

materials to foreign governments and international organizations or their representatives.

### **§ 811.3 Official requests for visual information productions or materials.**

(a) Send official Air Force requests for productions or materials from the DoD Central Records Centers by letter or message. Include:

(1) Descriptions of the images needed, including media format, dates, etc.

(2) Visual information record identification number (VIRIN), production, or Research, development, test, and evaluation (RDT&E) identification numbers, if known.

(3) Intended use and purpose of the material.

(4) The date needed and a statement of why products are needed on a specific date.

(b) Send inquiries about motion picture or television materials to the Defense Visual Information Center (DVIC), 1363 Z Street, Building 2730, March ARB, CA 92518-2703.

(c) Send Air Force customer inquiries about still photographic materials to 11 CS/SCUA, Bolling AFB, Washington, DC 20332-0403 (the Air Force accessioning point).

(d) Send non-Air Force customers' inquiries about still photographic materials to the DVIC.

### **§ 811.4 Selling visual information materials.**

(a) Air Force VI activities cannot sell materials.

(b) HQ AFCIC/ITSM may approve the loan of copies of original materials for federal government use.

(c) Send requests to buy:

(1) Completed, cleared, productions, to the National Archives and Records Administration, National Audiovisual Center, Information Office, 8700 Edgeworth Drive, Capitol Heights, MD 20722-3701.

(2) Nonproduction VI motion media to the DVIC. The center may sell other Air Force VI motion picture and television materials, such as historical and stock footage. When it sells VI motion media, the DVIC assesses charges, unless § 811.5 exempts the requesting activity.

(3) VI still media to the DoD Still Media Records Center (SMRC), Attn: SSRC, Washington, DC 20374-1681. When SMRC sells VI still media, the SMRC assesses charges, unless § 811.5 exempts the requesting activity.

### **§ 811.5 Customers exempt from fees.**

Title III of the 1968 Intergovernmental Cooperation Act (42 U.S.C. 4201, 4231, and 4233) exempts some customers

from paying for products and loans. This applies if the supplier has sufficient funds and if the exemption does not impair its mission. The requesting agency must certify that the materials are not commercially available. When requests for VI material do not meet exemption criteria, the requesting agency pays the fees. Exempted customers include:

(a) DoD and other government agencies asking for materials for official activities (see DoD Instruction 4000.19, Interservice, and Intergovernmental Support, August 9, 1995, and DoD Directive 5040.2, Visual Information (VI), December 7, 1987.

(b) Members of Congress asking for VI materials for official activities.

(c) VI records center materials or services furnished according to law or Executive Order.

(d) Federal, state, territorial, county, municipal governments, or their agencies, for activities contributing to an Air Force or DoD objective.

(e) Nonprofit organizations for public health, education, or welfare purposes.

(f) Armed Forces members with a casualty status, their next of kin, or authorized representative, if VI material requested relates to the member and does not compromise classified information or an accident investigation board's work.

(g) The general public, to help the Armed Forces recruiting program or enhance public understanding of the Armed Forces, when SAF/PA determines that VI materials or services promote the Air Force's best interest.

(h) Incidental or occasional requests for VI records center materials or services, including requests from residents of foreign countries, when fees would be inappropriate. AFI 16-101, International Affairs and Security Assistance Management, tells how a foreign government may obtain Air Force VI materials.

(i) Legitimate news organizations working on news productions, documentaries, or print products that inform the public on Air Force activities.

### **§ 811.6 Visual information product/material loans.**

(a) You may request unclassified and classified copies of current Air Force productions and loans of DoD and other Federal productions from JVISDA, ATTN: ASQV-JVIA-T-AS, Bldg. 3, Bay 3, 11 Hap Arnold Blvd., Tobyhanna, PA 18466-5102.

(1) For unclassified products, use your organization's letterhead, identify subject title, PIN, format, and quantity.

(2) For classified products, use your organization's letterhead, identify

subject title, personal identification number (PIN), format, and quantity. Also, indicate that either your organization commander or security officer, and MAJCOM VI manager approve the need.

(b) You may request other VI materials, such as, still images and motion media stock footage, from DVIC/OM-PA, 1363 Z Street, Building 2730, March ARB, CA 92518-2703.

