

relating to new products and industry adjustment efforts and to certain customer information of two domestic producers. Because such discussions will necessitate disclosure of confidential business information (CBI), they can only occur if a portion of the hearing is held in camera. In making this decision, the Commission nevertheless reaffirms its belief that whenever possible its business should be conducted in public.

The hearing will include the usual public presentations by parties, with questions from the Commission. In addition, the hearing will include in camera sessions for confidential presentations by the two producers and for questions from the Commission relating to the CBI. For any in camera session the room will be cleared of all persons except for those company officials and their counsel who are authorized to have access to the CBI at issue. See 19 CFR 201.35(b)(1), (2). The time for the party's presentations in the in camera session will be taken from its overall allotment for the hearing. All persons planning to attend the in camera portions of the hearing should be prepared to present proper identification.

**Authority:** The General Counsel has certified, pursuant to Commission Rule 201.39 (19 CFR 201.39) that, in her opinion, a portion of the Commission's hearing in Inv. No. TA-204-4, Wheat Gluten, may be closed to the public to prevent the disclosure of CBI.

Issued: February 23, 2001.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 01-5003 Filed 2-28-01; 8:45 am]

**BILLING CODE 7020-02-U**

## DEPARTMENT OF JUSTICE

[AAG/A Order No. 220-2001]

### Privacy Act of 1974; System of Records; Delay of Effective Date

**AGENCY:** Federal Bureau of Investigation, Department of Justice.

**ACTION:** Notice; delay of effective date.

**SUMMARY:** This action delays the effective date of the amendments to the Privacy Act notice for the National Instant Criminal Background Check System (Justice/FBI-018) published on January 22, 2001, at 66 FR 6676.

**DATES:** The effective date of the amendments to the Privacy Act notice for the National Instant Criminal Background Check System (Justice/FBI-018) published on January 22, 2001, at

66 FR 6676, is delayed for 60 days, from March 5, 2001, until May 4, 2001.

**FOR FURTHER INFORMATION CONTACT:**

Mary E. Cahill, Management Analyst, Management and Planning Staff, Justice Management Division, Department of Justice, 1400 National Place Building, Washington, DC 20530.

**SUPPLEMENTARY INFORMATION:** The Department is delaying the effective date of the amendments to the Privacy Act notice published for the National Instant Criminal Background Check System (Justice/FBI-018) on January 22, 2001, at 66 FR 6676, for 60 days, from March 5, 2001 to a new effective date of May 4, 2001. This delay in effective date is being done in order to conform with the delayed effective date of the final rule entitled "National Instant Criminal Background Check System Regulation" published in the **Federal Register** on January 22, 2001, at 66 FR 6470, which is the basis for the amendments made in the Privacy Act notice. In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001 (66 FR 7702), the effective date of the final rule is being delayed for 60 days, from March 5, 2001, until May 4, 2001. The temporary 60-day delay in effective date is necessary to give Department of Justice officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. The delay of effective date of the final rule entitled "National Instant Criminal Background Check Regulation" is published in the Rules section of this issue of the **Federal Register**.

Dated: February 13, 2001.

**Stephen R. Colgate,**

*Assistant Attorney General for Administration.*

[FR Doc. 01-4980 Filed 2-28-01; 8:45 am]

**BILLING CODE 4410-02-M**

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Records Schedules for Electronic Copies Previously Covered by General Records Schedule 20; Availability and Request for Comments

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal.

This request for comments pertains solely to schedules for electronic copies of records created using word processing and electronic mail where the recordkeeping copies are already scheduled. (Electronic copies are records created using word processing or electronic mail software that remain in storage on the computer system after the recordkeeping copies are produced.)

These records were previously approved for disposal under General Records Schedule 20, Items 13 and 14. The agencies identified in this notice have submitted schedules pursuant to NARA Bulletin 99-04 to obtain separate disposition authority for the electronic copies associated with program records and administrative records not covered by the General Records Schedules. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a). To facilitate review of these schedules, their availability for comment is announced in **Federal Register** notices separate from those used for other records disposition schedules.

**DATES:** Requests for copies must be received in writing on or before April 16, 2001. On request, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums concerning a proposed schedule. These, too, may be requested. Requesters will be given 30 days to submit comments.

