

biohazardous agents and recombinant DNA. In developing the course, the University of Minnesota cooperated with the Board of Education and Training of the American Society for Microbiology. The course is divided into five training units: Unit I—Host-Parasite Relationships; Unit II—Microbial Ecology; Unit III—Principles of Physical and Chemical Containment; Unit IV—Biological Containment for Recombinant DNA Molecules; and Unit V—Laboratory Skills—Including Hands-On Laboratory Exercises. The five units represent 45 hours of training, 16 of which are devoted to actual laboratory practice and are designed to be used in a variety of combinations to fit the needs of the individual institutions. The individual training modules include the following features:

- (1) A set of qualifications for the individual who would serve as instructor;
- (2) A set of learning objectives to be fulfilled by participants completing the module;
- (3) An annotated outline of the subject matter with slides and instructor notes keyed to the text;
- (4) A set of references to provide the instructor and participants with more detailed information; and
- (5) A set of multiple choice questions geared towards evaluating whether the objectives had been fulfilled by the participants.

In total, the materials consist of over 700 pages of written material and 500 35mm slides.

These training materials are intended to provide a minimum base of knowledge and skills which should be demonstrated by any individual who is going to work with potentially biohazardous agents or recombinant DNA molecules. The minimum base, as defined in these materials, originates from a project undertaken by the American Society for Microbiology in 1977-78 in response to questions about biological safety which arose from concerns about recombinant DNA research at that time. Every institution in which biohazardous agents are handled should be responsible for training all potentially affected workers in the principles of biological safety. The awareness and motivation of the individual worker is the most important ingredient in any safety program and is most likely to be found where the institution is committed to the same goal.

The NIH Division of Safety is developing a plan for distribution of

these materials to various institutions. They were previewed at the Twenty-Fifth Annual Biological Safety Conference in Boston on November 4-6, 1982.

A second phase of the contract will consist of the production of slide/cassette packages and one videotape with accompanying study guides. The objective of this phase is to translate selected portions of the training units into self-study materials. These study materials are currently under review and further development by the Division of Safety.

V. CDC/NIOSH Report on Medical Surveillance

At the 1980 Workshop on Recombinant DNA Risk Assessment it was recommended that the Centers for Disease Control (CDC) consider possible types of health surveillance for workers using recombinant DNA. The CDC and the National Institute for Occupational Safety and Health (NIOSH) subsequently have prepared a report entitled "Medical Surveillance of Biotechnology Workers: Report of the CDC/NIOSH Working Group on Medical Surveillance for Industrial Applications of Biotechnology."

The preface of the report states:

The guidelines for medical surveillance of biotechnology workers which are presented and discussed in this report are intended neither as binding regulations nor as uniform requirements which are to be applied without discrimination throughout every phase of the industries using fermentation biotechnology. Rather the guidelines are intended as suggestions for prudent medical practice.

The potential occupational hazards which are associated with industrial applications of biotechnology will vary according to the microbial species, products, and reagents used in the various sectors of the industry. For those reasons, the application of these guidelines should in every instance be guided by a reasoned assessment, conducted under the direction of the Institutional Biosafety Committee (IBC), of the potential hazards which will be associated with each specific situation and process. Likewise, the particular components of each medical surveillance program should be specifically tailored to address the actual or potential hazards of the processes under consideration.

The report states that establishment of medical surveillance for workers in any newly developed industry constitutes prudent medical practice. However, the report states that "the likelihood is small that a medical surveillance program for biotechnology workers will detect any illness caused by recombinant organisms or by their products or reagents."

The report was reviewed by the RAC and its Large-Scale Review Working Group and has been published in the *NIH Recombinant DNA Technical Bulletin* (Volume 5, page 133, September 1982).

IV. Implementation

NIH will continue to monitor progress in the risk assessment projects cited above. NIH will also review ongoing research for data pertinent to risk assessment by analysis of data from research which is published or presented at meetings, and by direct contacts with scientists. Liaison will be maintained with those who have related responsibilities in other Federal agencies, in other countries, and in national and international scientific organizations. ORDA will provide periodic updates on risk assessment to the RAC and its Risk Assessment Subcommittee. NIH has high containment laboratories which can be made available, as necessary, for experiments requiring the highest level of physical containment.

Dated: November 23, 1982.