### **§ 811.7 Collecting and controlling fees.**

(a) The DoD records centers usually collect fees in advance. Exceptions are sales where you cannot determine actual cost until work is completed (for example, television and motion picture services with per minute or per footage charges).

(b) Customers pay fees, per AFR 177-108, Paying and Collecting Transactions at Base Level, with cash, treasury check, certified check, cashier's check, bank draft, or postal money order.

### **§ 811.8 Forms prescribed and availability of publications.**

(a) AF Form 833, Visual Information Request, AF Form 1340, Visual Information Support Center Workload Report, DD Form 1995, Visual Information (VI) Production Request and Report, DD Form 2054-1, Visual Information (VI) Annual Report, and DD Form 2537, Visual Information Caption Sheet are prescribed by this part.

(b) Air Force publications and forms referenced in this part are available from NTIS, 5285 Port Royal Road, Springfield, VA 22161 or online at <http://www.afpubs.hq.af.mil>. DoD publications are available at <http://www.defenselink.mil/pubs>.

**Janet A. Long,**

*Air Force Federal Register Liaison Officer.*

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**BILLING CODE 5001-05-P**

## **DEPARTMENT OF DEFENSE**

### **Department of the Air Force**

#### **32 CFR Parts 811a and 813**

**RIN 0701-AA63**

#### **Visual Information Documentation Program**

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Air Force is revising our rules on the Visual Information Documentation Program of the Code of Federal Regulations (CFRs) to reflect current policies. These rules

implement Air Force Instruction (AFI) 33-117, Visual Information Management, and apply to all Air Force activities.

**EFFECTIVE DATE:** December 1, 2000.

**ADDRESSES:** Submit comments to Mr. Raymond Dabney, HQ AFCIC/ITSM, 1250 Air Force Pentagon, Washington, DC 20330-1250, 703-588-6136.

**FOR FURTHER INFORMATION CONTACT:** Mr. Raymond Dabney, HQ AFCIC/ITSM, 703-588-6136.

**SUPPLEMENTARY INFORMATION:** The Department of the Air Force is redesignating 32 CFR part 811a as 32 CFR part 813 and revising it to reflect current policies. This part implements AFI 33-117, Visual Information Management, and applies to all Air Force activities. This part was published as a proposed rule in the **Federal Register** on January 5, 2000 (65 FR 419, FR Doc. 00-235). Comments were solicited for 60 days ending on March 6, 2000. No comments were received.

#### List of Subjects in 32 CFR Parts 811a and 813

Archives and records, Motion pictures.

#### PART 811a—[REDESIGNATED AS PART 813]

For the reasons set forth in the preamble, the Department of the Air Force is redesignating 32 CFR part 811a as 32 CFR part 813 and revising it to read as follows:

#### PART 813—VISUAL INFORMATION DOCUMENTATION PROGRAM

Sec.

813.1 Purpose of the visual information documentation (VIDOC) program.

813.2 Sources of VIDOC.

813.3 Responsibilities.

813.4 Combat camera operations.

813.5 Shipping or transmitting visual information documentation images.

813.6 Planning and requesting combat documentation.

813.7 Readiness reporting.

**Authority:** 10 U.S.C. 8013.

##### § 813.1 Purpose of the visual information documentation (VIDOC) program.

Using various visual and audio media, the Air Force VIDOC program records important Air Force operations, historical events, and activities for use as decision making and communicative tools. VIDOC of Air Force combat operations is called COMCAM documentation. Air Force publications are available at NTIS, 5285 Port Royal Road, Springfield, VA 22161 or online at <http://www.afpubs.hq.af.mil>. DoD

publications are available at <http://www.defenselink.mil/pubs>.

##### § 813.2 Sources of VIDOC.

Primary sources of VIDOC materials include:

(a) HQ AMC active and reserve combat camera (COMCAM) forces, both ground and aerial, whose primary goal is still and motion media documentation of Air Force and air component combat and combat support operations, and related peacetime activities such as humanitarian actions, exercises, readiness tests, and operations.

(b) Visual information forces with combat documentation capabilities from other commands: HQs ACC, AETC, AFRES, and AFSPACECOM.

(c) Communications squadron base visual information centers (BVISCs).

(d) Air Digital Recorder (ADR) images from airborne imagery systems, such as heads up displays, radar scopes, and images from electro-optical sensors carried aboard aircraft and weapons systems.

