 calendar days after the withdrawal to appeal in writing to the Archivist of the United States (address: National Archives and Records Administration (N), 8601 Adelphi Rd., College Park, MD 20740-6001) for reinstatement of research privileges. The Archivist of the United States has 30 calendar days from receipt of the appeal to decide whether or not to reinstate the research privileges. If the withdrawal is upheld or if no appeal is made, the researcher may request reinstatement of privileges no earlier than 180 calendar days from the date the privileges were revoked. If readmission to a NARA facility poses a threat to the safety of persons or property, NARA may continue to extend the withdrawal period for 180-day periods. The researcher will be notified in writing of all such extensions within 3 workdays of NARA receiving a request for reinstatement of research privileges.

The researcher may appeal any decision to extend the withdrawal of research privileges to the Archivist of the United States. All appeals must be made in writing to the Archivist of the United States within 30 calendar days of the decision being appealed.

11. Section 1254.24 is amended by adding new paragraph (d) to read:

§ 1254.24 Locker use policy.

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(d) NARA may charge a replacement fee for lost locker keys.

12. Section 1254.26 is amended by revising paragraphs (a) through (d), the introductory text of paragraph (e), paragraphs (e)(2) and (e)(3), paragraph (g), the introductory text of paragraph (h), and paragraphs (h)(2)(i), (h)(2)(ii), (h)(5), and (h)(6) to read:

§ 1254.26 Additional rules for use of certain research rooms in NARA facilities in the Washington, DC, area.

(a) Admission to research rooms in the National Archives Building and the National Archives at College Park facility is limited to individuals examining and/or copying documents and other materials in the custody of the National Archives and Records Administration. Children under the age of 14 will not be admitted to these research rooms unless they have been granted research privileges or are granted an exception to this provision to view specific documents that a parent or other accompanying adult researcher is using. The exception will be granted by the Chief of the Archives I or Archives II Research Room Services Branch for a child who is able to read and who will be closely supervised by the adult researcher while in the research room. Normally, such a child will be admitted only for the short period required to view the documents. Unless otherwise permitted, persons without a researcher card may not actively participate in research activities, e.g., removing, copying, or refiling documents. Students under the age of 14 who wish to perform research on original documents must apply in person to the Chief of the Research Room Services Branch where the documents are located and present a letter of reference from a teacher. Such students may contact NARA by phone or letter in advance of their visit to discuss their eligibility for research privileges. Students under the age of 14 who have been granted research privileges will be required to be accompanied in the research room by an adult with similar privileges, unless the Chief of the Archives I or Archives II Research Room Services Branch specifically waives this

requirement with respect to individual researchers.

(b) The procedures in paragraphs (d) through (g) of this section apply to all research rooms in the National Archives Building (except the Microfilm Research Room) and in the National Archives at College Park facility. These procedures are in addition to the procedures specified elsewhere in this part.

(c) Researchers bringing personal computers, tape recorders, cameras, and other equipment into the National Archives Building must complete the Equipment Log at the guard's desk. The log will evidence personal ownership and will be checked by the guard when such equipment is removed from the building.

(d) Researchers must present a valid researcher identification card to the guard or research room attendant on entering the research room. All researchers are required to register their attendance each day. Researchers will also register the time they leave the research area at the end of the visit for that day. Researchers are not required to sign in or out when leaving the area temporarily.

(e) Researchers may not bring into the research rooms overcoats, raincoats, hats, or similar apparel; personal paper-to-paper copiers, unless permitted in accordance with § 1254.71(e) of this part; briefcases, suitcases, day packs, purses, or similar containers of personal property; notebooks, notepaper, note cards, folders or other containers for paper. These items may be stored at no cost in lockers available for researchers. The following exceptions may be granted:

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(2) Notes, references, lists of documents to be consulted, and other materials may be admitted if the chief of the branch administering the research room or the senior staff member on duty in the research room determines they are essential to a researcher's work requirements. Materials approved for admission will be stamped, initialed, and dated by a NARA or contractor employee, to indicate that they are the personal property of the researcher;

(3) Personal computers, tape recorders, scanners, cameras, and similar equipment may be admitted by the research room attendant provided such equipment meet the approved standards for preservation set by the NARA Preservation Programs unit. Use of researcher owned equipment may be limited to designated areas within the research rooms. If demand to use equipment exceeds the space available for equipment use, time limits may be

imposed. Equipment that could potentially damage documents will not be approved. Scanners and other copying equipment must meet these minimum standards:

(i) Equipment platens or copy boards must be the same size or larger than the records. No part of a record may overhang the platen or copy board.