Richard M. Krause,

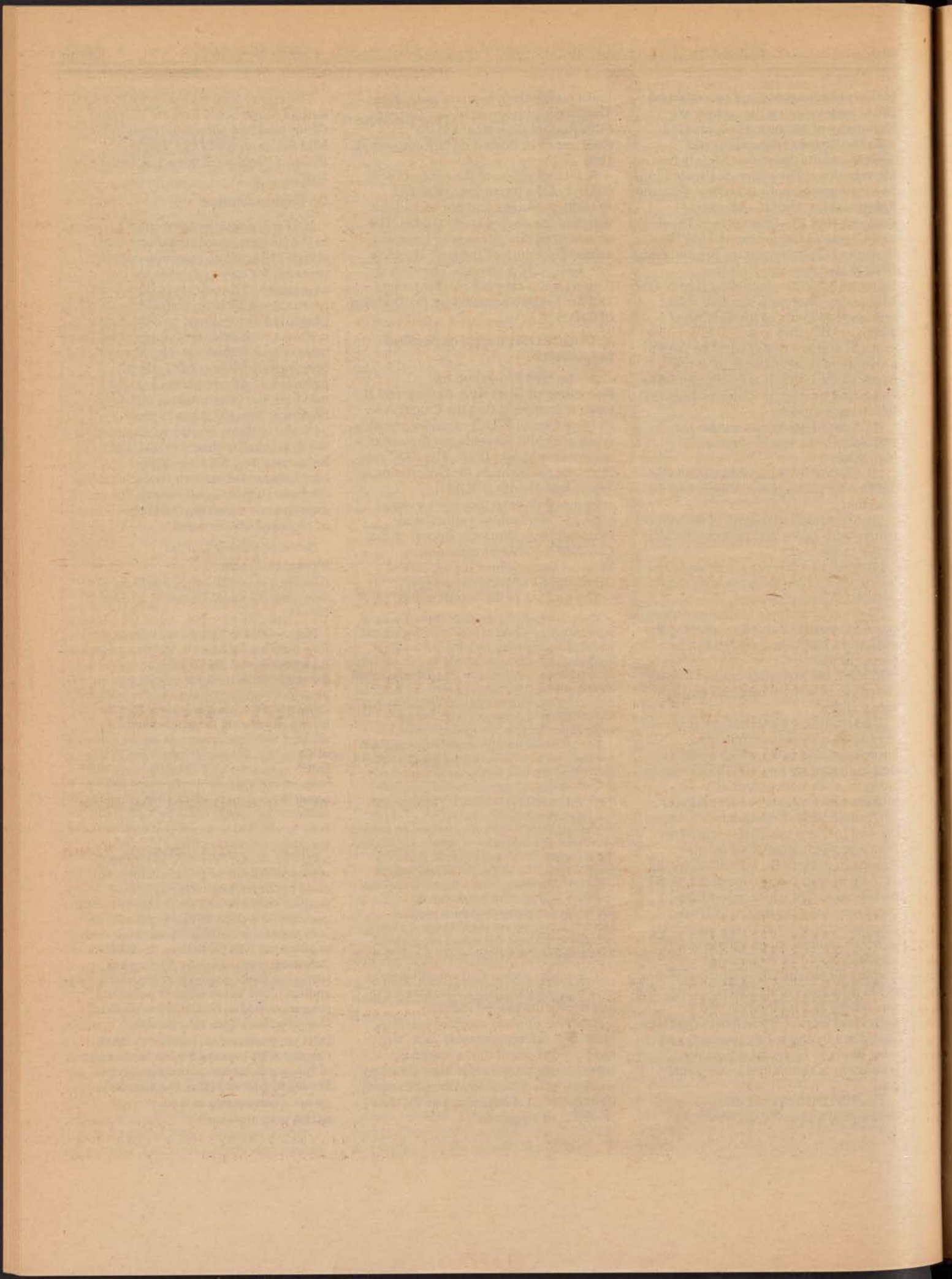
Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health.

Note.—OMB's "Mandatory Information Requirements for Federal Assistance Program Announcements" (45 FR 39592) requires a statement concerning the official government programs contained in the *Catalog of Federal Domestic Assistance*. Normally NIH lists in its announcements the number and title of affected individual programs for the guidance of the public. Because the guidance in this notice covers not only virtually every NIH program but also essentially every federal research program in which DNA recombinant molecule techniques could be used, it has been determined to be not cost effective or in the public interest to attempt to list these programs. Such a list would likely require several additional pages. In addition, NIH could not be certain that every federal program would be included as many federal agencies, as well as private organizations, both national and international, have elected to follow the NIH Guidelines. In lieu of the individual program listing, NIH invites readers to direct questions to the information address above about whether individual programs listed in the *Catalog of Federal Domestic Assistance* are affected.

(NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in Section 8(b) (4) and (5) of that Circular)

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Registered Federal Report

Tuesday
December 7, 1982

Part IV

Department of Health and Human Services

Office of Human Development Services

FY 1983 Coordinated Discretionary Funds
Program

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Human Development Services

[Program Announcement No. HDS-83-1]

FY 1983 Coordinated Discretionary Funds Program

AGENCY: Office of Human Development Services, HHS.

SUBJECT: Announcement of Availability of Funds and Request for Preapplications under the Office of Human Development Services' Coordinated Discretionary Funds Program.

SUMMARY: The Office of Human Development Services (HDS) announces that competing preapplications will be accepted for new research, demonstration, evaluation and training grants and cooperative agreements authorized by legislation for its discretionary program and those of its constituent programs—the Administration for Children, Youth and Families (ACYF), the Administration on Developmental Disabilities (ADD), the Administration on Aging (AoA), the Administration for Native Americans (ANA), the Office of Policy Development (OPD), the Office of Program Coordination and Review (OPCR), and the President's Committee on Mental Retardation (PCMR). This program announcement consists of four parts. Part I covers background information, discusses the purpose of the HDS Discretionary Program, lists funding authorities, and briefly describes the FY 1983 process. Part II describes the 14 priority areas in which grants will be awarded. The priority areas are grouped into two major themes, and examples are given for each area. Part III describes the preapplication process, who is eligible to apply, what funds are expected to be available, and the selection criteria. Part IV gives detailed guidance on how to prepare and submit a preapplication. It also includes copies of needed forms.

Note.—Part III of this announcement contains information collection requirements. The public is not required to comply with these requirements until OMB approves them under Section 3507 of the Paperwork Reduction Act. A notice will be published in the *Federal Register* when approval is obtained.

DATE: The closing date for receipt of preapplications is January 31, 1983.

FOR FURTHER INFORMATION CONTACT: OPD/Division of Research and Demonstration, Office of Human Development Services, 200

Independence Avenue, SW., Room 732E, Washington, D.C. 20201, (202) 245-6235.

Part I—General Considerations

A. Scope of This Program Announcement

This announcement solicits preapplications for research, demonstration, evaluation, training and technical assistance priorities to be funded by all HDS programs in support of HDS' goals and objectives in the third and fourth quarters of fiscal year 1983 and the first and second quarters of fiscal year 1984. This is the only HDS announcement to be issued for these priority areas. HDS may publish additional program specific announcements in fiscal year 1983 that incorporate individual program priorities.

B. Background

In fiscal year 1982, HDS and its constituent programs initiated a Coordinated Discretionary Funds Program. The resulting *Federal Register* announcement published on November 16, 1981 included several separate discretionary funding programs which had previously been announced and competed independently of each other. By establishing a coordinated discretionary funds process, HDS promoted cooperative and focused activity which addressed important issues common to all programs. By initially requesting preapplications HDS also encouraged wider participation in its discretionary funds program. HDS received 5,620 preapplications in its fiscal year 1982 Coordinated Discretionary Funds Program, of which 167 received grant awards. In fiscal year 1983 HDS is continuing the coordinated approach begun in fiscal year 1982.

