

place full reproduction costs on the person requesting the records.

Regulatory Flexibility Act

5 U.S.C. 552(a)(4)(A) requires the NRC, as a Federal agency, to promulgate regulations "... specifying a *uniform* schedule of fees applicable to all constituent units of such agency." (emphasis added). Therefore, no analysis of any differential impacts on small entities is necessary.

Paperwork Reduction Act Statement

This final rule contains no information collection requirements and therefore is not subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.).

List of Subjects in 10 CFR Part 9

Freedom of information, Penalty, Privacy, Reporting and recordkeeping requirements, Sunshine Act.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 553, the NRC is adopting the following amendments to 10 CFR Part 9.

PART 9—PUBLIC RECORDS

1. The authority citation for Part 9 is revised to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

Subpart A also issued under 5 U.S.C. 552, and 31 U.S.C. 9710. Subpart B also issued under 5 U.S.C. 552a. Subpart C also issued under 5 U.S.C. 552b.

2. In § 9.14, paragraph (a) is revised to read as follows:

§ 9.14 Charges for production of records.

(a)(1) Charges for the copying of records at the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC by the copying service contractor are as follows:

(i) Seven cents per page for paper copy to paper copy, except for engineering drawings and any other records larger than $8\frac{1}{2} \times 14$ inches for which the charges vary as follows depending on the reproduction process that is used: Xerox process—\$1.50 per square foot for large documents or engineering drawings (random size up to 24 inches in width and a maximum of 44 inches in length) reduced or full size; Photographic process—\$7.80 per square foot for large documents or engineering drawings (random size exceeding 24 inches in width up to a maximum size of 44 inches in length) full size only.

(ii) Seven cents per page for microform to paper copy, except for

engineering drawings and any other records larger than $8\frac{1}{2} \times 14$ inches for which the charge is \$2.20 per square foot or \$2.60 for a reduced size print (18×24 inches).

(iii) One dollar per microfiche to microfiche.

(iv) One dollar per aperture card to aperture card.

(2) Self-service, coin operated, copying machines are available at the PDR for the use of the public. Paper to paper is \$0.10 per page. Microform to paper is \$0.10 per page on the reader-printers.

(3) Mail order requests for contractor copying of NRC records may be made by writing to the PDR. The charges for mail order reproduction of records are the same as those set out in paragraph (a)(1) of this section, plus mailing or shipping charges.

(4) Accounts can be opened with the copying service contractor. The name and address and billing policy of the contractor can be obtained from the PDR.

(5) Any change in the above costs will become immediately effective for the interim period pending completion of the Commission's rulemaking to establish the new charges.

3. In § 9.14, paragraph (b)(1) is revised to read as follows:

§ 9.14 Charges for production of records.

(b) * * *

(1) Sizes up to $8\frac{1}{2} \times 14$ inches made on office copying machines—\$0.07 per page of copy.

Dated at Bethesda, MD, this 19th day of July 1984.

For the Nuclear Regulatory Commission.

William J. Dircks,
Executive Director for Operations.

[FR Doc. 84-20177 Filed 7-30-84; 8:45 am]

BILLING CODE 7590-01-M

FEDERAL ELECTION COMMISSION

11 CFR Parts 4 and 5

[Notice 1984-11]

Public Records and the Freedom of Information Act; Access to Public Disclosure Division Documents; Amendment of Fee Provisions

AGENCY: Federal Election Commission.

ACTION: Final rule; transmittal to Congress.

SUMMARY: The Commission is publishing today revised regulations governing the fee schedules for reproduction of materials available

under the Freedom of Information Act and through the Commission's Public Disclosure Division. The fee schedules have been updated to reflect the actual cost of items listed. They have also been revised to set fees in a more general fashion by describing the costs of reproduction instead of listing each item for which a charge is made. In addition, these rules establish a new procedure for handling requests for duplication of microfilm and computer tapes. Under the new rules, the requester will pay the outside producer of the requested material directly, to eliminate the requirement of debiting the Commission's appropriation for these costs. Finally, the regulations contain a technical revision to Part 4, to clarify that the Commission does not charge for staff time spent on duplicating materials requested under the Freedom of Information Act. Further information on these revisions is provided in the supplemental information which follows.

