

for derivative refugee status but are not accompanying or following to join the principal applicant, as required under section 207(c)(2) of the Act.

#### Qualifying for Derivative Refugee Status

Section 101(a)(42) of the Act defines a refugee as a person who is unable or unwilling to return to (or under circumstances specified by the President to remain in) his or her country of origin "because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion." The Act provides two means by which a person may be admitted to the United States with refugee status. Section 207(c)(1) of the Act allows the Attorney General, within certain numerical limitations set by the President, to admit to the United States as refugees, persons who apply for refugee status from abroad and who are determined to meet this definition. Persons who qualify as refugees under section 101(a)(42) of the Act are often referred to as principals, principal refugees, or principal applicants. Subject to the numerical limitations established pursuant to subsections 207(a) and (b) of the Act, section 207(c)(2) entitles eligible spouses and children, defined in section 101(b)(1) of the Act as unmarried children under the age of 21, of any refugee who qualifies for admission under section 207(c)(1) of the Act to be admitted with refugee status if accompanying or following to join the principal refugee. Spouses and children who accompany or follow to join a principal refugee under section 207(c)(2) are often referred to as derivatives or derivative refugees. These are the only means provided for in the Act by which a person may be admitted with refugee status.

The plain language of section 207(c)(2) of the Act provides for only spouses and children to derive refugee status from a principal refugee. There is no basis in law to expand the category of persons who may derive refugee status. Accordingly, persons other than spouses and children, as defined in section 101(b)(1) of the Act, of a principal refugee are not eligible for derivative refugee status and must qualify as principal refugees under sections 101(a)(42) and 207(c)(1) of the Act in order to be admitted to the United States with refugee status.

Because section 207(c)(2) of the Act requires that a derivative refugee accompany or follow to join the principal refugee, a person approved for derivative refugee status as the spouse

or child of a principal refugee may not be admitted to the United States prior to the admission of the principal refugee.

#### Eligibility for Service Interview

While the statute is clear on who can derive refugee status, the Service realizes there may be humanitarian reasons to include in a case unit other individuals who cannot derive refugee status, such as an elderly parent or an unmarried adult son or daughter. As these persons cannot statutorily derive refugee status from the principal applicant, they must qualify as refugees in their own right. However, such individuals may be given a refugee interview as long as they are household members and are part of the same economic unit as the interviewed principal refugee applicant. In such cases these individuals are not required to fall within a designated processing priority to gain access to the U.S. refugee program, as they may be accorded the same priority as the principal applicant.

#### Lautenberg Amendment

When processing refugee cases under the special adjudication procedures based on section 599D of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1990, Public Law 101-167 dated November 11, 1989, Amendment 290 known as the Lautenberg Amendment, the Service officer must determine whether additional family members qualify for category membership under the Lautenberg Amendment. In an April 24, 1990 memorandum, the Attorney General specified that certain persons who are not themselves category members may be adjudicated as if they were category members. According to this memorandum, persons who are members of the same household and/or are economically dependent on a category applicant, are physically present with the category applicant at the time of the interview, and would be traveling with the category applicant will be considered category applicants for purposes of adjudication of their refugee claims. Accordingly, applications by persons who fall within these criteria may be adjudicated under the reduced evidentiary burden of the Lautenberg Amendment.

Dated: July 28, 1998.

#### Doris Meissner,

*Commissioner, Immigration and Naturalization Service.*

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BILLING CODE 4410-10-M

#### NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

#### Additional Changes to the General Records Schedules; Request for Comments

**AGENCY:** National Archives and Records Administration, Office of Records Services—Washington, DC.

**ACTION:** Notice.

**SUMMARY:** NARA is required by 44 U.S.C. 3303a(a) to provide an opportunity for public comment on proposed records schedules that will authorize the destruction of Federal records, including General Records Schedules issued by NARA to provide mandatory disposal authorities for temporary administrative records common to several or all Federal agencies (44 U.S.C. 3303a(d)). This notice contains the full text of additional proposed changes to the General Records Schedules that were not published in the **Federal Register** notice of August 5, 1998 [63 FR 41868]. This notice also includes the rationale for the proposed changes, equivalent to the appraisal report. Consequently, this notice provides all available information for interested parties who may wish to comment.

**DATES:** Comments on these proposed changes must be received on or before September 16, 1998. There is no extension on the comment period for the proposed changes published in the August 5, 1998, **Federal Register** notice.

**ADDRESSES:** Comments may be sent electronically to the e-mail address <records.mgt@arch2.nara.gov>. If attachments are sent, please transmit them in ASCII, WordPerfect 5.1/5.2, or MS Word 6.0. Comments may also be submitted by mail to the Life Cycle Management Division (NWML), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001, or by FAX to 301-713-6852 (attn: Marc Wolfe). In order for comments to be considered, the NARA registration number for this schedule—N1-GRS-98-2a—must be included in a subject line or otherwise prominently stated.

