

that federal agency safety programs include procedures for prompt reporting of certain types of occupational accidents and fatalities applies only to federal agencies and can fairly be described as a rule of agency practice or procedure. Accordingly, notice and public comment are not required, and today's revisions to 29 CFR part 1960 are issued as a final rule. In addition, today's procedural changes for federal agencies do not meet the definitions of a "major rule" under Executive Order 12291 and no regulatory impact analysis is required. Finally, for the reasons stated above, pursuant to 5 U.S.C. 553(d) OSHA finds good cause for making the present modifications to 29 CFR part 1960 effective immediately upon publication.

Authority: This document was prepared under the direction of Mr. Joseph A. Dear, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Accordingly, pursuant to sections 19 and 24 of the Occupational Safety and Health Act of 1970 (84 Stat. 1609, 1614; 29 U.S.C. 668, 673), 5 U.S.C. 553, Secretary of Labor's Order No. 1-90 (55 FR 9033) and Executive Order 12196, 29 CFR part 1960 is revised to include medical reporting requirements and multi-employer worksite responsibilities comparable to those applicable to private sector employers.

List of Subjects in 29 CFR Part 1960

Government employees, Occupational safety and health, Reporting and recordkeeping requirements.

Signed at Washington, DC this 28th day of June, 1995.

Joseph A. Dear,
Assistant Secretary of Labor.

For the reasons set forth in the preamble, part 1960 of chapter XVII of title 29 of the Code of Federal Regulations is amended to read as follows:

PART 1960—BASIC PROGRAM ELEMENTS FOR FEDERAL EMPLOYEE OCCUPATIONAL SAFETY AND HEALTH PROGRAMS

1. The authority citation for part 1960 continues to read as follows:

Authority: Sections 19 and 24 of the Occupational Safety and Health Act of 1970 (84 Stat. 1609, 1614; 29 U.S.C. 668, 673), 5 U.S.C. 553, Secretary of Labor's Order No. 1-90 (55 FR 9033), and Executive Order 12196.

2. Section 1960.1 is amended by revising paragraph (f) to read as follows:

§ 1960.1 Purpose and scope.
* * * * *

(f) No provision of the Executive Order or this part shall be construed in any manner to relieve any private employer, including Federal contractors, or their employees of any rights or responsibilities under the provisions of the Act, including compliance activities conducted by the Department of Labor or other appropriate authority.
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3. Section 1960.66 is amended by adding a new paragraph (f) to read as follows:

§ 1960.66 Purpose, scope and general provisions.
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(f) Retention and access of employee record shall be in accordance with 29 CFR 1910.20.
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LIBRARY OF CONGRESS

36 CFR Part 701

[Docket No. LOC 95-1]

Reading Rooms and Service to the Collections

AGENCY: Library of Congress.
ACTION: Final rules.

SUMMARY: The Library of Congress issues these final rules to amend its regulations on access to the Library's collections by members of the public and policies and procedures for service to the collections. This amendment reflects the new capabilities of the Library's reader registration system, specifically requiring all members of the public wishing to use the Library's collections to obtain a Library-issued User Card. The User card will contain the name, current address, and a digitized photograph of the user. This amendment also describes new policies and procedures for providing and maintaining security for Library materials from accidental or deliberate damage or loss caused by users of these collections and the penalties for misuse. These measures include establishing conditions and procedures for the use of material that requires special handling, instructing and monitoring readers, assuring that the conditions and housing of all materials are adequate to minimize risk, and establishing control points at entrances to reading rooms. These new procedures will enhance the security of the Library's collections. The Library will begin issuing user cards on

or about September 1, 1995, and will begin requiring them before providing reading room service 90 days later.

EFFECTIVE DATE: July 5, 1995.

FOR FURTHER INFORMATION CONTACT: Johnnie M. Barksdale, Regulations Officer, Office of the General Counsel, Library of Congress, Washington, DC 20540-1050. Telephone No. (202) 707-1593.

SUPPLEMENTARY INFORMATION: Under the authority of 2 U.S.C. 136, the Librarian of Congress is authorized to make rules and regulations for the government of the Library and for the protection of its property. In March of 1992, James H. Billington, the Librarian of Congress, announced that new security measures had to be taken to protect the Library's collections due to an increase in thefts and mutilation of materials. "The Library of Congress has long prided itself on being open to all readers," Dr. Billington said. "However, as the nation's Library and the world's largest repository of mankind's intellectual accomplishments, we have an obligation to protect our collections for future generations of Americans. Many of our books, maps, prints, and manuscripts are irreplaceable. We cannot risk their loss or desecration. We are responsible for the nation's patrimony." Dr. Billington's announcement followed lengthy planning by the Library to tighten security. It also followed the third arrest for theft from the Library since April 1991. 36 CFR 701.5 is amended to announce the Library's new capability to capture and store the name, address, and a digitized photograph of registered users of its collections in an automated file for collections security purposes. The existing text in 36 CFR 701.5 will become paragraph (b) and a new paragraph (a) is added. 36 CFR 701.6 is amended to set forth the general policy of the Library on the use of materials in its custody. 18 U.S.C. 641, 1361, and 2071; and 22 D.C. Code 3106 set forth criminal provisions for mutilation or theft of Government property. The existing text in 36 CFR 701.6, Chapter VII will become paragraph (a) and new paragraphs (b), (c), and (d) are added. The last sentence in paragraph (a) will be removed.