EFFECTIVE DATE: Further action, including the announcement of an effective date, will be taken by the Commission after these regulations have been before the Congress 30 legislative days in accordance with 2 U.S.C. 438(d).

FOR FURTHER INFORMATION CONTACT: Ms. Susan E. Propper, Assistant General Counsel, 1325 K Street NW., Washington, D.C. (202) 523-4143 or Toll Free (800) 424-9530.

SUPPLEMENTARY INFORMATION: On May 29, 1984, the Commission published a Notice of Proposed Rulemaking seeking comments on the text of proposed revisions to 11 CFR Parts 4 and 5. 49 FR 22335. The comment period ended on June 28, 1984. One comment was received in response to the Notice, from the Citizen's Research Foundation. This comment focused primarily on a draft fee waiver provision concerning schools and libraries which the Commission deleted from the proposed rules before the NPRM was published. It also endorsed the concept of direct payment to private producers of microfilm and computer tape duplicates.

2 U.S.C. 438(d) requires that any rule or regulation prescribed by the Commission to carry out the provisions of Title 2, U.S.C., be transmitted to the Speaker of the House of Representatives and the President of the Senate prior to final promulgation. Since the revisions to 11 CFR Part 5 implement provisions of Title 2, these regulations were transmitted to Congress on July 26, 1984.

Explanation and Justification of 11 CFR 4.9 and 5.6

The revised regulations contain no changes from the proposed language published in the May notice.

The primary purpose of these rules is to update the fee schedules for materials requested under the Public Records and Freedom of Information Act, 11 CFR Part 4, and Access to Public Disclosure Division Documents, 11 CFR Part 5, which have not been modified since the Commission first promulgated the schedules in 1979-80. The revisions in the fee schedules reflect changes in the "direct" cost to the Commission, or only those costs directly attributable to the actual reproduction of documents. It should be noted that, in the case of computer indices, the Commission has continued its present practice of processing requests for indices involving 20 committee ID numbers or less without charge. The one exception remains requests for a name search, for which the requester will be charged based on the computer time used. Since this program searches all records on file for activity by a particular individual, it requires much greater resources to produce, often using several hours of computer time.

The format of the fee schedules has also been altered. In the previous regulations, the publications for which charges are made were listed. This approach restricted the Commission's ability to add new publications or to revise the charges made for documents when they become more voluminous. The fee schedules as revised describe instead the Commission's actual costs for different types of reproduction, eliminating the need to set forth the price of each document. An up-to-date fee schedule for particular publications will continue to be made available in the Commission's Public Records Office.

A second purpose is to modify the billing procedure for microfilm and computer tape requests. In fulfilling its duties under the Freedom of Information Act, and in exercising its Public Disclosure functions, the Commission receives numerous requests for copies of records which appear on microfilm and on computer tape. Since the Commission does not have the facilities to duplicate microfilm or computer tape, private companies perform that service. Previously, the public requester paid the Commission a copying fee equal to the price billed to the Commission by the private duplicating firm. See schedules set out in 11 CFR 4.9(a) and 5.6(a). These monies were deposited directly into the U.S. Treasury, and the Commission paid the outside duplicating firm from its

appropriation. The Commission therefore requested an opinion from the Comptroller General regarding a proposed change in procedures governing payment of fees for duplication of records. The Comptroller General approved the change in Commission billing arrangements. See Comp. Gen. Decision B-205151 (March 1, 1982).