(e) Photography of Air Force Research, Development, Test & Evaluation (RDT&E) activities, including high speed still and motion media optical instrumentation.

##### § 813.3 Responsibilities.

(a) HQ AFCIC/ITSM:

(1) Sets Air Force VIDOC policy.

(2) Oversees United States Air Force (USAF) COMCAM programs and combat readiness.

(3) Makes sure Air Force participates in joint actions by coordinating with the Office of the Secretary of Defense staff, Joint Chiefs of Staff (JCS), executive departments, and other branches of the United States Government.

(4) Approves use of Air Force COMCAM forces in non-Air Force activities.

(b) Air components:

(1) Manage air component COMCAM and visual information support within their areas of responsibility. Documents significant events and operations for theater and national-level use.

(2) Sets requirements for COMCAM and VI support. Includes requirements in operations plans (OPLAN) force lists, concept plans (CONPLAN), operations orders (OPORD), and similar documents. See Air Force Manual (AFMAN) 10-401, Operation Plan and Concept Plan Development and Implementation.

(3) Coordinate with MAJCOM VI managers to plan and source VIDOC forces for war, contingencies, and exercises.

(4) Provide input (VI and COMCAM requirements) to HQ AMC/SCMV, 203

West Losey Street, Room 3180, Scott AFB, IL 62225-5223, as required to develop the annual VI Exercise Support Plan. Include requirements to exercise VI forces to refine operational procedures and meet defined objectives.

(c) HQ AMC:

(1) Provides primary Air Force ADR theater support to the air component commanders.

(2) Maintains a deployable theater support Unified Transportation Command (UTC) to manage ADR requirements above the aviation wing level. This includes the gathering, editing, copying, and distribution of ADR images from combat aviation squadrons for operational analysis, bomb damage assessment, collateral intelligence, training, historical, public affairs, and other needs.

(3) Sets combat training standards and develops programs for all Air Force COMCAM personnel (includes both formal classroom and field readiness training).

(4) Coordinates and meets COMCAM needs in war, operations, and concept plans.

(5) Provides the Air Force's primary COMCAM capability and assists air component and joint commands with deliberate and crisis action planning for USAF's COMCAM assets.

(6) Provides component and theater commands COMCAM planning assistance and expertise for contingencies, humanitarian actions, exercises, and combat operations.

(7) Acts as manpower and equipment force packaging (MEFPAK) manager for COMCAM UTCs.

(8) Funds HQ AMC COMCAM personnel and equipment for contingency or wartime deployments. (The requester funds temporary duty and supply costs for planned events, such as non-JCS exercises and competitions.)

(9) Develops and monitors the annual Air Force-wide VI Exercise Support Plan for the Air Staff, with assistance from air components and supporting MAJCOMs. (Use criteria contained in § 813.4(e)(1) and provide equitable deployment opportunity for tasked commands' VI resources.)

(d) MAJCOM VI managers:

(1) Plan and set policy for documenting activities of operational, historical, public affairs, or other significance within their commands.

(2) Train and equip VIDOC forces to document war, contingencies, major events, Air Force and joint exercises, and weapons tests.

(3) Make sure COMCAM and BVISC forces meet their wartime tasking and identify and resolve deficiencies. Refer

significant deficiencies and problems and proposed resolution to HQ AFCIC/ITSM.

(4) Allow documentation of significant Air Force activities and events, regardless of their sensitivity or classification. Protect materials as the supported command directs. Safeguard classified images or handle them according to Department of Defense (DoD) Directive 5200.1, DoD Information Security Program, June 7, 1982, with Changes 1 and 2, and AFI 31-401, Information Security Program Management. The authority in charge of the event or operation approves documentation distribution.

(5) Update UTC availability in MAJCOM information systems.

(6) Assist Air Force Operations Group, in identifying the command's capability to support COMCAM and VI requirements.

(7) Provide inputs to HQ AMC/SCMV for the annual VI Exercise Support Plan for JCS exercises.

(8) Make sure units that have deployable VI teams have Status of Resources and Training System (SORTS) reportable designed operational capability (DOC) statements that accurately reflect their mission and taskings.

(9) Develop and oversee measurements, such as operational readiness inspection criteria, to evaluate VI force readiness at DOC-tasked units.

#### **§ 813.4 Combat camera operations.**

(a) Air Force COMCAM forces document Air Force and air component activities.

(b) The supported unified command or joint task force commander, through the air component commander (when assigned), controls Air Force COMCAM forces in a joint environment. If an air component is assigned, the air component normally manages documentation of its operations. Air Force COMCAM and visual information support for joint operations will be proportionate to USAF combat force participation. In airlift operations, HQ AMC may be the supported command.

(c) During contingencies, exercises, and other operations, the Air Force provides its share of Unified Command headquarters COMCAM and visual information support forces for still photographic, motion media, graphics, and other VI services.

(d) COMCAM and VI forces take part in Air Force and joint exercises to test procedures and over-all readiness. COMCAM and VI forces also provide VI products to command, operations, public affairs, historical, and other significant customers.

(e) Sourcing COMCAM forces. See AFMAN 10-401 for specific procedures.

(1) When VI support teams are required, the lead wing's VI UTC deploys as primary, whenever possible. If lead wing VI support is not available, the providing command sources the requirement from other active or reserve component forces, or coordinates with other MAJCOMs for assistance.

(2) Air Force VI personnel who assist supported commands in determining COMCAM and VI requirements and sourcing consider the total USAF VI community as a resource. Planners consider employing USAF deployable VI support teams, augmentation combat documentation teams from AFSPACECOM, AETC, and ACC, as well as active and reserve COMCAM teams.

#### **§ 813.5 Shipping or transmitting visual information documentation images.**

(a) *COMCAM images.* Send COMCAM images to the DoD Joint Combat Camera Center, Room 5A518, Pentagon, Washington, DC 20330-3000, by the fastest means possible, following the approval procedures that on-scene and theater commanders set.

(b) *Other non-COMCAM images.* After use, send significant non-COMCAM images to the appropriate DoD media records center through the Air Force record center accessioning point.

(c) *Identification of VIDOC materials.* Clearly identify all VIDOC and COMCAM material with slates, captions, and cover stories.

#### **§ 813.6 Planning and requesting combat documentation.**

(a) *Planned combat documentation.* Air components identify documentation needs as early as possible in OPLANs, CONPLANs, and OPORDs and send copies of these plans to HQ AMC/SCMV, 203 West Losey Street, Room 3180, Scott AFB, IL 62225-5223. Include the contact for planning and support.

(b) *Activity documentation.* MAJCOMs may request that HQ AMC document their activities. Send information copies of requests to HQ AFCIC/ITSM, 1250 Air Force Pentagon, Washington, DC 20330-1250, and HQ AMC/SCMV. When a supporting component command operationally controls HQ AMC COMCAM units, other organizations that need support must coordinate requests with the supported command.

(c) *Unplanned combat documentation.* Send short notice requests to the supported operational commander as soon as possible, with information copies to HQ AFCIC/ITSM

and HQ AMC/SCMO. Identify end product requirements, media formats, and deadlines.

(d) *Humanitarian, disaster relief, and contingencies.* Theater commanders normally task the supporting component through the Joint Operation Planning and Execution System, that in turn, requests support from HQ AMC. HQ USAF can directly task HQ AMC to document humanitarian, disaster relief, or contingency activities if it does not receive other tasking(s). In these cases, coordinate with the supported unified command.

#### **§ 813.7 Readiness reporting.**

All Air Force units assigned a DOC statement report readiness status through the SORTS process. See AFI 10-201, Status of Resources and Training System, for specific information and reporting criteria.

**Janet A. Long,**

*Air Force Federal Register Liaison Officer.*

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**BILLING CODE 5001-05-U**

## **LIBRARY OF CONGRESS**

### **Copyright Office**

#### **37 CFR Parts 201 and 256**

[Docket No. 2000-4 CARP CRA]

#### **Adjustment of Cable Statutory License Royalty Rates**

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Final rule.

**SUMMARY:** The Copyright Office of the Library of Congress is publishing final regulations governing the adjustment of the royalty rates for the cable statutory license.

**DATES:** These regulations are effective July 1, 2000.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or William J. Roberts, Jr., Senior Attorney for Compulsory Licenses, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Telefax (202) 252-3423.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Section 111 of the Copyright Act, 17 U.S.C., creates a statutory license for cable systems that retransmit to their subscribers over-the-air broadcast signals. Royalty fees for this license are calculated as percentages of a cable system's gross receipts received from