

\$1,000,000 during its current business year, shall not be considered a financial institution for purposes of this Part prior to the time in its current business year when its gross annual revenue exceeds \$1,000,000.

3. Section 103.36 is amended by adding a new paragraph (b)(11) to read as follows:

§ 103.36 Additional records to be made and retained by casinos.

* * * * *

(b) * * *

(11) In the case of card clubs only, records of all currency transactions by customers, including without limitation, records in the form of currency transaction logs and multiple currency transaction logs, and records of all activity at cages or similar facilities, including, without limitation, cage control logs.

* * * * *

Dated: January 7, 1998.

Stanley E. Morris,

Director, Financial Crimes Enforcement Network.

[FR Doc. 98-743 Filed 1-12-98; 8:45 am]

BILLING CODE 4820-03-P

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Parts 1151, 1153, and 1155

Bylaws

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Final rule.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) has adopted amendments to its General Statement of Policy, Statement of Organization and Procedures and Authorities and Delegations. The amendments were adopted to update and improve the Board's operations and to streamline the Board's regulations. The amendments are being published so that all affected persons will be fully informed about procedures governing the Access Board.

DATES: *Effective date:* January 13, 1998.

FOR FURTHER INFORMATION CONTACT:

Elizabeth Stewart, Access Board, 1331 F Street, NW, Suite 1000, Washington, D.C. 20004-1111. Telephone number (202) 272-5434 ext 52 (voice); (202) 272-5449 (TTY). Electronic mail address: stewart@access-board.gov.

SUPPLEMENTARY INFORMATION: Pursuant to section 502 of the Rehabilitation Act of 1973, 29 U.S.C. 792, as amended, the

Access Board originally adopted 36 CFR Part 1151 General Statement of Policy on September 12, 1978, the Statement of Organization and Procedures codified at 36 CFR Part 1155 on September 16, 1975; and 36 CFR Part 1153 Authorities and Delegations on July 12, 1983.

Together, the three parts provide guidance on the overall policies of the Board; the duties and responsibilities of the Board, its officers and committees; procedures for election of Board officers and for Board and committee meetings; and supervisory obligations. The most recent amendments adopted by the Board at its May 1997 meeting combine the three documents into a single part entitled Bylaws which is codified at 36 CFR 1151. Parts 1153 and 1155 have been removed. Language which was superseded, outdated or unnecessary has been removed. The number of Board meetings has been changed from six Board meetings to five Board meetings and one scheduled Board event. It is the intention of the Board that this event be held out of the Washington D.C. area in order to encourage input and comment from the general public. Membership in the subject matter committees has been expanded and membership in the Executive Committee was changed to provide for the additional membership of new subject matter committee chairs and at-large members. Other miscellaneous, procedural amendments include the setting of the agenda for Board meetings, participation in Board and committee meetings by conference telephone and the establishment of committee charters. The amendments were adopted by the Board to update and improve the Board's organization and operating procedures. The deletion of language and the combining of the Board's bylaws into one part have greatly streamlined the Board's existing regulations.

List of Subjects

36 CFR Part 1151

Authority delegations (Government agencies), Organizations and functions (Government agencies).

36 CFR Part 1153

Authority delegations (Government agencies), Organizations and functions (Government agencies).

36 CFR Part 1155

Organizations and functions (Government agencies).

Authorized by vote of the Access Board on May 14, 1997.

Patrick D. Cannon,

Chairperson, Architectural and Transportation Barriers Compliance Board.

Editorial Note: This document was received at the Office of the Federal Register on January 8, 1998.

Pursuant to 29 U.S.C. 792, as amended, and for the reasons set forth in the preamble, chapter XI of title 36 of the Code of Federal Regulations is amended as follows:

1. Part 1151 is revised to read as follows:

PART 1151—BYLAWS

Sec.

- 1151.1 Establishment.
- 1151.2 Authority.
- 1151.3 Officers.
- 1151.4 Delegations.
- 1151.5 Board meetings.
- 1151.6 Committees.
- 1151.7 Amendments to the bylaws.

Authority: 29 U.S.C. 792.

§ 1151.1 Establishment.