(ii) No part of the equipment may come in contact with records in a manner that causes friction, abrasion, or that otherwise crushes or damages records.

(iii) Drum scanners are prohibited.

(iv) Automatic feeder devices on flatbed scanners are prohibited. When using a slide scanner, slides must be checked after scanning to ensure that no damage occurs while the slide is inside the scanner.

(v) Light sources must not raise the surface temperature of the record being copied. Light sources that generate ultraviolet light must be filtered.

(vi) All equipment surfaces must be clean and dry before being used with records. Cleaning and equipment maintenance activities, such as replacing toner cartridges, may not take place when records are present. Aerosols or ammonia-containing cleaning solutions are not permitted. A 50% water and 50% isopropyl alcohol solution is permitted for cleaning. The chief of the branch administering the research room or the senior staff member on duty in the research room will review the determination made by the research room attendant if requested to do so by the researcher; and

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(g) The personal property of all researchers, including notes, electrostatic copies, equipment cases, tape recorders, cameras, personal computers, and other property, will be inspected before removal from the research room. Guards and research room attendants may request that a member of the research room staff examine such personal items prior to their removal from the research room.

(h) In addition to the procedures in paragraphs (c) through (g) of this section, the following procedures apply to the Motion Picture, Sound, and Video Research Room (hereinafter, the "research room") in the College Park facility:

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(2) * * *

(i) Personal recording equipment brought into the unrestricted viewing and copying area in the research room may be inspected and tagged by the research room attendant prior to admittance. All equipment and

accessory devices must be placed on the carts provided by NARA, except that a tripod holding a video camera may be placed on the floor in front of a film-viewing station. NARA is not responsible for damage to or loss of personal equipment and accessories.

(ii) Researchers shall remain in the research room while their personal equipment is in use at an audio or video viewing station. The film viewing stations must be attended at all times while in use. Researchers shall remove their personal equipment from the research room when they leave the room for the day.

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(5) The NARA-furnished recorder or personal recording device and media may be used to make a copy of unrestricted archival materials in the research room.

(6) Each researcher will be provided a copy of the Motion Picture, Sound, and Video Research Room rules and a warning notice on potential copyright claims in unrestricted titles. The individual making and/or using the copy is responsible for obtaining any needed permission or release from a copyright owner for other than personal use of the copy.

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13. Section 1254.27 is amended by revising the section heading, paragraphs (a) and (c)(3) to read:

§ 1254.27 Additional rules for use of certain research rooms in regional records services facilities and Presidential libraries.

(a) When directed by the appropriate Regional Administrator or library director, the following procedures shall be observed in regional records services facility and Presidential library archival research rooms where original documents are used. These procedures are in addition to the procedures specified elsewhere in this part.

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(c) * * *

(3) Typewriters, personal computers, tape recorders, and hand-held cameras may be admitted by the guard or research room attendant provided that they are inspected, approved, and tagged prior to admittance. For a regional records services facility, the Regional Administrator, the Coordinator or other supervisor having responsibility for research room operations in a facility, or the senior attendant on duty will review the determination made by the guard or research room attendant if requested to do so by the researcher. In a Presidential library, the director, or the senior attendant on duty in the research room

will review the determination made by the guard or research room attendant if requested to do so by the researcher. In facilities where personal paper-to-paper copiers and scanners are permitted, the researcher must obtain prior written approval from the facility director to bring in the copier or scanner. The request to bring a personal copier or scanner should state the space and power consumption requirements and the intended period of use; and

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14. Section 1254.70 is amended by revising paragraph (a) to read:

§ 1254.70 NARA copying services.

(a) The copying of documents will be done by a contractor or NARA staff with equipment belonging to NARA. NARA reserves the right to make a duplicate, at NARA expense, of any material copied. Such duplicates may be used by NARA to make additional copies for others.