C. Discretionary Program Purpose

The purpose of the HDS Coordinated Discretionary Funds Program is to support: (1) research activities that seek to develop insightful, new ways of addressing human service problems; (2) demonstrations intended to test the effectiveness of previously untried techniques for addressing State and community needs; (3) evaluations that assess the usefulness and cost of existing programs; and (4) training projects that improve the delivery and management of social services. Above all, HDS discretionary funds are intended to expand the boundaries of human services knowledge by drawing on new ideas from a variety of fields. These new ideas and perspectives should stimulate and challenge both human service professionals and the

public to respond more effectively to State and local needs.

The fiscal year 1983 program is a continuation of the basic policy direction established by the fiscal year 1982 Discretionary Funds Program. That policy is based on the principle that the well-being of the public is primarily a responsibility of individuals, families and the communities in which they live. When social services are needed, they are best defined and administered through public or private institutions at the level closest to the problem—State and local governments, Area Agencies on Aging, and local grantees, as well as private voluntary organizations. The role of the Federal Government in addressing social problems is:

- To adopt and implement national policies or programs aimed at promoting economic growth and prosperity and thereby reducing the need for social services;
- To address those social service needs that require inter-State or national orientation for effective resolution;
- To provide national leadership in (a) the development of effective methods of addressing social service needs; and (b) the development of State and local capacity to deliver social services appropriately targeted at local problems;
- To foster the efficient and effective use of available resources through improved social service management; and
- To target Federal budgetary support for services targeted toward that portion of the population that is most in need.

In fiscal year 1983, the HDS Discretionary Funds Program will focus its attention on two major themes that support this Federal role:

- Increasing social and economic self-sufficiency through prevention, targeting of resources and socioeconomic development strategies.
- Improving the efficiency and effectiveness of social services through better program administration and responsiveness to local needs.

The HDS Discretionary Funds Program is not intended to fund existing services programs or to serve as a source of supplementary funds for local activities which need operating subsidies. Applicants are also reminded that grantees are prohibited from using Federal grant funds to engage in any activity designed to influence legislation or appropriations pending before Congress.

D. Statutory Authorities

The individual statutory authorities under which grants and cooperative agreements will be awarded by HDS'

Coordinated Discretionary Funds Program are as follows:

- Head Start: Head Start Act of 1981.
- Child Welfare Services: Section 426 of the Social Security Act, as amended.
- Runaway Youth Program: Runaway and Homeless Youth Act, as amended.
- Child Abuse: Child Abuse Prevention and Treatment Act, as amended.
- Adoption Opportunities: Title II of Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, as amended.
- Native Americans: Native American Programs Act of 1974, as amended.
- Developmentally Disabled Special Projects: Section 145 of the Developmental Disabilities Assistance and Bill of Rights Act, as amended.
- Social Services Research and Demonstrations: Section 1110 of the Social Security Act, as amended.
- Training, Research and Discretionary Projects and Programs: Title IV of the Older Americans Act, as amended.

E. FY 1983 Process

As in FY 1982, the FY 1983 Discretionary Funds Program provides for a two-stage application process. Stage one addresses preapplications, while stage two deals with final applications. As part of stage one, Federal staff will initially screen preapplications administratively to determine their completeness and conformance with the requirements of this announcement.

Only preapplications that adhere to all screening requirements will be given further consideration. The screening requirements that will be used are listed below in Part III, Section F.

After the screening has been completed, conforming preapplications will be reviewed jointly by Federal staff and non-Federal experts against the criteria established for review of preapplications. HDS anticipates that approximately 500 highly ranked preapplicants will be invited to submit final applications (stage two) in the early spring of 1983 to be given further consideration for funding. The final applications will be reviewed against the more stringent evaluation criteria listed in Part III, Section F.

HDS anticipates that, subject to the availability of funds, approximately 140 grants and cooperative agreements will be made in the third and fourth quarters of FY 1983 and the first and second quarters of FY 1984.

Part II.—Program Priorities

In arriving at the priorities contained in this announcement, HDS used a

priority setting process that made provisions for State, local and community participation. With the cooperation of several national organizations, State, local agencies and private practitioners discussed major research, demonstration, and evaluation issues which should be addressed in the next two fiscal years by the HDS Coordinated Discretionary Funds Program. As a result of the topic recommendations which emerged from those discussions, a review of recent discretionary program activities and consideration of HDS's goals and objectives, HDS published a Notice in the *Federal Register* on September 23, 1982 which requested comments on its proposed FY 1983 discretionary priorities and topics of study. One hundred and forty letters of comment were received and considered in the preparation of this request for preapplications. The resulting priority areas for funding in FY 1983 and the first two quarters of FY 1984 are:

I. Strategies for Increasing Social and Economic Self-Sufficiency

- 1.1 Employment and Income generation.
- 1.2 Community and Family-Based Care.
- 1.3 Targeting Resources.
- 1.4 Prevention and Early Intervention.
- 1.5 Child Abuse and Neglect Prevention.
- 1.6 Runaway and Homeless Youth Intervention.
- 1.7 Adoption and Foster Care Opportunities.

II. Strategies for Improving the Efficiency and Effectiveness of Social Services.

- 2.1 Improved Use of Management Information Systems.
- 2.2 Program Management Improvements.
- 2.3 Evaluation Assistance.
- 2.4 Training.
- 2.5 Gerontology Training.
- 2.6 Dissemination and Utilization.
- 2.7 Addressing the Service Needs of Tribes.

Examples of issues that may be addressed are listed for each priority area. The lists of possible issues are not exhaustive, nor is it implied that projects will be funded for every example.

I. Strategies for Increasing Social and Economic Self-Sufficiency

Social services should supplement assistance from family resources and the private sector for those in need of help, stimulate increased opportunities for HDS populations to become employed, and assist those who are unable to be employed to become more self-sufficient through participation in the family or community care arrangements. Social services should, in most cases, be an interim supplement to an individual's efforts toward self-

sufficiency. They should be used in the absence of, rather than as a substitute for, adequate family and community resources.