The Architectural and Transportation Barriers Compliance Board was established pursuant to section 502 of the Rehabilitation Act of 1973, as amended. The agency is also known and often referred to as the "Access Board" or simply the "Board."

§ 1151.2 Authority.

The Board shall have the authority and responsibilities as set forth in section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792); section 504 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12204); and section 225(e) of the Telecommunications Act of 1996 (47 U.S.C. 225(e)).

§ 1151.3 Officers.

(a) *Board.* The Board is the governing body of the agency.

(b) *Chair, Vice-Chair.* The head of the agency is the Chair of the Board and, in his or her absence or disqualification, the Vice-Chair of the Board. As head of the agency, the Chair represents the Board whenever an applicable Federal statute or regulation imposes a duty or grants a right or authority to the head of the agency and has the authority to act in all matters relating to the operation of the Board. The Chair may delegate any such duties and responsibilities by written delegation of authority. The Chair supervises the Executive Director and evaluates his or her performance and approves performance evaluations of employees who report directly to the Executive Director. The authority to supervise, evaluate and approve performance evaluations of the

Executive Director and those employees who report directly to the Executive Director may only be delegated to the Vice-Chair of the Board.

(c) *Election, term.* The Chair and the Vice-Chair of the Board shall be elected by a majority of the membership of the Board (as fixed by statute) and serve for terms of one year. Elections shall be held as soon as possible upon completion of the one year term of the Chair and Vice-Chair. If no new Chair or Vice-Chair has been elected at the end of the one-year term, the incumbents shall continue to serve in that capacity until a successor Chair or Vice-Chair has been elected. When the Chair is a public member, the Vice-Chair shall be a Federal member; and when the Chair is a Federal member, the Vice-Chair shall be a public member. Upon the expiration of the term as Chair of a Federal member, the subsequent Chair shall be a public member; and vice versa.

(d) *Executive Director.* The Executive Director is nominated by the Chair and confirmed by the Board. The Executive Director provides administrative leadership, and supervision and management of staff activities in carrying out the policies and decisions of the Board under the direction and supervision of the Chair. The Executive Director has the authority to execute contracts, agreements and other documents necessary for the operation of the Board; hire, fire and promote staff (including temporary or intermittent experts and consultants); procure space, equipment and supplies; and obtain interagency and commercial support services. The Executive Director directs compliance and enforcement activities in accordance with the procedures set forth in 36 CFR part 1150, including issuing citations and determinations not to proceed, conducting negotiations for compliance, entering into agreements for voluntary compliance and performing all other actions authorized by law pertaining to compliance and enforcement not otherwise reserved to the Board.

(e) *General Counsel.* The General Counsel is nominated by the Chair and confirmed by the Board. The General Counsel is responsible to the Board under the supervision of the Executive Director.

§ 1151.4 Delegations.

(a) *Executive Committee.* The Board may delegate to the Executive Committee authority to implement its decisions by a majority vote of the members present at a meeting and any proxies. To the extent permitted by law, the Board may delegate to the Executive

Committee any other of its authorities by two-thirds vote of the members present at a meeting and any proxies. A separate delegation is necessary for each action the Board desires the Executive Committee to implement.

(b) *Other.* To the extent permitted by law, the Board may delegate other duties to its officers or committees by a vote of two-thirds of the members present at a meeting and any proxies.

(c) *Redelegation.* Unless expressly prohibited in the original delegation, an officer or committee may redelegate authority.

§ 1151.5 Board meetings.

(a) *Number.* The Chair shall schedule five regular meetings of the Board each year. In addition, the Board shall schedule one Board sponsored public event.

(b) *Timing.* Regular meetings of the Board and at least one Board sponsored event shall ordinarily be held on the Wednesday following the second Tuesday of every other month. The Chair may reschedule a regular meeting of the Board to another date, no more than one month earlier or later than the regularly scheduled date.

(c) *Agenda.* The Chair establishes the agenda for the meetings. Members or committees shall forward submissions for agenda items to the Chair. Except for items concerning the adoption, amendment or rescision of the bylaws in this part, an item may be placed before the Board for consideration without the approval of the Chair upon a two-thirds vote of the members present at a Board meeting and any proxies to suspend the rules of order. Items concerning the adoption, amendment or rescision of the bylaws in this part may be placed on a future Board agenda without the approval of the Chair upon a vote of two-thirds of the membership of the Board (as fixed by statute).