Under the revised regulations, each time a member of the public requests information in the form of microfilm or computer tape copies, the Commission will arrange for a private firm to produce that information and forward it to the Commission. The Commission will collect from the requester the appropriate fee for the duplication; however, the requester will make that fee payable not to the Commission but to the private firm which performed the duplicating. The Commission, upon receipt of payment, will forward the records to the requester.

The cost of the requester will continue to be regulated by the contract between the Commission and the private company and will not exceed the fees which the Commission would have been authorized to charge if it had processed the request in-house.

All non-exempt Commission documents which are on microfilm will continue to be available for inspection and copying at the Commission's Public Disclosure Division located on the street level, 1325 K Street, N.W., Washington, D.C.

Lastly, 11 CFR 4.9(a) has been modified for grammatical purposes and to delete language which purported to authorize the Commission to assess a fee for staff time spent in duplicating Freedom of Information Act materials. The Commission does not assess a fee for such time.

1. The authority citation for Part 4 reads as follows:

Authority: 5 U.S.C. 552.

2. The authority citation for Part 5 reads as follows:

Authority: 2 U.S.C. 437f(d), 437g(a)(4)(B)(ii), 438(a) and 31 U.S.C. 483(a).

List of Subjects**11 CFR Part 4**

Freedom of Information.

11 CFR Part 5

Archives and Records.

PART 4—[AMENDED]

11 CFR Part 4 is amended by revising § 4.9 as follows:

§ 4.9 Fees.

(a)(1) Fees will be charged for the staff time utilized in searching for records, and for the expenses involved in the duplication of such records. These fees shall not exceed the Commission's actual costs in processing requests for record, in accordance with the following schedule:

Photocopying from microfilm reader-printer.....\$15 per page
Photocopying from photocopying machines.....\$.05 per page
Paper copies from microfilm—Paper Print Machine.....\$.05 per frame/page

Reels of Microfilm:

Number of feet x \$.061 per foot = \$ (total cost per reel)

Publications: (new or not from stocks available)

Cost of photocopying (reproducing) document.....\$.05 per page
Cost of binding document.....\$.30 per inch
Plus cost of staff research time after first ½ hour (see Research Time)

Publications: (available stock)

If available from stock on hand, cost is based on previously calculated cost as stated in the publication (based on actual cost per copy, including reproduction and binding).

Computer Tapes:

Cost (\$.0006 per Computer Resource Unit Utilized—CRU) to process the request plus the cost of the computer tape (\$.25) and professional staff time (see Research Time). The cost varies based upon request.

Computer Indexes:

No charge for 20 or fewer requests for computer indexes, except for a name search as described below.

C Index—Committee Index of Disclosure Documents—No charge for requests of 20 or fewer committee ID numbers. Requests for more than 20 ID numbers will cost \$.05 for each ID number requested.

E Index (Parts 1-4)—Candidate Index of Supporting Documents—No charge for requests of 20 or fewer candidate ID numbers. Requests for more than 20 ID numbers will cost \$.10 for each ID number requested.

D Index—Committee Index of Candidates Supported/Opposed—No charge for requests of 20 or fewer committee ID numbers. Requests for more than 20 ID numbers will cost \$.30 for each committee ID number requested.

E Index (Complete)—Candidate Index of Supporting Documents—No charge for requests of 20 or fewer committee ID numbers. Requests for more than 20 ID numbers will cost \$2.00 for each candidate ID number requested.

G Index—Selected List of Receipts and Expenditures—No charge for requests of 20 or fewer committee ID numbers. Requests for more than 20 ID numbers will cost \$2.00 for each ID number requested.

Other computer index requests for more than 20 ID numbers will cost \$.0006 per CRU (Computer Resource Unit) utilized.

Name Search—A computer search of an entire individual contributor file for contributions made by a particular individual or individuals will cost \$.0006 per CRU (Computer Resource Unit) utilized.

Research Time:

Clerical: first ½ hour is free; remaining time costs \$3.50 for each half hour (equivalent of a GS-5) for each request.