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15. Section 1254.71 is amended by revising the section heading, paragraphs (a) through (c)(2), and (d)(1); redesignating paragraph (e) as paragraph (f); adding new paragraph (e), and revising paragraph (g) to read:

§ 1254.71 Researcher use of the self-service card-operated copiers in the National Archives Building and the National Archives at College Park.

(a) *General.* Self-service card-operated copiers are located in research rooms in the National Archives Building and the National Archives at College Park. Other copiers set aside for use by reservation are located in designated research areas. Procedures for use are outlined in paragraphs (b) through (h).

(b) *Limitations and hours of use.* (1) There is a 3-minute time limit on copiers in research rooms when others are waiting to use the copier. Researchers using microfilm reader-printers may be limited to three copies when others are waiting to use the machine. Researchers wishing to copy large quantities of documents should see a staff member in the research room to reserve a copier for an extended time period.

(2) If an appointment must be canceled due to copier failure, NARA will make every effort to schedule a new mutually agreed-upon time. However, NARA will not displace researchers whose appointments are not affected by the copier failure.

(c) *Copying procedures.* (1) Individual documents to be copied shall be tabbed in accordance with the procedures governing the tabbing of documents and; brought to the research room

attendant for inspection in the file unit. The research room attendant will examine the documents to determine whether they can be copied on the self-service copier. The chief of the branch administering the research room will review the determination of suitability if asked to do so by the researcher. After reproduction is completed, documents removed from files for copying must be returned to their original position in the file container, any fasteners removed to facilitate copying must be refastened, and any tabs placed on the documents to identify items to be copied must be removed.

(2) Researchers using the reserved copier must submit the containers of documents to the attendant for review prior to the appointment. The review time required is specified in each research room. Research room attendants may inspect documents after copying.

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(d) * * *

(1) Bound archival volumes (except when specialized copiers are provided);

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(e) *Use of personal paper-to-paper copiers at the National Archives at College Park facility.* (1) NARA will approve a limited number of researchers to bring in and use personal paper-to-paper copying equipment in the Textual Research Room (Room 2000). Requests must be made in writing to the Chief, Archives II Research Room Services Branch (NWCCR2), National Archives and Records Administration, 8601 Adelphi Rd., College Park, MD 20740-6001. Requests must identify the records to be copied, the expected duration of the project, and the make and model of the equipment.

(2) NARA will evaluate requests using the following criteria:

(i) A minimum of 3,000 pages must be copied;

(ii) The project is expected to take at least 4 weeks, with the copier in use a minimum of 6 hours per day or 30 hours per week;

(iii) The copying equipment must meet the standards for preservation set by NARA's Preservation Programs unit (see § 1254.26(e)(3) of this part); and

(iv) Space is available for the personal copying project. NARA will allow no more than 3 personal copying projects in the research room at one time, with Federal agencies given priority over other users.

(3) Researchers must coordinate with research room management and oversee the installation and removal of copying equipment and are responsible for the cost and supervision of all service calls

and repairs. Copying equipment and supplies must be removed within two business days after the personal copying project is completed.

(4) NARA will not be responsible for any personal equipment or consumable supplies.

(5) Each operator must obtain a valid researcher identification card and be trained by NARA staff on the proper methods for handling and copying archival documents.

(7) Operators must abide by all regulations on copying stated in paragraphs (c), (d) and (f) of this section.

(8) NARA reserves the right to discontinue the privilege of using a personal copier at any time without notice. Conditions under which NARA would discontinue the privilege include: violation of one of the conditions in paragraphs (c), (d), (e), or (f) of this section; a need to provide space for a Federal agency; or a lack of NARA staff to supervise the area.

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(g) *Purchasing debit cards for copiers.* Researchers may use cash to purchase a debit card from a vending machine during the hours that self-service copiers are in operation. Additionally, debit cards may be purchased with cash, check, money order, credit card, or funds from an active deposit account from the Cashier's Office located in room G-1 of the National Archives Building, and the researcher lobby of the College Park facility, during posted hours. The debit card will, when inserted into the copier, enable the user to make copies, for the appropriate fee, up to the value on the debit card. Researchers may add value to the debit card by using the vending machine. No refunds will be made. The fee for self-service copiers is found in § 1258.12 of this chapter.

16. Section 1254.90 is revised to read:

§ 1254.90 General.