Human services must also have a strong preventive effect. In order to achieve long-term effectiveness, human service interventions to assist an individual or family should result in a reduced likelihood of future need for services. In fiscal year 1982 the HDS focus on prevention was primarily upon tertiary prevention (overcoming the effects of a condition). In fiscal year 1983 HDS intends to take a broader approach by stressing primary prevention (preventing a condition from occurring), and early interventions to ameliorate the effects of a condition. Demonstrations of effective prevention in human services, better understanding of which services prevent or minimize what problems, and data to support prevention strategies, are needed.

HDS proposes to promote innovative approaches that encourage self-sufficiency and prevent or reduce dependency on publicly supported social services. HDS will consider projects for funding in the following priority areas: (1) Employment and income generation; (2) Community and family-based care; (3) Targeting resources; (4) Prevention strategies; (5) Child abuse and neglect prevention; (6) Runaway and homeless youth; and (7) Adoption opportunities.

1.1 Employment and Income Generation: In fiscal year 1983 HDS proposes to focus on the development of strategies for the economic self-sufficiency of HDS populations which depart from traditional human services/employment approaches that have been tried in the past. Emphasis should be placed on local solutions, reliance on existing resources, private sector involvement, and linkages between existing organizations. The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area.

- Promotion of income-generating or expense-reducing techniques which would increase the self-sufficiency of HDS non-employable groups. These may include home equity conversion, tax abatements and deferrals, tax incentives for home maintenance and repair, home sharing, and other ways to tap private and local resources available to these groups.

- Promotion and further development of employment strategies that enable employable homeless youth, single parents, older persons or individuals with developmental disabilities to enter or remain in the job market and become

less dependent on public assistance. Techniques might include shared work, extensive summer leave for caregivers, home-based work, youth entrepreneurship and flexible benefits plans. In particular, HDS seeks to demonstrate new ways that businesses can recruit, train and place individuals within their established workforces in emerging and high technology occupations not traditionally filled by HDS populations. The outcome of these demonstrations should be data useful for national replication, as well as permanent full-time or part-time employment for HDS populations.

- Demonstrations which identify and build upon existing linkages between Head Start and other human services to assist parents in securing basic educational skills, vocational training, employment counseling, and employment.

- Demonstrations to provide low income, inner city, minority, or disadvantaged youth with paid or volunteer work experiences in human services agencies and businesses. The focus of these efforts should be upon successful outcomes as measured by the eventual employment of these youths by the participating organizations.

- Demonstrations of how profit-making enterprises can meet the service needs of children, youth and families. Successful techniques may be demonstrated that enable public or non-profit programs to operate profit-making services related to the services they now provide.

- Establishment of cooperatives for persons who are socially or economically disadvantaged in order to enable them to purchase or produce basic necessities, or to develop products for sale.

HDS anticipates that approximately \$2,040,000 will be available to fund projects in this priority area. The sources of these funds are as follows: Administration on Aging \$600,000; Administration on Developmental Disabilities \$125,000; Administration for Native Americans \$40,000; Head Start \$1,010,000; Child Welfare Research \$115,000; Social Services Research Program \$150,000.

1.2. Community and Family-based Care: Strengthening the family is a key factor in socioeconomic stability and growth. Of particular interest is the development of volunteer and peer group support for primary caregivers of older persons, children with special needs and developmentally disabled individuals which will reduce dependency on social services. Foster and adoptive parents of hard to place children, and Head Start parents are

part of this area of concern. The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Demonstrations of innovative community support techniques—including volunteer respite care, peer groups, intergenerational activities designed to benefit both older and younger participants, and extended family concepts—to assist families who are raising their disabled child at home and older people without a family or who live in isolation. Emphasis should be placed on linking existing social and health care programs with informal support systems and private sector resources.

- Demonstrations of family and community-based techniques for the prevention of inappropriate placement of developmentally disabled children in foster care, as well as for the reduction of the risk of abuse and neglect for those children.

- Development and testing of innovative approaches to coordinated child care planning at the local level that are based on local needs and lead to effective solutions that involve volunteers and the private sector.

HDS anticipates that approximately \$2,725,000 will be available to fund projects in this priority area. The source of these funds is as follows: Administration on Aging \$200,000; Administration on Developmental Disabilities \$130,000; Administration for Native Americans \$20,000; Head Start \$2,010,000; Child Welfare Research \$115,000; Adoption Opportunities Program \$30,000; Social Services Research Program \$220,000.

1.3. Targeting Resources: There is a need for States, local and tribal governments, as well as private service providers, to develop innovative approaches for targeting resources to the most needy. Effective targeting of resources should result in cost-effective solutions, at the local level to the needs of individuals and families who truly require assistance. To achieve this it is necessary for States and localities to better define who requires or can best use assistance, to identify strategies for effective targeting of resources, and to develop effective techniques for reaching those most in need.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Better strategies for targeting existing resources on people in the greatest economic and social need, such as those who are handicapped, homebound, homeless, off-reservation

Indians, the poor who live in rural areas or inner cities, the elderly, runaway and homeless youth. Emphasis should be placed on redirecting the attention of existing services toward these groups, as well as on establishing linkages between existing agencies serving each of these populations with other social service agencies, community mental health services, volunteer organizations and businesses.

- Increased knowledge to improve care models, and strengthen the role of siblings and parents throughout the life cycle. Of particular interest is how to better target existing community resources in order to prevent inappropriate institutional placement as the disabled individual reaches adulthood and public school services are no longer available or appropriate.

- Demonstration of how community and volunteer groups can assist older persons in dealing more effectively with the residential care system.

- Demonstrations of targeting foster care recruitment efforts at higher income families that would welcome the opportunity to provide assistance to children in need of foster care, with a waiver of some or all of the usual program payments.

HDS anticipates that approximately \$1,900,000 will be available to fund projects in this priority area. The source of these funds is as follows: Administration on Aging \$400,000; Administration on Developmental Disabilities \$185,000; Administration for Native Americans \$75,000; Head Start \$620,000; Child Welfare Research \$235,000; Social Services Research Program \$385,000.