Professional: first ½ hours is free; remaining time costs \$8.00 per each half hour (equivalent of a GS-12) for each request.

Other Charges:

Certification of a Document, \$7.35 per quarter hour.

Transcripts of Commission Meetings not previously transcribed, \$6.70 per half hour (equivalent of a GS-11 executive secretary).

(2) Upon receipt of any request for the production of computer tape or microfilm, the Commission will advise the requester of the identity of the private contractor who will perform the duplication services. The fee for the production of computer tape or microfilm shall be made payable to that private contractor and shall be forwarded to the Commission.

(b) Commission publications for which fees will be charged under 11 CFR 4.9(a) include, but are not limited to, the following:

Advisory Opinion Index
Report on Financial Activity
Financial Control and Compliance Manual
MUR Index
Guideline for Presentation in Good Order
Office Account Index

(c) In the event the anticipated fees for all pending requests from the same requester exceed \$25.00, records will not be searched, nor copies furnished, until the requester pays, or makes acceptable arrangements to pay, the total amount due. Similarly, if the records requested require the production of microfilm, or of computer tapes, the Commission will not instruct its contractor to duplicate the records until the requester has submitted payment as directed or has made acceptable arrangements to pay the total amount due. If any fee is not precisely ascertainable, an estimate will be made by the Commission and the requester will be required to forward the fee so estimated. In the event any advance payment differs from the actual fee, an appropriate adjustment will be made at the time the copies are made available by the Commission.

(d) The Commission may reduce or waive payment of any fees hereunder if it determines that such waiver or reduction is in the public interest because the proposed use of the information involved can be considered

as primarily benefiting the general public as opposed to primarily benefiting the individual or organization requesting the information.

PART 5—[AMENDED]

11 CFR Part 5 is amended by revising § 5.6 as follows:

§ 5.6 Fees.

(a)(1) Fees will be charged for copies of records which are furnished to a requester under this part and for the staff time spent in locating and reproducing such records. The fees to be levied for services rendered under this part shall not exceed the Commission's direct cost of processing requests for those records computed on the basis of the actual number of copies produced and the staff time expended in fulfilling the particular request, in accordance with the following schedule of standard fees:

Photocopying from microfilm reader-printer..... \$15 per page
Photocopying from photocopying machines..... \$0.05 per page
Paper copies from microfilm—Paper Print Machine..... \$0.05 per frame/page

Reels of Microfilm:

Number of feet × \$.061 per foot = \$ (total cost per reel)

Publications: (new or not from stocks available)

Cost of photocopying (reproducing) document..... \$0.05 per page
Cost of binding document..... \$0.30 per inch
Plus cost of staff research time after first ½ hour (see Research Time)

Publications: (available stock)

If available from stock on hand, cost is based on previously calculated cost as stated in the publication (based on actual cost per copy, including reproduction and binding).

Computer Tapes:

Cost (\$.0006 per Computer Resource Unit Utilized—CRU) to process the request plus the cost of the computer tape (\$25) and professional staff time (see Research Time). The cost varies based upon request.

Computer Indexes:

No charge for 20 or fewer requests for computer indexes, except for a name search as described below.

C Index—Committee Index of Disclosure Documents—No charge for requests of 20 or fewer committee ID numbers. Requests for more than 20 ID numbers will cost \$.05 for each ID number requested.

E Index (Parts 1-4)—Candidate Index of Supporting Documents—No charge for requests of 20 or fewer candidate ID numbers. Requests for more than 20 ID numbers will cost \$.10 for each ID number requested.

D Index—Committee Index or Candidates Supported/Opposed—No charge for requests of 20 or fewer committee ID numbers. Requests for more than 20 ID numbers will

cost \$.30 for each committee ID number requested.

E Index (Complete)—Candidate Index of Supporting Documents—No charge for requests of 20 or fewer committee ID numbers. Requests for more than 20 ID numbers will cost \$2.00 for each candidate ID number requested.