(a) This Subpart establishes rules and procedures governing the use of privately owned microfilm equipment to film accessioned archival records and donated historical materials in the legal and physical custody of the National Archives and Records Administration (NARA) by foreign and domestic government agencies, private commercial firms, academic research groups, and other entities or individuals who request exemption from obtaining copies through the regular fee schedule reproduction ordering system of NARA.

(b) Persons or organizations wishing to microfilm Federal agency records in the physical custody of the Washington National Records Center (WNRC) contact the director, WNRC, about

procedures for obtaining permission from the originating agency to film those records. For information about procedures for obtaining permission from the originating agency to film records in the physical custody of the National Personnel Records Center (NPRC) or in the records center operation of one of NARA's regional records services facilities, those wishing to film such records should contact the Regional Administrator of the region in which the records are located, or the director, NPRC, for records in NPRC.

(c) Federal agencies needing to microfilm archival records in support of the agency's mission must contact the appropriate office as specified in § 1254.92 of this part, as soon as possible after the need is identified, for information concerning standards and procedures for microfilming archival records.

17. Section 1254.92 is amended by revising paragraphs (a) and (b) and adding new paragraphs (d)(3) and (d)(4) to read as follows:

§ 1254.92 Requests to microfilm records and donated historical materials.

(a) Requests to microfilm archival records or donated historical materials (except donated historical materials under the control of the Office of Presidential Libraries) in the Washington, DC area must be made in writing to the Assistant Archivist for Records Services—Washington, DC (NW), 8601 Adelphi Rd., College Park, MD 20740-6001. Requests to microfilm archival records or donated historical materials held in a NARA regional records service facility must be made in writing to the Assistant Archivist for Regional Records Services (NR), 8601 Adelphi Rd., College Park, MD 20740-6001. Requests to microfilm records or donated historical materials in a Presidential library or donated historical materials in the Washington area under the control of the Office of Presidential Libraries must be made in writing to the Assistant Archivist for Presidential Libraries (NL), 8601 Adelphi Rd., College Park, MD 20740-6001. OMB control number 3095-0017 has been assigned to the information collection contained in this section.

(b) Requests to use privately owned microfilm equipment should be submitted six months in advance of the proposed starting date of the microfilming project. Requests submitted with less advance notice will be considered and may be approved if adequate NARA space and staff are available and if all training, records preparation and other NARA requirements can be completed in a

shorter time frame. Only one microfilming project may be included in a request. NARA will not accept additional requests from an individual or organization to microfilm records in a NARA facility while NARA is evaluating an earlier request from that individual or organization to microfilm records at that facility. NARA will establish the number of camera spaces available to a single project based upon the total number of projects approved for filming at that time.

* * * * *

(d) * * *

(3) If the original documents are presidential or vice-presidential records as specified in 44 U.S.C. 2201, the requester must agree to include on the film this statement: "The documents reproduced in this publication are presidential records in the custody of the (name of Presidential library or National Archives of the United States). NARA administers them in accordance with the requirements of Title 44, U.S.C. No copyright is claimed in these official presidential records.

(4) If the original documents are records of Congress, the requester must agree to include on the film this statement: "The documents reproduced in this publication are among the records of the (House of Representatives/Senate) in the physical custody of National Archives and Records Administration (NARA). NARA administers them in accordance with the requirements of the (House/Senate).

* * * * *

18. Section 1254.94 is amended by adding paragraphs (a)(1) through (a)(3), (d)(3), (d)(4), (k), and (l), revising the introductory text of paragraph (d), paragraph (d)(1) and paragraph (i), to read as follows:

§ 1254.94 Criteria for granting the requests.

(a) * * *

(1) In considering multiple requests NARA will give priority to microfilming records that have research value for a variety of studies or that contain basic information for fields of research in which researchers have demonstrated substantial interest.

(2) The records to be filmed should be reasonably complete and not subject to future accessions, especially of appreciable volumes, within the original body of records.

(3) The records to be filmed should not have substantial numbers of documents withdrawn because of continuing security classification or privacy or other restriction.

* * * * *

(d) NARA will approve only requests which specify that NARA will receive a first generation silver halide duplicate negative containing no splices made from the original camera negative of the microform record created in accordance with part 1230 of this chapter and which specify that NARA will receive complete indexes or other finding aids to the microfilm. NARA may waive any of the requirements of this paragraph at its discretion.