Comments

The Library of Congress received one comment on the proposed regulation; that comment submitted in the form of a post card by Matthew J. McGuire, Cheshire, Connecticut. Mr. McGuire stated that he strongly protests the proposed rule on the use of Library-

issued User Cards and urged that the Library not implement this policy.

Although Mr. McGuire's comments were considered, no changes were made to the original text of the proposed rules.

List of Subjects in 36 CFR Part 701

Libraries, Seals and insignias.

Final Regulations

In consideration of the foregoing the Library of Congress amends 36 CFR part 701 as follows:

PART 701—PROCEDURES AND SERVICES

1. The authority citation for part 701 will continue to read as follows:

Authority: 2 U.S.C. 136.

2. Section 701.5 is amended by redesignating the existing text as paragraph (b) and adding a new paragraph (a) to read as follows:

§ 701.5 The Library's reading rooms and public use thereof.

(a) All members of the public wishing to use materials from the Library's collections first must obtain a User Card. The Library will issue User Cards, in accordance with established access regulations, to those persons who present a valid photo identification card containing their name and current address. The Library-issued User Card will include the name, digitized photograph, and signature of the user. It must be presented when requesting materials housed in the book stacks or other non-public areas or upon request of a Library staff member. In accordance with Library regulations which prescribe the conditions of reader registration and use of Library materials, presentation of a User Card may be required for entry into certain reading rooms. The Library will maintain the information found on the User Cards, including the digitized photograph and other pertinent information, in an automated file for collections security purposes. Access to the automated file shall be limited to only those Library staff whose official duties require access. The automated file shall be physically separated and accessible only from inside the Library.

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3. Section 701.6 is amended by redesignating the existing text as paragraph (a), except for the last sentence which will be removed, and adding new paragraphs (b), (c), and (d) to read as follows:

§ 701.6 Service to the collections.

* * * * *

(b) *Definitions.*

(1) *Security* means administration of continuing, effective controls in areas where materials are housed for the purpose of preprocessing or processing, storage, access, or use. These controls are designed to safeguard against theft, loss, misplacement, or damage from improper use or vandalism and may vary as appropriate to the quality, monetary value, replaceability, fragility, or other special or unusual conditions relating to the materials concerned.

(2) *Library material* means:

(i) Items in all formats (including, but not limited to, books and pamphlets; documents; manuscripts; maps; microfiche, microfilms, and other microforms; motion pictures, photographs, posters, prints, drawings, videotapes, and other visual materials; newspapers and periodicals; recorded discs, tapes, or audio/video/digital materials in other formats) either in the collections of the Library of Congress or acquired for and in process for the Library's collections;

(ii) Objects such as musical instruments, printing blocks, copper engraving plates, paintings, and scrolls, and

(iii) Control files, which are manual or automated files essential to the physical or intellectual access to Library materials, such as catalogs, computer tapes, finding aids, and shelflists. These include items that are acquired as an integral part of Library materials and are accessioned into the collections with them permanent inventory records, public catalogs, and other finding aids.

(3) *Security-controlled environment* means, but is not limited to: general and special reading rooms and research facilities where materials are issued under controlled circumstances for use of readers; the bookstacks and other storage facilities where materials are housed when not in use; and work areas where materials are held temporarily for processing.

(c) *General policy for use of Library materials.* Materials retrieved for readers' use shall be used only in assigned reading rooms or research facilities. Use elsewhere in Library buildings requires specific authorization from designated staff members of the custodial unit. Use of materials assigned to reference collections shall be in accordance with established regulations. To minimize the risk of theft, loss, or damage when the materials are removed from designated storage areas, the conditions of availability and use will vary as appropriate to the quality of materials, their monetary value, replaceability, format, physical condition, and the purpose for which

they are to be circulated—reader use within the Library, exhibits, preservation, photoduplication, or loan outside the Library. Unless otherwise specified by Library regulations, and/or legal or contractual obligations, the conditions and procedures for use of materials, including duplication, either inside or outside of the Library buildings, shall be determined by or in consultation with the unit head responsible for the custody of the material used.

(1) Any material removed from the security-controlled environment of a reading room or storage area, and meeting the established criteria must be charged as an internal or external loan through the Loan Division, in accordance with established loan regulations. The security of in-process material, and special collections material not meeting the criteria of these regulations, is the responsibility of the division chief or equivalent Library officer with physical control of the material. That division shall determine whether or not a Loan Division internal charge must be created when an item is removed for use. If a Loan Division record is not created, the division shall create and maintain a local record until the item is returned.