1.4. Primary and Secondary Prevention Strategies: HDS is interested in demonstrations of primary prevention and early intervention strategies. There is a need to answer questions such as: What kind of prevention strategies are effective? How can we measure the effects of prevention programs? How can we better utilize service data to improve prevention strategies and budgeting for service programs? How can we analyze initial expenditures versus delayed benefits? What kinds of public awareness initiatives constitute effective prevention strategies? The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Research to determine how increased public awareness of precipitating factors and early interventions can play a preventive role in family breakdown, chronic dependency, abuse and neglect.

runaway youth, and other problems which are seen in the HDS populations. Volunteer and group support in parenting, and public education about the aging process are additional prevention activities which need testing.

- Development of techniques for the early identification of individuals—particularly older persons, Native Americans, and children—whose health condition is at risk of deteriorating significantly and whose early identification is important for maintaining their independence from social services.

- Demonstrations of new health promotion techniques targeted to specific age groups to assure early prevention of health problems.

- In order to devise better prevention strategies, better knowledge is needed about the effects of isolation, dependency, and life styles on older people. For example, age at retirement, family and social relations, stress, and environment—all may influence the social and medical service needs of the individual and the degree of dependency.

- The maintenance of self-sufficiency is seen as an issue of prevention of the need for services. There is a need to define early indicators of decreasing self-sufficiency so that timely prevention strategies can be employed.

- Studies show that an excessively large portion of the population in secure youth detention facilities results from inappropriate handling of "at-risk" youth. Innovative approaches for preventing the inappropriate admission of these youths need to be developed and demonstrated.

- In order to prevent the exploitation of runaway youth, more effective strategies need to be developed for the provision of appropriate living arrangements, basic educational skills and vocational training for these youth. Additionally, linkages between runaway youth centers, local schools and community groups need to be established for the identification of youth in need, and early prevention intervention.

HDS anticipates that approximately \$1,355,000 will be available to fund projects in this priority area. The sources of these funds are as follows: Administration on Aging \$175,000; Administration on Developmental Disabilities \$95,000; Administration for Native Americans \$20,000; Head Start \$400,000; Runaway and Homeless Youth \$300,000; Child Welfare \$100,000; Social Services Research Program \$265,000.

1.5. Child Abuse and Neglect Prevention: HDS will continue in FY 1983 the emphasis, begun in 1982, on

supporting demonstrations of comprehensive strategies for preventing child abuse and neglect and child sexual abuse. Also continued is the emphasis on dissemination of effective approaches for protecting children and youth in residential institutions and other out-of-home placements. The following examples are illustrative of issues that may be addressed by preapplications submitted under the child abuse and neglect priority:

- Demonstrations of parent support at the work place to prevent child abuse and neglect. HDS will consider support of up to 50% of the cost of projects—implemented in the context of the private sector work place—that incorporate proven preventive measures such as parent self-help groups and education on parent child problems. The matching 50% must be contributed by the business or industry committing support for this approach to the prevention of child abuse and neglect.

- Measuring the effectiveness of prevention. HDS will support efforts to define those individual, family and community problems most amenable to preventive intervention, and comparison studies of prevention strategies now being used in various communities.

- Demonstrations of the use of the therapeutic family day care homes to prevent the need for foster care placement. These day care homes feature remedial care—provided by carefully screened and trained caregivers—for the maltreated children that maximizes contact with their parents who are also receiving treatment. Applicability of this technique to the needs of rural populations is also of particular interest.

- Innovative mechanisms for training middle and upper management in child protective services on effective management techniques, as well as prevention and targeting strategies. The feasibility and demand for this type of activity without Federal support needs to be determined. Projects should involve participation by State agencies and private institutions. Proposed activity should make use of case studies covering such areas as resource targeting, budget planning and management, crisis management, objective setting, performance monitoring, effective use of technology, prevention and early intervention strategies.

- Validation of existing theories on factors which contribute to the sexual victimization of children. Several theories have evolved from treatment programs supported by Federal, State and private resources. They include: family systems; individual

psychopathology; social isolation; and personal stress. However, there has been no systematic, empirical validation of these theories. Also of interest is the careful measurement of the outcomes of alternative types of intervention. Examination of what happens to individuals and families as a result of criminal justice, child protective and mental health interventions is needed in order to build useful knowledge of the long-term impacts of treatment as well as to define preventive strategies. Applicants addressing issues of child sexual abuse or victimization must be able to demonstrate access to the necessary range of case information under conditions which safeguard individual rights to privacy and confidentiality.

- Demonstration and testing of effective procedures for child abuse investigation management. In order to meet increased child abuse investigation caseloads, some agencies have made deliberate efforts to narrow the working definitions of child maltreatment, to order priorities for making immediate or delayed investigations and to raise the degree of severity required to justify intervention. It appears that such changes have been made without consistency and sometimes without sufficient consideration of their attendant risks. The study of issues involved in decision-making; the development of clear alternatives and procedures to assist States and localities in making those decisions; and the demonstration and evaluation of those procedures needs to be undertaken under field conditions. Applicants must provide proof of the participation of relevant organizations, and are urged to propose a diverse set of environments in which to test the criteria and procedures (e.g., urban/suburban/rural, minority populations, State administered and county administered social service systems).

- Demonstrations of alternatives to litigation. The litigation of child abuse and neglect cases often results in adversary proceeding that make parental cooperation and participation difficult. This in turn increases the possibility of institutional child placement. There is a need to identify, develop and demonstrate alternatives to litigation such as the use of mediation for conflict resolution or the application of lay hearing panels.

Preapplications must contain assurances from the juvenile court as well as the agencies designated by State law to receive and investigate reports of child abuse and neglect, that they will accept the applicant's role and

participate in the diversion of child abuse and neglect cases which would otherwise be litigated in juvenile court.

- Demonstrations of the use of committees of inquiry into child fatalities linked to child maltreatment. The principal objective of these demonstrations would be to develop and test procedures for multidisciplinary inquiries. The primary goal of such inquiries should be to acquire useful knowledge for the prevention of child fatalities caused by child abuse or neglect. Successful applicants must have sufficient authority to conduct such inquiries, access the necessary information, and the ability to make recommendations for changes in agency and interagency procedures for the handling of cases of child maltreatment. Eligibility is limited to public agencies with legal authority to carry out the proposed inquiries.

HDS anticipates that approximately \$1,580,000 will be available to fund projects in this priority area.