G Index—Selected List of Receipts and Expenditures—No charge for requests of 20 or fewer committee ID numbers. Requests for more than 20 ID numbers will cost \$2.00 for each ID number requested.

Other computer index requests for more than 20 ID numbers will cost \$.0006 per CRU (Computer Resource Unit) utilized.

Name Search—A computer search of an entire individual contributor file for contributions made by a particular individual or individuals will cost \$.0006 per CRU (Computer Resource Unit) utilized.

Research Time/Photocopying Time:

Clerical: first ½ hour is free; remaining time costs \$3.50 for each half hour (equivalent of a GS-5) for each request.

Professional: first ½ hour is free; remaining time costs \$8.00 per each half hour (equivalent of a GS-12) for each request.

Other Charges:

Certification of a Document, \$7.35 per quarter hour.

Transcripts of Commission Meetings not previously transcribed, \$6.70 per half hour (equivalent of a GS-11 executive secretary).

(2) Upon receipt of any request for the production of computer tape or microfilm, the Commission will advise the requester of the identity of the private contractor who will perform the duplication services. The fee for the production of computer tape or microfilm shall be made payable to that private contractor and shall be forwarded to the Commission.

(b) Commission publications for which fees will be charged under 11 CFR 5.6(a) include, but are not limited to, the following:

Advisory Opinion Index
Report on Financial Activity
Financial Control and Compliance Manual
MUR Index
Guideline for Presentation in Good Order
Office Account Index

(c) In the event the anticipated fees for all pending requests from the same requester exceed \$25.00, records will not be searched, nor copies furnished, until the requester pays, or makes acceptable arrangements to pay, the total amount due.

Similarly, if the records requested require the production of microfilm or of computer tapes, the Commission will not instruct its contractor to duplicate the records until the requester has submitted payment as directed or has made acceptable arrangements to pay the total amount due. If any fee is not

precisely ascertainable, an estimate will be made by the Commission and the requester will be required to forward the fee so estimated. In the event any advance payment differs from the actual fee, an appropriate adjustment will be made at the time the copies are made available by the Commission.

(d) The Commission may reduce or waive payments of fees hereunder if it determines that such waiver or reduction is in the public interest because the furnishing of the requested information to the particular requester involved can be considered as primarily benefiting the general public as opposed to primarily benefiting the person or organization requesting the information.

Dated: July 26, 1984.

Lee Ann Elliott,
Chairman, Federal Election Commission.

[FR Doc. 84-20147 Filed 7-30-84; 8:45 am]
BILLING CODE 9715-01-M

11 CFR Part 9008

[Notice 1984-13]

Federal Financing of Presidential Nominating Conventions

AGENCY: Federal Election Commission.

ACTION: Final rule; technical amendments.

SUMMARY: The Commission is publishing today technical amendments to its regulations at 11 CFR Part 9008, governing public financing of Presidential Nominating Conventions. These amendments bring the regulations into conformance with recent changes in Title 26, United States Code, enacted by Congress. The amendments raise the level of entitlement for major parties under these provisions from \$3 million to \$4 million.

EFFECTIVE DATE: July 31, 1984.

FOR FURTHER INFORMATION CONTACT: Ms. Susan E. Propper, Assistant General Counsel, 1325 K Street, N.W., Washington, D.C. 20463, (202) 523-4143 or (800) 424-9530.

SUPPLEMENTARY INFORMATION: On June 29, 1984, the House of Representatives and the Senate passed H.R. 5950, Pub. L. 98-355. This bill increased the public financing entitlement of the major parties for their presidential nominating conventions under 26 U.S.C. § 9008 from \$3 million to \$4 million. The provisions of the bill became effective upon being signed by the President, which occurred on July 11, 1984. The Commission has accordingly made technical amendments to its regulations, at 11 CFR 9008.1(a) and 9008.3(a), in conformance with the legislation.

