

Commissioner for Trademarks, by telephone at (703) 308-8910, ext. 137; by e-mail to mary.hannon@uspto.gov; by facsimile transmission addressed to her at (703) 872-9280; or by mail marked to her attention and addressed to Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514.

SUPPLEMENTARY INFORMATION: The United States Patent and Trademark Office ("Office") published in the **Federal Register** of August 13, 2003 (68 FR 48286), a final rule amending its rules to separate the provisions for patent matters and trademark matters with respect to filing correspondence, requesting copies of documents, payment of fees, and general information. This document corrects a typographical error in the final rule.

In FR Doc. 03-20489, published on August 13, 2003 (68 FR 48286), make the following correction:

§ 2.198 Filing of correspondence by "Express Mail."

- 1. On page 48291, in the first column, in § 2.198, line 2, correct "(a)(1)(i) and (ii)" to read "(a)(1)(i) through (vii)."

Dated: September 24, 2003.

Lynne G. Beresford,
Deputy Commissioner for Trademark Examination Policy.

[FR Doc. 03-24812 Filed 9-30-03; 8:45 am]

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POSTAL SERVICE

39 CFR Part 111

Indemnity Claims for Domestic Mail

AGENCY: Postal Service.

ACTION: Delay of effective date of final rule.

SUMMARY: The effective date of October 1, 2003, for changes to domestic indemnity claims regulations published in the **Federal Register** on September 2, 2003 (Vol. 68, No. 169, pages 52100-52104) is delayed until further notice. As a result, 39 CFR part 111 is not amended at this time.

DATES: This delay is effective upon publication.

SUPPLEMENTARY INFORMATION: The Postal Service will issue a further document regarding the effective date of these policy and procedure changes.

Neva R. Watson,
Attorney, Legislative, Office of Legal Policy and Ratemaking Law.

[FR Doc. 03-24915 Filed 9-30-03; 8:45 am]

BILLING CODE 7710-12-P

POSTAL SERVICE

39 CFR Parts 224, 261 through 268

Release of Information and Records Management Changes

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The Postal Service revises organizational names and titles relating to the policies for the release of information and records management, and revises the fee structure relating to the furnishing of documents and records to members of the public under the Freedom of Information Act (FOIA). These revisions (1) Update organizational names and titles that changed as a result of agency restructuring, (2) reflect to whom the public should address issues relating to the release of information and records management, and (3) change the fee structure to permit the recovery of current costs incurred in the furnishing of records to the public.

DATES: This rule is effective September 30, 2003.

FOR FURTHER INFORMATION CONTACT: Robert Faruq at 202-268-2608.

SUPPLEMENTARY INFORMATION:

Background

On August 11, 2003, the Postal Service published a proposed rule in the **Federal Register** (68 FR 47527). In that notice, we proposed:

- Revising the organizational names and titles in the policies relating to releasing information and managing records.
- Revising the fee structure for furnishing documents and records to members of the public under the Freedom of Information Act (FOIA).

Discussion of Comments

The Postal Service received comments from one party regarding the proposed rule changes.

Comments: The party objected to fee increase amounts, the unification of the rate structure, and the change to half-hour assessments.

Response: The FOIA requires fees to be based upon direct operating costs of providing FOIA services, which recoup full allowable direct costs incurred. The Postal Service has not updated its FOIA fees since 1987, a period of 16 years. During that time, personnel costs have risen substantially.

The fee increases, along with the unification of the rate structure, are based on the weighted average salaries of employees responsible for providing FOIA services. The class of Postal

Service personnel providing FOIA services is Executive and Administrative Salary Schedule (EAS) employees, levels EAS 1 through EAS 26. The administrative/clerical and professional/executive categories did not work appropriately in an EAS environment. The levels and job duties performed can vary considerably, such as between Headquarters and field units, with some positions having both administrative and professional aspects. The rate structure for providing FOIA services was unified to appropriately align with Postal Service employee classifications. In addition, this will likely reduce the FOIA fees charged, because most personnel processing FOIAs are EAS positions that more typically would be classified as professional, and thus would assess fees at the higher category.

The use of half-hour increments to assess fees will be easier to implement administratively, and is consistent with other agencies' fee regulations. In addition, on average, FOIA fees should not increase, because charges will be to the nearest half hour, as opposed to being rounded upward. Fees for computer searches were updated to reflect current costs and current technology. Certain computer fees remain charged at 15-minute increments because it is less administratively burdensome to track those time increments for computer searches than for manual searches. Computer personnel fees may involve programming necessary to retrieve data in response to specific requests. Programming varies in degrees of technical complexity, and is reflected in separate fee categories.

Changes to References

After issuing the proposed rule, the Postal Service identified several incorrect references. We corrected those references in this final rule.

List of Subjects

39 CFR Part 224

Organization and functions (Government agencies).

39 CFR Parts 261, 262, and 263

Archives and records.

39 CFR Part 264

Archives and records, Security measures.

39 CFR Part 265

Administrative practice and procedure, Courts, Freedom of information, Government employees.