1.6 Runaway and Homeless Youth: In FY 1983 HDS proposes to sponsor National model Demonstration efforts mandated by Pub. L. 97-276 which emphasize innovative approaches for prevention and early intervention. Evaluation and dissemination components should be included.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Demonstrations of innovative techniques for reuniting and strengthening of families through emphasis on improved parent-adolescent communication and problem resolution, empathic understanding, development of coping skills, use of self-held group techniques, volunteers and private sector organizations.

- Demonstrations and testing of independent living arrangements for 16-17 year olds who cannot return home. These should include out-of-home parental support models, non-traditional education and employment opportunities, and model private sector employment-shelter arrangements.

- Demonstrations of effective outreach that encourages participation in shelter programs by youth initially unwilling to go to a runaway center.

- Demonstrations of techniques for preventing juvenile prostitution or, alternatively demonstrations of early interventions. These may include crisis intervention, short-term housing, promotion of independent living skills, substance abuse treatment, employment training, and counseling. Efforts are sought which emphasize the transfer of existing techniques and the coordination

of existing community resources (law enforcement, social services, health care, local-State governmental involvement, and the volunteer and business sector) to prevent and/or combat the various forms of adolescent maltreatment (e.g., prostitution, adolescent sexual abuse).

HDS anticipates that approximately \$2,500,000 of Runaway and Homeless Youth Act funds will be available for projects in this priority area.

1.7 Adoption And Foster Care Opportunities: HDS continues to have an interest in the development and demonstration of approaches that have an impact on increasing the adoption of hard to place children. Of particular concern is the effective cooperation between adoption agencies, and the involvement of corporations and businesses. HDS will support demonstrations which (1) streamline adoption procedures, (2) promote sharing of home studies across jurisdictions, (3) establish effective relationships between placement agencies and the courts, and (4) promote volunteer foster care. The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area.

- Development of innovative practices which stimulate sharing completed home studies and potential adoptive families across jurisdictions. Present requirements for home studies vary widely and often discourage or prevent the sharing of otherwise eligible adoptive families across jurisdictional lines.

- This should include a guidebook on parent preparation for adoption to be used by state and local placement agencies. Such a guidebook would reflect methods and criteria for evaluating prospective families for children with special needs, for those seeking second adoptions, and foster families seeking adoptions. A reasonable range of options needs to be addressed concerning methods of parent preparation, the different types of families, and adoptions.

- HDS is interested in placement agencies demonstrating changes in adoption practice that will streamline procedures and reduce the cost of adoption of special needs children. The purpose of these demonstrations is to show the impact of such changes on the number of children who are actually adopted within the given resources of the agency. The development of resource materials resulting from these successful demonstrations and innovative ways to disseminate them to other placement agencies should be included.

- Demonstrations of volunteer collaborative efforts between adoptive parents groups and social service agencies to assist new adoptive families or those with developmentally disabled children. Preapplications must include a clear statement of cooperation from placement agencies.

- Demonstrations which promote the supportive role which the corporate and business sector could play in the adoption of special needs children, including recruitment of prospective adoptive parents, public education, provision of special benefits, and provision of services or programs in support of those who are adopting special needs children.

- New approaches to encourage more private agencies to collaborate with public agencies to increase the adoption of children with special needs.

- Demonstrations by State public agencies with a significant number of Hispanic children in care, of techniques to increase the adoption of Hispanic children, reach potential adoptive families in the Hispanic population, and equip adoption workers to successfully deal with the particular needs of Hispanic children.

- Adolescents who remain in foster care until the age of emancipation need assistance in preparing for independent living. This assistance can best be provided through the coordinated efforts of volunteer groups, schools, mental health organizations, employment organizations and child welfare agencies. HDS is interested in funding organizations with responsibility for the foster care of adolescents to develop approaches to solving this problem in both urban and rural populations.

- There are serious procedural and operational problems between State child welfare agencies and the courts with regard to children in foster care. As a result, children are often denied access to prompt and effective decisions concerning custody, case reviews, parental rights, due process protection and permanency planning. HDS will award small service improvement grants to support demonstrations of improved cooperation and development of more effective relationships between placement agencies and the courts.

- Demonstrations of ways to reduce inappropriate out-of-home placements of Indian children by Indian tribes that operate their own child welfare services system. There is a need to test the applicability to this problem of techniques such as permanency planning, case reviews and comprehensive emergency services, as

well as to develop tribal codes and court procedures on adoption.

- Demonstrations of effective partnerships of Indian tribes, States and local governments for the disposition and management of child custody jurisdiction and services, especially in connection with implementation of the Indian Child Welfare Act (Pub. L. 95-608).

HDS anticipates that approximately \$1,040,000 will be available to fund projects in this priority area. The source of these funds is as follows:

Administration on Developmental Disabilities, \$65,000; Child Welfare Research, \$95,000; Adoption Opportunities Program, \$860,000; and Administration for Native Americans, \$20,000.

II. Strategies for Improving the Efficiency and Effectiveness of Social Services

More effective and efficient administration of programs has long been a major thrust of HDS discretionary activities.

Extensive research and development activity has already been undertaken on caseworker and workload management, evaluation techniques, financial management systems, management information systems, fees for services systems, and other management techniques.

HDS proposes, as the second theme of its FY 1983 Discretionary Funds Program, to foster an increase in the use of the techniques and the approaches that resulted from this previous effort. This should result in an enhanced capacity to administer and develop service programs responsive to local needs and priorities. HDS seeks to promote innovation and flexibility in training, grantee cooperation, tribal relationships, the dissemination and utilization of grantee R&D products, program management and evaluation.

These activities have often been approached from a Federal perspective. There is a need to increase the flexibility grantees have in undertaking them. The underlying assumption is that greater State, local and tribal control will produce better use of resources to meet identified needs. In FY 1983 HDS would like to address this issue by funding activities in the following areas: (1) Improved use of management information systems; (2) Program management improvements; (3) Evaluation assistance; (4) New models of State or local planning, use and management of training resources; (5) Gerontology training; (6) Successful demonstrations of new and innovative techniques for the dissemination and

utilization of R&D products; and (7) The unique service needs and special conditions of tribes.