Because these amendments simply reflect changes in the law, they are not substantive rules requiring notice and comment under the Administrative Procedure Act, 5 U.S.C. 553, or delay in prescription under the legislative review provisions of 26 U.S.C. 9009(c). These amendments are, therefore, made effective on July 31, 1984.

These final rules will not have a significant economic impact on a substantial number of small entities. The basis for this certification is that no committee subject to these rules is a small entity.

List of Subjects in 11 CFR Part 9008

Campaign funds, Political committees and parties.

The authority citation for Part 9008 reads as follows:

Authority: 26 U.S.C. 9008.

PART 9008—FEDERAL FINANCING OF PRESIDENTIAL NOMINATING CONVENTIONS

1. 11 CFR 9008.1(a) is revised to read as follows:

§ 9008.1 Scope.

(a) This Part interprets 2 U.S.C. 437 and 26 U.S.C. 9008. Under 26 U.S.C. 9008(b), the national committees of both major and minor parties are entitled to public funds to defray expenses incurred with respect to a Presidential Nominating Convention. Under 26 U.S.C. 9008(d), expenditures with regard to such a convention by a national committee receiving public funds are limited to \$4,000,000, as adjusted by the Consumer Price Index. New parties are not entitled to receive any public funds to defray convention expenses.

* * * * *

2. 11 CFR 9008.3(a) is revised to read as follows:

§ 9008.3 Entitlement to Payments from the Fund.

(a) *Major parties.* Subject to the provisions of 11 CFR Part 9008, the national committee of a major party shall be entitled to receive payments under 11 CFR 9008.8 with respect to any presidential nominating convention, in amounts which, in the aggregate, shall not exceed \$4 million, as adjusted by the Consumer Price Index under 11 CFR 9008.4(a).

* * * * *

Dated: July 26, 1984.

Lee Ann Elliott,
Chairman, Federal Election Commission.

[FR Doc. 84-20148 Filed 7-30-84; 8:45 am]
BILLING CODE 9715-01-M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 101

[Revision 2—Amdt. 38]

Delegations of Authority to Conduct Program Activities in Field Offices

AGENCY: Small Business Administration.

ACTION: Final rule.

SUMMARY: On March 3, 1983 the Administrator approved a delegation of authority, on a one year pilot project basis in Region IV only, now expired, that gave designated Senior Loan Specialists authority to approve, decline, or take servicing and liquidation actions on loans. These designated officers were delegated authority equal to the Supervisory Loan Specialist, Financing Division, District Office (D/O), the Supervisory Loan Specialist, Portfolio Management, D/O, and the Supervisory Loan Specialist, Liquidation, D/O, but with no supervisory authority for responsibility. The Senior Loan Specialists functioned under supervision of a regular supervisor such as a Deputy District Director, an Assistant District Director/Finance and Investment, or a Chief, Financing Division and freed Supervisory Loan Officers from some of their routine work, allowed them more time for management of a broader segment of their offices and additionally, greatly improved the supervisor/employee ratio.

The Administrator has now approved a new delegation of authority reinstating that authority to designated Senior Loan Specialists, in Region IV only, on a temporary basis to expire December 31, 1984 and additionally, ratifies those actions taken by designated Senior Loan Specialists in Region IV during the period from March 9, 1984 to the effective date hereof of this document which would have been proper if the original delegation had not expired.

EFFECTIVE DATE: July 31, 1984, not to exceed December 31, 1984.

FOR FURTHER INFORMATION CONTACT: Ronald Allen, Information Resources Management Branch, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416. Telephone No. (202) 653-8538.

SUPPLEMENTARY INFORMATION: Part 101 consists of rules relating to the Agency's organization and procedures; therefore, notice of proposed rulemaking and public participation thereon as prescribed in 5 U.S.C. 553 are not required and this amendment to Part 101