**FOR FURTHER INFORMATION CONTACT:** Michael L. Miller, Director Modern Records Programs (NWM), 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. No Federal records are authorized for destruction without the approval of the Archivist of the United States. Two mechanisms are used to provide that approval—agency schedules and General Records Schedules. Agencies develop and submit to NARA for approval schedules for the records that are unique to the agency. Once approved by the Archivist, the agencies may apply the approved disposition authorities to the records for as long as they remain unchanged. To reduce the effort required of agencies in scheduling all their records, the National Archives and Records Administration issues General Records Schedules to provide disposal authorities for temporary administrative records that are common to several or all agencies.

The changes described in this **Federal Register** notice consist of General Records Schedule items that are currently scheduled with an indefinite retention, e.g., "destroy when no longer needed." These items were inadvertently omitted from the August 5 **Federal Register** notice.

The proposed schedule, N1-GRS-98-2, published in the August 5, 1998 notice, is being amended to include the following provisions:

#### **General Records Schedule 9, Travel and Transportation Records**

##### *1. Commercial Freight and Passenger Transportation Files*

e. Unused ticket redemption forms, such as SF 1170.

Destroy 3 years after the year in which the transaction is completed.

##### *5. Records Relating to Official Passports*

c. Passport registers.

Registers and lists of agency personnel who have official passports.

Destroy when superseded or obsolete.

#### **GRS 23, Records Common to Most Offices Within Agencies**

##### *1. Office Administrative Files (See note)*

Records accumulated by individual offices that relate to the internal administration or housekeeping activities of the office rather than the functions for which the office exists. In

general, these records relate to the office organization, staffing, procedures, and communications, including facsimile machine logs; the expenditure of funds, including budget records; day-to-day administration of office personnel including training and travel; supplies and office services and equipment requests and receipts; and the use of office space and utilities. They may also include copies of internal activity and workload reports (including work progress, statistical, and narrative reports prepared in the office and forwarded to higher levels) and other materials that do not serve as unique documentation of the programs of the office.

Destroy when 2 years old.

**Note:** This schedule is not applicable to the record copies of organizational charts, functional statements, and related records that document the essential organization, staffing, and procedures of the office, which must be scheduled prior to disposition by submitting an SF 115 to NARA.

##### *7. Transitory Files*

Documents of short-term interest which have no documentary or evidential value and normally need not be kept more than 90 days. Examples of transitory correspondence are shown below.

a. Routine requests for information or publications and copies of replies which require no administrative action, no policy decision, and no special compilation or research for reply.

b. Originating office copies of letters of transmittal that do not add any information to that contained in the transmitted material, and receiving office copy if filed separately from transmitted material.

c. Quasi-official notices including memoranda and other records that do not serve as the basis of official actions, such as notices of holidays or charity and welfare fund appeals, bond campaigns, and similar records.

Destroy when 3 months old.

##### *8. Tracking and Control Records*

Logs, registers, and other records used to control or document the status of correspondence, reports, or other records that are authorized for destruction by the GRS or a NARA-approved SF 115.

Destroy or delete when 2 years old.

##### *9. Finding Aids (or Indexes)*

Indexes, lists, registers, and other finding aids used only to provide access to records authorized for destruction by the GRS or a NARA-approved SF 115, EXCLUDING records containing abstracts or other information that can

be used as an information source apart from the related records.

Destroy or delete with the related records.

#### **Explanation of Changes**

1. GRS 9, item 1e, Unused ticket redemption forms, such as SF 1170. Current disposition instruction: Destroy when no longer needed for administrative use. Revised disposition instruction: Destroy 3 years after the year in which the transaction is completed.

Three years is the basic audit cycle specified by the General Accounting Office for those records documenting financial transactions that are not considered site audit records.

2. GRS 9, item 5c, Passport registers. Current disposition instruction: Destroy when no longer needed. Revised disposition instruction: Destroy when superseded or obsolete. These registers will be of value to the agency only as long as they contain current information. Agencies submit an annual report to the Department of State which lists official passports issued and information concerning control of passports issues to agency personnel. The register is another tool to keep track of passports on hand.

3. GRS 23, Item 1, Office Administrative Files. Current disposition instruction: Destroy when 2 years old, or when no longer needed, whichever is sooner. Revised disposition instruction: Destroy when 2 years old.

This retention period will satisfy administrative needs and ensure consistency in retention among agencies.

4. GRS 23, Item 7, Transitory Files. Current disposition: Destroy when 3 months old, or when no longer needed, whichever is sooner. Revised disposition instruction: Destroy when 3 months old.

This retention period will satisfy administrative needs and ensure consistency in retention among agencies.

5. GRS 23, Item 8, Tracking and Control Records. Current disposition instruction: Destroy or delete when no longer needed. Revised disposition instruction: Destroy or delete when 2 years old, or 2 years after the date of the latest entry, whichever is applicable.

These administrative records are comparable to those covered by item 1 of this schedule. A two-year retention period should be adequate.

6. GRS 23, Item 9, Finding Aids (or indexes). Current disposition instruction: Destroy or delete with the related records or sooner is no longer

needed. Revised disposition instruction: Destroy or delete with the related records.