2.1. Use Of Management Information Systems: HDS is interested in the demonstration of innovative use of state-of-the-art technology, existing management information systems, and their data bases and outputs, for the evaluation of human service programs and as policy-making tools. In this area, preference will be given to consortia of States or providers. The following examples are illustrative of issues that may be addressed under this priority area:

- Development and testing of ways to provide integrated information for use by decision-makers at the State umbrella agency level to help set priorities across social services, Medicaid, and income maintenance programs. Applicants in this area should address the nature of existing information systems in Medicaid, income maintenance, and social services; how these systems can be integrated or interfaced; and how data from an integrated system can be used to form policy directed at increasing client self-sufficiency.

- Innovative approaches for the greater use of information systems output to improve the targeting of resources by community organizations, State or local government, or tribal agencies.

- Demonstrations of the integration or sharing of information systems and common data bases between social services and mental health agencies at the state and local government level. Emphasis should be placed on common access to integrated systems, the reduction of duplicative data, and enhanced use of existing systems.

- Demonstrations of the utility of management information systems to Indian tribes, particularly in the area of child welfare. Emphasis should be placed on dissemination of existing techniques.

- Strategies for increase of the compatibility of state data bases to produce national data bases for specific target groups. In particular HDS seeks to demonstrate ways in which standardization of reporting can be used to improve the utility and accuracy of information contained in the National Data Base on Aging, and to enhance the capacity of Area Agencies to improve services to specific groups of older persons. Priority will be given to those projects which build upon the experience gained by State and local Agencies in utilizing existing taxonomies of service definitions and units of services.

HDS anticipates that approximately \$1,155,000 will be available to fund projects in this priority area. The source of these funds is as follows:

Administration on Aging \$100,000; Administration on Developmental Disabilities \$95,000; Administration for Native Americans \$40,000; Head Start \$720,000; Child Welfare Research \$65,000; Social Services Research Program \$135,000.

2.2. Program Management Improvements: HDS is interested in assisting States and localities to improve program management practices, leading to more efficient use of resources, more responsiveness to local needs, better use of existing technology, and volunteer support. The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Development and testing of techniques for use by service providers to assess the costs and benefits of service delivery mechanisms for the various HDS populations. Cost/effectiveness analyses on such topics as alternative work programs, living arrangements for the mentally retarded and other community-based care models might be included.

- Purchase of service activities must move beyond good procurement administration to performance-based contracting that results in more effective and efficient services. HDS seeks to demonstrate ways in which State, area, county and local agencies can improve the efficiency and effectiveness of their programs through innovative performance-based contracting. Proposed demonstrations should incorporate (1) clearly defined units of service compatible with existing service taxonomies; (2) performance standards; and (3) fixed price reimbursement which can be used effectively to respond to local priority service needs.

- To close the gap in services delivery to the developmentally disabled alleged offender, HDS will support testing a model of comprehensive service delivery providing for integration of the social service and judicial system efforts. Adequate models must include training strategies for DD, criminal justice and judicial personnel which lead to practical application of successful management techniques and specialized diagnostic services. The primary purpose of these demonstrations is to show improved rehabilitative intervention in this area.

- State and area agencies on aging improvements in management of the Title III program. State Units and Area Agencies should identify significant

management issues from their perspectives and propose the institution of, or experimentation with new techniques or solutions. Such solutions may, for example, explore the use of Statewide contracts for the conduct of uniform A-102 audits, or the implementation of multi-area meal delivery systems based on new technology. Proposed activity should have a high degree of relevance to other State and area agencies on aging.

- Innovative State and local agencies demonstrations of ways in which advanced management techniques can be used to improve their service delivery. Increasingly in the past ten years, scientific management and operation research techniques have been used outside of industrial settings to assist in the management of urban service systems. Some of these approaches may be useful in managing human service delivery. Emphasis should be placed on solving problems that are highly relevant to other agencies.

- Demonstrations of dissemination and use of existing techniques by runaway youth centers in the following areas: improved volunteer and community support; effective resource development; financial management, accountability of funds and cost controls; volunteer recruitment and training; and effective techniques for family intervention and crisis counseling. These demonstrations may involve innovative peer-to-peer training approaches, and State sponsored endeavors serving runaway youth centers.

HDS anticipates that approximately \$1,860,000 will be available to fund projects in this priority area. The source of these funds is as follows: Administration on Aging \$175,000; Administration on Developmental Disabilities \$95,000; Administration for Native Americans \$30,000; Head Start \$620,000; Child Welfare Research \$165,000; Social Services Research Program \$275,000; Runaway and Homeless Youths \$500,000.

2.3. Evaluation Assistance: HDS is interested in assisting community organizations as well as State and local governments, to conduct more effective evaluation of their programs and services. With States and localities assuming greater responsibility for planning and managing social services, service delivery organizations need to target their resources on the most needy and to deliver services in the most cost-effective manner. To do this HDS will consider making challenge grants to fund States and consortia of local/community level organizations to assess

their operational efficiency, how effective their programs and services are, and whether client outcomes are commensurate with the resources being spent. HDS encourages evaluation efforts which will provide States, Indian tribes, local agencies and other human service organizations with tools for making improved project or program funding decisions. Emphasis will be placed on evaluation projects where results can be generalized and disseminated for use through the human services field. HDS is also interested in identifying and assessing new evaluation techniques for their applicability nationally. In addition HDS will support demonstrations of ways to share existing human services data bases to support evaluation activities. HDS anticipates that approximately \$650,000 will be available to fund demonstrations in this priority area. The sources of these funds are as follows: Administration on Aging \$50,000; Administration on Developmental Disabilities \$15,000; Administration for Native Americans \$15,000; Head Start \$480,000; Child Welfare Research \$30,000; Social Services Research Program \$60,000.

2.4. Training: Under this priority area, HDS proposes to explore innovative strategies that meet the generic training needs of States and localities across more than one program area. Significant resources have been invested over the years in developing training materials and methods. Therefore, the emphasis under this area should be on innovation by States and localities in the use of existing materials and methods.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Identifying generic training needs across programs at the State and local levels and demonstrating how to provide cross-program training in a way that satisfies the ongoing staff training needs of individual social service agencies while reducing training costs and facilitating the flow of ideas across programs. Emphasis should be on the innovative use of existing community resources.

