

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 0**

[DA 95-1053]

General Information**AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: The Federal Communications Commission is modifying a section of the Commission's Rules that implements the Freedom of Information Act (FOIA) fee schedule. This modification pertains to the charge for recovery of the full, allowable direct costs of searching for and reviewing records requested under the FOIA and § 0.460(e) or § 0.461 of the Commission's rules, unless such fees are restricted or waived in accordance with § 0.470. The fees are being revised to correspond to modifications in the rate of pay approved by Congress.

EFFECTIVE DATE: July 7, 1995.

FOR FURTHER INFORMATION CONTACT: Judy Boley, Freedom of Information Act Officer, Records Management Branch, Room 234, Federal Communications Commission, 1919 M Street NW., Washington, DC 20554, (202) 418-0210.

SUPPLEMENTARY INFORMATION: The FCC is modifying 47 CFR 0.467(a) of the Commission's Rules. This rule pertains to the charges for searching and reviewing records requested under the Freedom of Information (FOIA). The FOIA requires federal agencies to establish a schedule of fees for the processing of requests for agency records in accordance with fee guidance issued by the Office of Management and Budget (OMB). In 1987, OMB issued its Uniform Freedom of Information Act Fee Schedule and Guidelines. However, because the FOIA requires that each agency's fees be based upon its direct costs of providing FOIA services, OMB did not provide a unitary, government-wide schedule of fees. The Commission based its FOIA fee schedule on the grade level of the employee who processes the request. Thus, the fee schedule was computed at a Step 5 of each grade level based on the General Schedule effective January 1995. The instant revisions correspond to modifications in the rate of pay recently approved by Congress.

Regulatory Procedures

This proposed rule has been reviewed under Executive Order No. 12866 and has been determined not to be a "significant rule" since it will not have

an annual effect on the economy of \$100 million or more.

In addition, it has been determined that this proposed rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 47 CFR Part 0

Freedom of information.

Federal Communications Commission.

Richard D. Lee,*Deputy Managing Director.***Amendatory Text**

Part 0 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

PART 0—COMMISSION ORGANIZATION

1. The authority citation for Part 0 continues to read as follows:

Authority: 47 U.S.C. 155, 225, unless otherwise noted.

2. Section 0.467 is amended by revising the table in paragraph (a)(1) and its note, and paragraph (a)(2) to read as follows:

§ 0.467 Search and review fees.

(a)(1) * * *

Grade	Hourly fee
GS-1	8.27
GS-2	9.01
GS-3	10.15
GS-4	11.40
GS-5	12.76
GS-6	14.21
GS-7	15.79
GS-8	17.49
GS-9	19.33
GS-10	21.28
GS-11	23.37
GS-12	28.01
GS-13	33.32
GS-14	39.36
GS-15	46.31

Note: These fees will be modified periodically to correspond with modifications in the rate of pay approved by Congress.

(2) The fees in paragraph (a)(1) of this section were computed at Step 5 of each grade level based on the General Schedule effective January 1995 and include 19 percent for personnel benefits.

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[FR Doc. 95-13875 Filed 6-6-95; 8:45 am]

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DEPARTMENT OF ENERGY**48 CFR Parts 915, 931, 942, 951, 952, and 970**

RIN 1991-AB12

Independent Research and Development and Bid and Proposal Costs Policy**AGENCY:** Department of Energy.**ACTION:** Final rule.

SUMMARY: The Department of Energy (DOE) amends its Acquisition Regulation to effect changes to Independent Research and Development (IR&D) and Bid and Proposal Costs (B&P); and reflect Federal Acquisition Regulation (FAR) changes to the Cost Accounting Standards (CAS). Additionally, there are technical changes updating references, correcting editorial errors, and clarifying language.

EFFECTIVE DATE: June 7, 1995.

FOR FURTHER INFORMATION CONTACT: Terrence D. Sheppard (202) 586-8174, Business and Financial Policy Division (HR-51), Office of Procurement and Assistance Management, Department of Energy, 1000 Independence Avenue, SW., Washington, D.C., 20585.

SUPPLEMENTARY INFORMATION:**I. Background****II. Procedural Requirements**

A. Review Under Executive Order 12866

B. Review Under Executive Order 12778

C. Review Under the Regulatory Flexibility Act

D. Review Under the Paperwork Reduction Act

E. Review Under the National Environmental Policy Act

F. Review Under Executive Order 12612

I. Background

DOE published a notice of proposed rulemaking in the **Federal Register** on October 31, 1994. The public comment period closed December 30, 1994. No public comments were received. However, those portions of the proposed rule which addressed reimbursement of contractor travel costs (sections 970.3102-17(c)(7), 970.5204-13(e)(35), and 970.5204-14(e)(33)) have been withdrawn from this final rule, because section 2191 of the Federal Acquisition Streamlining Act of 1994, Pub. L. 103-355, repealed the statutory basis for the policy. A detailed list of changes follows:

1. The authority citation for Parts 915, 931, 942, 951, and 952 is restated.

2. Subsection 915.805-5 is amended to delete the requirement in paragraph (c)(1) that a copy of the audit request be sent to the DOE Inspector General (IG). Pursuant to interagency agreements, the