(1) NARA may use this duplicate negative microform to make duplicate preservation and reference copies. The copies may be made available for NARA and public use in NARA facilities and programs immediately upon receipt.

* * * * *

(3) Detailed roll lists must be delivered to NARA with the film. The lists must give the full range of file titles and complete list of all file numbers on each roll of microfilm.

(4) If the microfilming organization or individual prepares subject indexes, name indexes or other finding aids to its version of the microfilm in hard copy or in electronic form, it must provide NARA with hard copy and electronic versions of these finding aids. The electronic version should be in a form that can run easily on NARA's internal and external computer network(s).

* * * * *

(i) NARA will not approve requests to microfilm records in NARA facilities in which there is insufficient space available for private microfilming. NARA also will not approve requests where the only space available for filming is in the facility's research room, and such work would disturb researchers. NARA will not move records from a facility lacking space for private microfilming to another NARA facility for that purpose. When a NARA facility does not have enough space to accommodate all the requests made, NARA may schedule separate projects by limiting the time allowed for each particular project or by requiring projects to alternate in the use of the space.

* * * * *

(k) NARA will not approve requests to microfilm records when there is not enough staff to provide the necessary support services, including document preparation, training of private microfilmmers, and monitoring the filming.

(l) NARA will not approve requests to microfilm records until NARA and the requester have agreed upon the amount and schedule of reimbursement by the requester for NARA support services.

19. Section 1254.96 is amended by revising paragraph (a)(3) and adding paragraph (a)(6) to read:

§ 1254.96 Microfilm preparation.

(a) * * *

(3) Declassifying security classified documents and restoring recently declassified records to the files;

* * * * *

(6) Reviewing for accuracy by supervisors or senior staff to make certain the preparation work has been done correctly.

* * * * *

20. Section 1254.98 is amended by revising paragraph (a) to read:

§ 1254.98 Equipment standards.

(a) Equipment must be designed for the microfilming of documents in roll form or standard fiche form and be operable from a table top. Only planetary type camera equipment may be used. Automatic feed devices may not be used. Book cradles or other specialized equipment designed for use with bound volumes, oversized documents, or other formats will be approved by NARA on a case-by-case basis.

* * * * *

21. Section 1254.100 is amended by revising paragraphs (b), (c) and (g) and adding paragraph (l) to read:

§ 1254.100 Microfilming standards.

* * * * *

(b) Documents must be handled in accordance with the training and instructions provided by NARA personnel so that documents are not damaged during copying and so that their original order is maintained. Only persons who have attended NARA training will be permitted to handle the documents or supervise microfilming operations. Training will be offered only in Washington, DC. NARA may charge the requester fees for training services and these fees will be based on direct salary costs (including benefits) and any related supply costs.

(c) Documents from only one file unit may be microfilmed at a time. After reproduction is completed, documents removed from files for microfilming must be returned to their original position in the file container, any fasteners removed to facilitate copying must be refastened, and any tabs placed on the documents to identify items to be copied must be removed.

* * * * *

(g) Microfilm equipment may be operated only in the presence of the research room attendant or a designated NARA employee. NARA may charge the

requester fees for these monitoring services and these fees will be based on direct salary costs (including benefits). When more than one project share the same space, monitoring costs will be divided equally among the projects.

* * * * *

(l) NARA will provide the requester specific information on the fees for training, monitoring and any other substantial NARA services in the letter of approval. Payment of fees will be made in accordance with § 1258.14 of this chapter.

22. Section 1254.102 is amended by adding paragraph (e) to read:

§ 1254.102 Rescinding permission.

* * * * *

(e) If the person or organization fails to pay NARA fees in the agreed to amount or on the agreed to payment schedule.

Dated: August 4, 1998.

John W. Carlin,

Archivist of the United States.

[FR Doc. 98-21358 Filed 8-10-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 191-0088b; FRL-6138-7]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, Monterey Bay Unified Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a revision to the California State Implementation Plan (SIP) which concern the control of oxides of nitrogen and sulfur compounds.

The intended effect of proposing approval of this rule is to regulate emissions of oxides of nitrogen and sulfur compounds in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no relevant adverse comments are received, no further activity is contemplated in relation to