Some schedules submitted in accordance with NARA Bulletin 99-04 group records by program, function, or organizational element. These schedules do not include descriptions at the file series level, but, instead, provide citations to previously approved schedules or agency records disposition manuals (see **SUPPLEMENTARY**

**INFORMATION** section of this notice). To facilitate review of such disposition requests, previously approved schedules or manuals that are cited may be requested in addition to schedules for the electronic copies. NARA will provide the first 100 pages at no cost. NARA may charge \$.20 per page for additional copies. These materials also may be examined at no cost at the National Archives at College Park (8601 Adelphi Road, College Park, MD).

**ADDRESSES:** To request a copy of any records schedule identified in this notice, write to the Life Cycle Management Division (NWML), National Archives and Records Administration (NARA), 8601 Adelphi Road, College Park, MD 20740-6001. Requests also may be transmitted by FAX to 301-713-6852 or by e-mail to records.mgt@arch2.nara.gov.

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports and/or copies of previously approved schedules or manuals should so indicate in their request.

**FOR FURTHER INFORMATION CONTACT:**

Marie Allen, Director, Life Cycle Management Division (NWML), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. Telephone: (301) 713-7110. E-mail: records.mgt@arch2.nara.gov.

**SUPPLEMENTARY INFORMATION:** Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs the records to conduct its business. Routine administrative records common to most agencies are approved for disposal in the General Records Schedules (GRS), which are disposition schedules issued by NARA that apply Government-wide.

On March 25, 1999, the Archivist issued NARA Bulletin 99-04, which told agencies what they must do to schedule electronic copies associated with previously scheduled program records and certain administrative records that were previously scheduled

under GRS 20, Items 13 and 14. On December 27, 1999, the Archivist issued NARA Bulletin 2000-02, which suspended Bulletin 99-04 pending NARA's completion in FY 2001 of an overall review of scheduling and appraisal. On completion of this review, which will address all records, including electronic copies, NARA will determine whether Bulletin 99-04 should be revised or replaced with an alternative scheduling procedure. However, NARA will accept and process schedules for electronic copies prepared in accordance with Bulletin 99-04 that are submitted after December 27, 1999, as well as schedules that were submitted prior to this date.

Schedules submitted in accordance with NARA Bulletin 99-04 only cover the electronic copies associated with previously scheduled series. Agencies that wish to schedule hitherto unscheduled series must submit separate SF 115s that cover both recordkeeping copies and electronic copies used to create them.

In developing SF 115s for the electronic copies of scheduled records, agencies may use either of two scheduling models. They may add an appropriate disposition for the electronic copies formerly covered by GRS 20, Items 13 and 14, to every item in their manuals or records schedules where the recordkeeping copy has been created with a word processing or electronic mail application. This approach is described as Model 1 in Bulletin 99-04. Alternatively, agencies may group records by program, function, or organizational component and propose disposition instructions for the electronic copies associated with each grouping. This approach is described as Model 2 in the Bulletin. Schedules that follow Model 2 do not describe records at the series level.

For each schedule covered by this notice the following information is provided: name of the Federal agency and any subdivisions requesting disposition authority; the organizational unit(s) accumulating the records or a statement that the schedule has agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency; the control number assigned to each schedule; the total number of schedule items; the number of temporary items (the record series proposed for destruction); a brief description of the temporary electronic copies; and citations to previously approved SF 115s or printed disposition manuals that scheduled the recordkeeping copies associated with the electronic copies covered by the pending schedule. If a

cited manual or schedule is available from the Government Printing Office or has been posted to a publicly available Web site, this too is noted. Further information about the disposition process is available on request.

**Schedules Pending**

1. National Labor Relations Board, Agency-wide, (N9-25-01-1, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to activities common to most agency offices. Included are electronic copies associated with such matters as records management, personnel administration, financial management, and program administration. Also included are back-up tapes of these electronic copies. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 1, of the NLRB Files Management and Records Disposition Handbook.

2. National Labor Relations Board, Agency-wide, (N9-25-01-2, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to such matters as committee management, organization planning, program evaluations, audits and investigations, forms and directives management, and automated data processing projects. Also included are back-up tapes of these electronic copies. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 2, of the NLRB Files Management and Records Disposition Handbook.