(2) When the period of use is completed, all materials shall be returned immediately to the custodial unit to be placed in designated shelf or other locations in assigned storage areas. Charge records for the returned materials shall be removed from the charge files.

(d) *Penalties.* Readers who violate established conditions and/or procedures for using material are subject to penalties to be determined by or in consultation with the unit head responsible for the custody of the material used.

(1) When a reader violates a condition and/or procedure for using material, the division chief or head of the unit where the infraction occurred may, upon written notification, deny further access to the material, or to the unit in which it is housed, to be determined by the nature of the infraction and the material involved.

(2) Within five workdays of receipt of such notification, the reader may make a written request, including the reasons for such request to the Associate Librarian for that service unit, or his/her designee, for a reconsideration of said notification.

(3) The Associate Librarian for that service unit, or his/her designee, shall respond within five workdays of receipt of such request for reconsideration and

may rescind, modify, or reaffirm said notification, as appropriate.

(4) Repeated violations of established conditions and/or procedures for using material may result in denial of further access to the premises and further use of the Library's facilities or revocation of the reader's User Card, in accordance with established access regulations.

(5) Mutilation or theft of Library property also may result in criminal prosecution, as set forth in 18 U.S.C. 641, 1361, and 2071; and 22 D.C. Code 3106.

(6) In certain emergency situations requiring prompt action, the division chief or head of the unit where the infraction occurred immediately may deny further access to the material or unit prior to making written notification action. In such cases, the reader shall be notified, in writing, within three days of the action taken and the reasons therefor. The reader then may request reconsideration.

(7) A copy of any written notification delivered pursuant to this part shall be forwarded to the Captain, Library Police, the service unit, and the Director, Integrated Support Services, for retention.

Dated: June 23, 1995.

James H. Billington,
The Librarian of Congress.
 [FR Doc. 95-16323 Filed 7-3-95; 8:45 am]
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POSTAL SERVICE

39 CFR Part 111

**Changes in Preferred Postage Rates—
 Second-Class Mail, Third-Class Mail,
 and Fourth-Class Library Rate Mail**

AGENCY: Postal Service.

ACTION: Postage rate changes.

SUMMARY: Public Law No. 103-123 authorizes annual changes in the reduced rates formerly financed by appropriations for revenue forgone. This action implements these changes for fiscal year 1996.

EFFECTIVE DATE: The Board of Governors has directed that the changes pertaining to postage rates be implemented effective 12:01 a.m., Sunday, October 1, 1995.

FOR FURTHER INFORMATION CONTACT: Ernest Collins, (202) 268-5316.

SUPPLEMENTARY INFORMATION: Under 39 U.S.C. 3626(a) and 3642, the Postal Service is authorized to make annual adjustments in the postage rates for second-class in-county per-piece rates, the nonadvertising pound rate and per-piece rates for special second-class publications, the per-piece rates for classroom second-class publications; the special bulk third-class rates; and the fourth-class library rates. These adjustments are necessary to "phase up" the institutional-costs contribution of this mail to the statutorily required level by fiscal year 1999.

The rates for the advertising portion of second-class science-of-agriculture publications (under former 39 U.S.C. 4358(f)), zones 1 and 2, will remain the same, at 75 percent of the rates charged on advertising in regular-rate publications, as specified by law. These rates will not change until regular second-class advertising rates change by a general rate case.

The pound rates for second-class in-county mail will remain the same; the advertising pound rates for second-class classroom and special nonprofit publications will remain the same (that is, the same advertising rate charged the

advertising in ordinary commercial publications). Consistent with current standards, the advertising rate on the advertising portion of the publication is charged only if the advertising portion exceeds 10 percent of the publication's content.

The Postal Service adopts the following amendments to the Domestic Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 111.1.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001-3011, 3201-3219, 3403-3406, 3621, 3626, 5001.

Effective October 1, 1995, the Domestic Mail Manual is amended as follows:

2. Sections R200, R300, and R400 are revised to include the new postage rates for second-, third-, and fourth-class mail.

R—Rates and Fees

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R200 Second-Class Mail

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2.0 IN-COUNTY RATES

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2.2 Piece Rates

Per addressed piece:

Level	Regular	ZIP+4 (letter-size)	Barcoded (letter-size)	ZIP+4 barcoded (flat-size)
J1	\$0.080	\$0.080	\$0.080	\$0.080
J3	0.080	0.076	0.076	0.065
J5	0.080	0.076	0.063	0.065
K1	0.042
K2	0.037
K3	0.035

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3.0 SPECIAL NONPROFIT RATES

3.1 Pound Rates

Pound rates are:
 For the nonadvertising portion—\$0.140 per pound or fraction.

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3.2 Piece Rates

Per addressed piece: