

Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Electronic Access Fees for Federal Agencies

AGENCY: Administrative Office of the United States Courts.

ACTION: Clarification.

SUMMARY: The Administrative Office of the United States Courts will begin collecting fees for electronic public access in bankruptcy courts that have installed and are using Version One of the new Case Management/Electronic Case Files (CM/ECF) system, as of July 1, 2001. Deployment is scheduled to be completed for all court types by 2005.

DATES: This policy is applicable as of July 1, 2001.

FOR FURTHER INFORMATION CONTACT: Mary Stickney, Chief of the EPA Program Office, (202) 502-1500.

SUPPLEMENTARY INFORMATION: As the federal judiciary moves increasingly toward using electronic case files, there has been a great deal of interest in the manner and scope of the application of public access charges for electronic court data, as mandated by Congress in the Judicial Appropriations Act of 1991 and set forth in the Judicial Conference Miscellaneous Fee Schedule (28 U.S.C. 1913, 1914, 1926, 1930, 1932). The schedule imposes a charge of seven cents per page for access to data obtained electronically from the public dockets of individual case records in the court. This charge is collected by the Administrative Office through its Electronic Public Access (EPA) program and applies largely to case data from docket sheets obtained through the Public Access to Court Electronic Records (PACER) system, although an increasing number of courts have begun providing online images of official court documents as well, to which the fee equally applies.

Recently, a small number of courts have implemented a prototype version

of the judiciary's new CM/ECF system, which permits electronic access to all case file documents, in addition to docket sheets. Access to CM/ECF has been available free of charge to all users in these prototype courts.

With deployment of the first full version ("Version One") of the bankruptcy software, the EPA program will begin administering the required seven cents per page fee in the bankruptcy courts, as of July 1, 2001. District courts and courts of appeals will begin billing when their respective Version One applications are implemented, which is expected in 2002 and 2003 respectively.

Although the access fee applies to all users, it should be noted that it will not apply to official recipients of electronic documents, i.e. those parties legally entitled to receive service, or to whom service is directed by the filer. This policy will entitle attorneys of record, as well as, in most instances, U.S. Trustees and bankruptcy case trustees, to one free electronic copy of all of the documents that they need from the case file in order to fulfill their legal responsibilities. As before, parties will still be responsible for maintaining their own files; should they fail to make a copy at the time of service, however, then any additional copy from the court will cost seven cents per page for an electronic version, fifty cents per page for paper.

As CM/ECF is deployed, the fee for Internet access to case data, which currently explicitly applies to federal agencies, has obvious potential impact on the everyday operations of many federal agencies, as well as on bankruptcy case trustees and United States Trustees. In order to assess that impact, and to ensure that, consistent with the policy of the Judicial Conference, usage charges are set at the lowest possible level sufficient to fund the program, the Administrative Office has begun a study of the fee's potential impact on external users, including government agencies. The study is expected to be completed in the first half of 2001, and the input of the federal agencies who practice in the federal courts should prove an important source of data in this endeavor.

Leonidas Ralph Mecham,

Director.

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DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Agency Information Collection Activities: Proposed Collection, Comment Request—Grants To Improve Food Stamp Program Access (OMB No. 0584-0506)

AGENCY: Food and Nutrition Service, USDA.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, this notice invites the general public, other public agencies, and grantees referred to in this Notice to comment on the proposed information collection. The proposed collection is an extension of a previously approved collection.

DATES: Comments on this notice must be received by July 9, 2001.

ADDRESSES: Send comments and request for copies of this information collection to Barbara Hallman, Chief, State Administration Branch, Food Stamp Program, Food and Nutrition Service, USDA, 3101 Park Center Drive, Alexandria, VA 22302. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate, automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments will be summarized and included in the request for Office of Management and Budget approval of the information collection. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT: Barbara Hallman, telephone number (703) 305-2383 or by email at Barbara.Hallman@FNS.USDA.GOV.

SUPPLEMENTARY INFORMATION:

Title: Food Stamp Program: Grants to Improve Food Stamp Program Access.