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DEPARTMENT OF ENERGY

10 CFR Part 708

RIN 1901-AA78

Criteria and Procedures for DOE Contractor Employee Protection Program; Correction

AGENCY: Office of Hearing and Appeals, Department of Energy.

ACTION: Final rule; correction.

SUMMARY: The Department of Energy published a final rule on February 9, 2000, to amend 10 CFR Part 708, the DOE contractor employee protection program ("whistleblower") regulations. DOE previously adopted an interim final rule amending Part 708, which was published on March 15, 1999, and amended on July 12, 1999. This document corrects an error in the final rule.

DATES: This final rule is effective on March 10, 2000.

FOR FURTHER INFORMATION CONTACT: Roger Klurfeld, or Thomas O. Mann, telephone: (202) 426-1449; e-mail: roger.klurfeld@hq.doe.gov, thomas.mann@hq.doe.gov.

SUPPLEMENTARY INFORMATION: This document makes a correction to a final rule that was published in the **Federal Register** on February 9, 2000 (65 FR 6314). In that rulemaking, an error was made in a section heading numbering.

In rule FR document 00-2797, beginning on page 6314, in the issue of Wednesday, February 9, 2000, make the following correction:

PART 708—[CORRECTED]

§ 708.40 [Corrected]

1. On page 6319, in the third column, correct amendatory instruction 5 to read as follows:

5. A new Section 708.43 is added as follows:

§ 708.43. Does this rule impose an affirmative duty on DOE contractors not to retaliate?

* * * * *

Dated: February 16, 2000.

George B. Breznay,

Director, Office of Hearings and Appeals.

[FR Doc. 00-4346 Filed 2-23-00; 8:45 am]

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FEDERAL ELECTION COMMISSION

11 CFR Parts 2, 4 and 5

[Notice 2000-3]

Electronic Freedom of Information Act Amendments

AGENCY: Federal Election Commission.

ACTION: Final rules and statement of basis and purpose.

SUMMARY: The Electronic Freedom of Information Act Amendments of 1996, which amended the Freedom of Information Act, were designed to make government documents more accessible to the public in electronic form. The amendments also expedite and streamline the process by which agencies disclose information generally. The Commission is revising its Freedom of Information Act regulations both to comply with these new requirements and to address issues that have arisen since the rules were originally adopted.

DATES: These rules will become effective on March 27, 2000

FOR FURTHER INFORMATION CONTACT: Ms. Rosemary C. Smith, Assistant General Counsel, or Ms. Rita A. Reimer, Attorney, 999 E Street, NW, Washington, DC 20463, (202) 694-1650 or (800) 424-9530 (toll-free).

SUPPLEMENTARY INFORMATION: The Freedom of Information Act ("FOIA") provides for public access to all federal agency records except those that are protected from release by specified exemptions. 5 U.S.C. 552. In 1996, Congress enacted the "Electronic Freedom of Information Act Amendments of 1996" ("EFOIA"), Public Law 101-231, 110 Stat. 2422. EFOIA extended coverage of the FOIA to electronic records and made other changes in FOIA procedures that expedite and streamline the process by which agencies disclose information. The revisions to the Commission's FOIA

rules published today in part conform these rules to the new EFOIA requirements and in part reflect issues that have arisen since the rules were originally adopted.

The Commission's FOIA rules are found at 11 CFR Part 4, while access to documents made public by the Commission's Public Disclosure Division is governed by 11 CFR Part 5. The revisions published today affect 11 CFR 4.1, 4.4, 4.5, 4.7, 5.1 and 5.4. In addition, the Commission is making technical amendments to 11 CFR 2.2 and 2.5, sections of its Government in Sunshine regulations.

The Notice of Proposed Rulemaking ("NPRM") on these rules was published in the **Federal Register** on March 4, 1999. 64 FR 10405. The Commission received one joint comment in response to the NPRM, from Public Citizen and the Freedom of Information Clearinghouse. This comment is discussed in more detail below.

Statement of Basis and Purpose

EFOIA requires agencies to make covered records available by electronic means. The Commission fully supports this goal and fulfills the bulk of its FOIA requests electronically. For example, during calendar year 1998, of the 462 FOIA requests that the Commission granted in their entirety, 424 were for on-line computer access.¹

The Commission's home page on the World Wide Web, www.fec.gov, contains a wide range of information on Commission policies and procedures, as well as campaign finance data. The material available includes summaries and searchable databases of campaign contributions; the FEC newsletter, the *Record*; candidate and committee Campaign Guides, reporting forms, and other FEC publications; news releases and media advisories; statistics and data on voting and elections; the text of the Commission's regulations; FEC Advisory Opinions extending back to 1977; summaries of court cases to which the Commission was a party; and images of campaign finance reports filed by

¹ Of the 486 FOIA requests received in 1998, only 24 were denied. Ten of these were denied because the Commission did not have records responsive to the requests; thirteen requests were denied because the Commission had already placed the requested records on the public record prior to the filing of the requests, pursuant to 11 CFR 4.4; and one request was denied due to exempt documents, as stipulated under 11 CFR 4.5.