(d) *Notice.* The Chair shall provide a written notice of scheduled Board meetings, including the agenda and supporting materials for the meeting, to each Board member at least ten (10) work days prior to the meeting. The ten (10) days notice requirement may be waived upon a two-thirds vote by the members present at the Board meeting and any proxies to suspend the rules of order.

(e) *Cancellation.* The Chair may cancel a regular meeting of the Board by giving written notice of the cancellation at least ten (10) work days prior to the meeting where practical.

(f) *Special meetings.* The Chair may call special meetings of the Board to deal with important matters arising between regular meetings which require

action by the Board prior to the next regular meeting. Voting and discussion shall be limited to the subject matter which necessitated the call of the special meeting. All Board members shall receive reasonable advance notice of the time, place, and purpose of the special meeting.

(g) *Record.* The Executive Director shall maintain a permanent record of the minutes of the meeting and attendance. The Board shall approve the final minutes after all corrections and additions have been incorporated.

(h) *Rules for Board meetings.* Meetings of the Board shall be held in accordance with Robert's Rules of Order, except as otherwise prescribed in the bylaws in this part.

(i) *Quorum.* (1) A quorum shall be the majority of the membership of the Board (as fixed by statute). At least half of the members required for a quorum shall be public members.

(2) Proxies shall not be counted for purposes of establishing a quorum.

(3) If a quorum is not present, a meeting shall be held only for the purpose of discussion and no vote may be taken.

(j) *Voting.* (1) Only Board members may vote.

(2) Except as otherwise prescribed in the bylaws in this part, a majority vote of the members present and any proxies is necessary for action by the Board.

(3) The presiding officer shall have the same right to vote as any other member.

(4) Any member may give his or her directed or undirected proxy to any other Board member, present at the meeting. Proxies shall be given in writing and submitted to the Chair prior to or at the meeting. A directed proxy shall be voided as to a specific issue if the question on which the vote is eventually taken differs from the question to which the proxy is directed.

(5) The Board may act on items of business between meetings by notational voting. At the request of the Chair, the Executive Director shall send a written ballot to each Board member describing each item submitted for notational voting. If any Board member requests discussion on an item, the ballots shall not be counted and the Chair shall place the item on the next Board meeting agenda for discussion and voting.

(k) *Telecommunications.* A member of the Board shall be considered present at a meeting when he or she participates in person or by conference telephone or similar communication equipment which enables all persons participating in the meeting to communicate with each other.

§ 1151.6 Committees.

(a) *Executive Committee*—(1) *Establishment.* The Board shall have an Executive Committee to serve as a leadership and coordinating committee. The Executive Committee acts on behalf of the Board in between regularly scheduled Board meetings as necessary and as authorized by delegation of the Board. In addition, the Executive Committee has the following duties and responsibilities:

(i) To review and consider recommendations and proposals from the various subject matter committees;

(ii) To review and make recommendations to the Board to amend or approve the Board's bylaws; and

(iii) To request and review all committee charters.

(2) *Chair.* The Vice-Chair of the Board shall serve as Chair of the Executive Committee.

(3) *Membership.* The Executive Committee shall be composed of a minimum of six members, three Federal and three public members, which shall include the Chair and the Vice-Chair of the Board, the chairs of each of the subject matter committees, and two at large members. The two at large members shall balance the number of Federal and public members and shall be elected by the Board after the election of the Chair and Vice-Chair of the Board and the chairs of the subject matter committees. In the event that the Board should establish three or more subject matter committees, additional at-large members shall be elected as necessary to balance the Federal and public membership of the committee.

(4) *Quorum.* A quorum of the Executive Committee shall be a majority of the membership, present at the meeting. In the absence of their Federal member, the liaison may count toward a quorum. If a quorum is not present, a meeting can be held only for the purpose of discussion and no vote may be taken.

(5) *Voting.* (i) The presiding officer shall have the same right to vote as any other member.