Finding aids for temporary records are not needed after the related records are destroyed when they do not serve as an independent information resource. Maintenance of the finding aids for the life of the related records will help the agency to make the records accessible.

Dated: August 13, 1998.

**Michael J. Kurtz,**

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

[FR Doc. 98-22221 Filed 8-14-98; 8:45 am]

BILLING CODE 7515-01-P

## NATIONAL SCIENCE FOUNDATION

### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** National Science Foundation.

**ACTION:** Notice.

**TITLE OF COLLECTION:** Survey of Industrial Research and Development (OMB Control No. 3145-0027).

**SUMMARY:** Under the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3501 *et seq.*), and as part of its continuing effort to reduce paperwork and respondent burden, the National Science Foundation (NSF) is inviting the general public or other Federal agencies to comment on this proposed continuing information collection.

**FOR FURTHER INFORMATION CONTACT:** For further information or for a copy of the collection instrument and instructions contact Ms. Mary Lou Higgs, Acting Clearance Officer, via surface mail: National Science Foundation, ATTN: NSF Reports Clearance Officer, Suite 295, 4201 Wilson Boulevard, Arlington, VA 22230; telephone (703) 306-2063; e-mail mlhiggs@nsf.gov, or FAX (703) 306-0201.

#### SUPPLEMENTARY INFORMATION:

##### 1. Abstract

The proposed continuing information collection involves the estimation of the expenditures on research and development performed within the United States by industrial firms. A mail survey, the Survey of Industrial Research and Development, has been conducted annually since 1953. Industry accounts for over 70 percent of total U.S. R&D each year and since its inception, the survey has provided continuity of statistics on R&D expenditures by major industry groups and by source of funds. The survey is

the industrial component of the NSF statistical program that seeks to "provide a central clearinghouse for the collection, interpretation, and analysis of data on the availability of, and the current and projected need for, scientific and technical resources in the United States, and to provide a source of information for policy formulation by other agencies of the Federal government" as mandated in the National Science Foundation Act of 1950. Statistics from the survey are published in NSF's annual publication series Research and Development in Industry. The proposed collection will continue the survey for three years.

##### 2. Expected Respondents

The survey will be mailed to a statistical sample of approximately 23,400 companies to collect information on the amount and sources of funds for and character of R&D performed and contracted out by industrial firms, and information on sales and employment of the firms themselves.

##### 3. Burden on the Public

To minimize burden, over 90-percent of the companies selected for the Survey of Industrial Research and Development are asked to respond to the Form RD-1A, the abbreviated version of the basic survey questionnaire, Form RD-1. Further, only companies with five paid employees or more are asked to participate in the survey and extensive use is made of the descriptive codes and information on the establishment list that is the source of the survey sample to avoid sampling firms in industries that traditionally do not perform R&D. NSF, with input from the Bureau of the Census, the collection and compiling agent for the survey, estimates that the average annual reporting and record keeping burden on each Form RD-1A respondent will be 1 hour and on Form RD-1 respondents will be 15 hours. The total annual burden is estimated at 43,000 hours, calculated as follows:

*RD-1A respondents:* 22,000 respondents x 1 response x 1 burden hour=22,000 hours/year.

*RD-1 respondents:* 1,400 respondents x 1 response x 15 burden hours=21,000 hours/year.

*All respondents:* 22,000+21,000=43,000 burden hours/year during 1999, 2000, and 2001.

##### Comments Requested

*Dates:* NSF should receive written comments on or before October 16, 1998.

*Addresses:* Submit written comments to Ms. Mary Lou Higgs, Acting Clearance Officer, through surface mail

at: National Science Foundation, ATTN: NSF Reports Clearance Officer, Suite 295, 4201 Wilson Boulevard, Arlington, VA 22230; through e-mail to mlhiggs@nsf.gov; or via FAX (703) 306-0201.

*Special Areas for Review:* NSF especially request comments on:

(a) whether the proposed collection of information is necessary for the proper performance of the functions of the Foundation, including whether the information will have utility;

(b) the accuracy of the Foundation's estimate of the burden of the proposed collection of information;

(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, e.g., permitting submission of responses through the use of automated, electronic, mechanical, or other technological collection techniques.

Dated: August 12, 1998.

**Mary Lou Higgs,**

*Acting NSF Clearance Officer.*

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BILLING CODE 7555-01-M

## NUCLEAR REGULATORY COMMISSION

### Documents Containing Reporting or Recordkeeping Requirements: Office of Management and Budget (OMB) Review

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

1. *Type of submission, new, revision, or extension:* Revision.

2. *The title of the information collection:*

—10 CFR Part 35, Medical Use of Byproduct Material

—NRC Form 313 Application for Material License, and Supplemental Forms, NRC Form 313A, Training and Experience, and NRC Form 313B, Preceptor Statement

3. *The form number if applicable:* NRC Form 313, 313A and 313B.

4. *How often the collection is required:* Reports of medical events;