3. National Labor Relations Board, Agency-wide, (N9-25-01-3, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to such matters as emergency preparedness, telecommunications, publications and printing, graphics and audiovisual products, security, space management, and travel and transportation. Also included are back-up tapes of these electronic copies. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 3, of the NLRB Files Management and Records Disposition Handbook.

4. National Labor Relations Board, Agency-wide, (N9-25-01-4, 3 items, 3 temporary items). Electronic copies of records created using electronic mail

and word processing that relate to personnel management, including such matters as employee performance and utilization, position classification and job evaluation, employee training, equal employment opportunity, and labor-management relations. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 4, of the NLRB Files Management and Records Disposition Handbook

5. National Labor Relations Board, Agency-wide, (N9-25-01-5, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to such matters as public relations, congressional relations, and implementation of the Freedom of Information and Privacy Acts. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 5, of the NLRB Files Management and Records Disposition Handbook.

6. National Labor Relations Board, Agency-wide, (N9-25-01-6, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to general financial matters, budget, accounting and the disbursement of funds, and payroll. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 6, of the NLRB Files Management and Records Disposition Handbook.

7. National Labor Relations Board, Agency-wide, (N9-25-01-7, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to procurement, contracts, supplies, and interagency agreements for reimbursable services dealing with these matters. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 7, of the NLRB Files Management and Records Disposition Handbook.

8. National Labor Relations Board, Agency-wide, (N9-25-01-8, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to labor relations, including general case matters, unfair labor practices, and representation proceedings. This schedule follows Model 2 as described

in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 8, of the NLRB Files Management and Records Disposition Handbook and in Disposition Job Number N1-25-97-1.

Dated: February 23, 2001.

**Michael J. Kurtz,**

*Assistant Archivist for Record Services—  
Washington, DC.*

[FR Doc. 01-4909 Filed 2-28-01; 8:45 am]

**BILLING CODE 7515-01-U**

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-04983, License No. 22-01376-02, EA-00-169]

### In the Matter of Stork/Twin City Testing St. Paul, MN; Order Imposing Civil Monetary Penalty

#### I

Stork/Twin City Testing (Licensee) is the holder of Materials License No. 22-01376-02 issued by the Nuclear Regulatory Commission (NRC or Commission) on August 2, 1999, and amended in its entirety on June 16, 2000. The license authorizes the Licensee to perform industrial radiography in accordance with the conditions specified therein.

#### II

An inspection of the Licensee's activities was conducted January 25 through February 24, 2000, and an investigation by the NRC Office of Investigations was initiated on February 7, 2000. The results of the inspection and investigation indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. A written Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was served upon the Licensee by letter dated December 15, 2000. The Notice states the nature of the violation, the provision of the NRC's requirements that the Licensee violated, and the amount of the civil penalty proposed for the violation.

The Licensee responded to the Notice in a letter dated December 21, 2000. In its response, the Licensee did not contest the violation, but requested reconsideration of the amount of the civil penalty based on the safety significance of the violation, the duration of the violation while Stork was involved, and that the violation occurred at only one location of use.

#### III

After considering the Licensee's response and the statements of fact, explanation, and argument for mitigation contained therein, the NRC staff has determined that the violation occurred as stated in the Notice, that the licensee has not provided a sufficient basis to warrant reduction of the civil monetary penalty, and that therefore the civil monetary penalty in the amount of \$11,000 should be imposed.

#### IV

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205, *It Is Hereby Ordered That:*

The Licensee pay a civil penalty in the amount of \$11,000 within 30 days of the date of this Order, in accordance with NUREG/BR-0254. In addition, at the time of making the payment, the licensee shall submit a statement indicating when and by what method payment was made, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738.

#### V

The Licensee may request a hearing within 30 days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. A request for a hearing should be clearly marked as a "Request for an Enforcement Hearing" and shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555. Copies shall also be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Materials Litigation and Enforcement at the same address, and to the Regional Administrator, NRC Region III, 801 Warrenville Road, Lisle, IL 60532-4351.

If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If the Licensee fails to request a hearing within 30 days of the date of this Order (or if written approval of an extension of time in which to request a hearing has not been granted), the provisions of this Order shall be effective without further proceedings. If