(ii) On matters subject to Board review, liaisons are permitted to vote in the absence of their Federal member. A majority vote of the members (or liaisons) present at the meeting and any directed or undirected proxies is necessary for action by the committee.

(iii) On matters of final action, not subject to Board review, a majority vote of the membership of the committee, present at the meeting or by directed proxy, is necessary for action by the committee. In the absence of their Federal member, liaisons are permitted to cast a directed proxy only.

(b) *Subject matter committees*—(1) *Establishment.* The Board may establish or dissolve subject matter committees by a two-thirds vote of the members present and any proxies.

(2) *Chair.* The Chair of a subject matter committee shall be elected by the Board after the election of the Chair and Vice-Chair of the Board and shall serve as a member of the Board's Executive Committee.

(3) *Membership.* Each subject matter committee shall be comprised of a minimum of seven, and a maximum of nine, members. Except for the Chair of the committee who is elected by the Board, the members of the committee shall be appointed by the Chair of the Board. Members shall serve a term of one year corresponding to that of the Chair of the Board, and continue their duties until their successors have been appointed.

(4) *Quorum.* A quorum shall be a majority of the actual membership of the committee. A liaison may represent the Federal member for purposes of a quorum. If a quorum is not present, a meeting shall be held only for the purpose of discussion and no vote may be taken.

(5) *Voting.* Directed or undirected proxies are permitted. In the absence of their Federal member, liaisons are permitted to vote on all matters which are subject to review by the full Board. The presiding officer shall have the same right to vote as any other member. A majority vote of the members (or liaisons) present at the meeting and any directed or undirected proxies is necessary for action by the committee.

(c) *Special committees.* The Chair, the Board, the Executive Committee or a subject matter committee may appoint a special committee to carry out a specific task. A special committee shall dissolve upon completion of its task or when dissolved by its creator. A special committee shall be governed by the same rules and procedures applicable to subject matter committees unless other rules or procedures are approved by the creator of the committee.

(d) *Telecommunications.* A member of a committee shall be considered present at a meeting when he or she participates in person or by conference telephone or similar communication equipment which enables all persons participating in the meeting to communicate with each other.

(e) *Charter.* With the exception of a Committee of the Whole, each committee shall establish a charter and may establish any additional procedures provided that they do not conflict with the provisions of the bylaws in this part.

(f) *Procedure.* Committee meetings shall be held in accordance with Robert's Rules of Order, except as otherwise prescribed in the bylaws in this part or committee charters.

(g) *Records.* Committees shall maintain written records of the meetings.

§ 1151.7 Amendments to the bylaws.

In order to amend the bylaws in this part, a vote of two-thirds of the membership of the Board (as fixed by statute) at the time the vote is taken shall be required. The Board shall not suspend the rules in taking any action concerning adoption, amendment or rescision of the bylaws in this part except that by vote of two-thirds of the membership of the Board (as fixed by statute), an item concerning the adoption, amendment or rescision of the bylaws in this part may be placed on an agenda for Board consideration at a future meeting.

PARTS 1153 AND 1155—[REMOVED]

2. Parts 1153 and 1155 are removed.

[FR Doc. 98-767 Filed 1-12-98; 8:45 am]

BILLING CODE 8150-01-P

LIBRARY OF CONGRESS**Copyright Office****37 CFR Part 203**

[Docket No. 97-7]

Implementation of the Electronic Freedom of Information Act Amendments of 1996

AGENCY: Copyright Office, Library of Congress.

ACTION: Final regulations.

SUMMARY: The Copyright Office is issuing final regulations permitting public access to Office records created on or after November 1, 1996, in electronic format. These final regulations conform the Copyright Office's regulations to the requirements of the Freedom of Information Act (FOIA), as amended by the Electronic Freedom of Information Act Amendments of 1996 (EFOIA).

EFFECTIVE DATE: February 12, 1998.

FOR FURTHER INFORMATION CONTACT: David O. Carson, General Counsel, or Patricia L. Sinn, Senior Attorney, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone: (202)707-8380. Fax: (202)707-8366.

SUPPLEMENTARY INFORMATION: The Copyright Office adopts final