- Demonstrations of State, local and community models for the provisions of management training, at beginning and advanced levels, for human service managers. These should include the use of fiscal management and analytic tools in the delivery of human services. Concepts should be initiated by State, local or tribal agencies; have cross program involvement; be cost efficient; and have measurable goals. Of specific concern is management training which

addresses gerontological and child welfare service provision, and joint projects between State, local and tribal agencies, and the business sector.

- Training and technical assistance in rural areas. HDS is interested in the development of methods for delivering effective T/TA to remote programs through the use of existing State, local and tribal networks and public media. Current technologies in communications should be considered in addressing this problem. The focus should be on coordination and better use of existing training materials rather than the development of additional curricula.

HDS anticipates that approximately \$1,075,000 will be available to fund projects in this priority area. The sources of these funds are as follows: Administration on Aging \$150,000; Administration on Developmental Disabilities \$160,000; Administration for Native Americans \$50,000; Head Start \$305,000; Child Welfare Research \$145,000; Social Services Research Program \$265,000.

2.5. Gerontological Training: The objective of this program is to enhance the quality of the service system for older persons through improved training of the personnel who staff it. The program stresses the development of multiple public and private sources of support for viable, quality training programs in institutions of higher education. HDS anticipates that approximately \$2,500,000 will be available to fund projects in this priority area.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- Modifications in the training and development of professionals who have direct impact on the quality of life for older people. This does not entail the development of new academic programs which might be dependent on continued Federal support for survival, but rather on the introduction of aging-related courses as a part of the regular training that members of these professions receive. Of primary interest are: health care professions, mental health and counseling; architecture and engineering; business administration; community and adult education; and the legal and law enforcement professions.

- Demonstrations of innovative and effective ways to sensitize the scientific and engineering communities about the needs and concerns of the older population and to interest scientists and engineers in applying their technical knowledge in meeting the needs of the older population. The application of

science and technology to increase the independence of older people has not been adequately explored. In order to successfully promote technological solutions to problems of older people, scientists, and engineers must be knowledgeable about the aging process and understand the problems.

- Better utilization of existing programs which have been demonstrated effective in training professionals in the aging fields, and the development of innovative programs. Institutions submitting preapplications must have or propose to: establish viable academic programs in aging with a majority of faculty who are in tenure track positions; seek private sector matching support; strong efforts to place the graduates of supported programs; and demonstrate that their graduates are employable in the current labor market. Minority institutions are particularly encouraged to apply for support under this program.

Of particular interest are the dissemination of innovative gerontological curricula and instructional materials, and the development of linkages with the Older Americans Act programs and agencies through consultation and continuing education. State and Area Agencies on Aging should be involved in the curriculum planning and design in order to insure the relevance of the training program to the actual needs of local service systems.

2.6. Dissemination and Utilization: New knowledge from research, demonstration, evaluation training and technical assistance efforts is too often unevenly applied. Information that has generic use needs to be disseminated across program concerns. It is crucial that efforts at the State and local levels be devoted to sharing results beyond the confines of a local or State boundary. Until research, demonstration, evaluation, training and technical assistance findings are put into practice, the process is not complete. The synthesis, packaging and marketing of significant research products and outcomes is therefore, of primary interest.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area:

- A substantial number of research and demonstration projects have been undertaken in past years aimed at improving the management of social services. HDS places high priority on fostering the adoption and utilization of these managerial changes. Toward this end, HDS will entertain small challenge grants from local governments prepared

to adopt innovative management improvements generated by prior projects. Grants will be awarded on the basis of the potential for actually increasing productivity or reducing costs.

- Demonstrations of effective commercial marketing of R&D products developed by state, local and community service providers. Included among such products are manuals, systems, and training curricula and any other tools which aid human service providers to adopt new and innovative techniques.

- Demonstrations of dissemination and utilization mechanisms at the state and local levels that can become self-sustaining within 3 years of initial funding.

HDS anticipates that approximately \$835,000 will be available to fund projects in this priority area. The sources of these funds are as follows: Administration on Aging, \$100,000; Administration on Developmental Disabilities, \$35,000; Administration for Native Americans, \$20,000; Head Start, \$500,000; Child Welfare Research, \$50,000; Child Abuse Prevention and Treatment Program, \$30,000; and Social Services Research Program, \$130,000.

2.7. Service Needs of Tribes: In FY 1983 HDS continues to be interested in strengthening the social and economic development of tribes. Further development and demonstration is needed involving cooperative public-private relationships and tribal commercial codes.

The following examples are illustrative of issues that may be addressed by preapplications submitted under this priority area. The list is not exhaustive nor is it implied that HDS will fund projects areas for every example.

- Demonstrations of joint efforts between Indian tribes and the private sector that undertake social and economic development projects. Cooperative undertakings may entail one "partner" acting as a catalyst or providing capital, while the second provides tax advantages, and the third provides land or an established market; or, the government providing the regulatory/tax freedom, while the tribe provides resources, and the private organization provides the technical expertise.

- Development and demonstrations of the appreciation of tribal commercial codes (e.g. real estate) which protect both creditors and consumers, and stimulate private sector economic development on Indian reservations and increase tribal management of programs which serve Indians.

HDS anticipates that approximately \$235,000 will be available to fund projects in this priority area. The source of these funds is as follows:

Administration on Aging, \$50,000; Administration for Native Americans, \$75,000; and Social Service Research Program, \$115,000.

Part III.—Preapplication Process

A. Eligible Applicants

In general, any State, public or other nonprofit organization or agency may submit a preapplication under this announcement. This includes, but is not limited to: State Administering Agencies for Developmental Disabilities Basic State Grant Programs, Protection and Advocacy Offices, State and Area Agencies on Aging Indian Tribes and other Native American organizations, and Social Services Block Grant State Agencies. Some of the specific priority areas or topics included in this announcement may have more restrictive eligibility requirements (for example, only State and area agencies on aging may be eligible to apply). Where this is the case, the eligible entities are specified in the priority area or topic description. Preapplications jointly developed by State, local and community-based social services agencies, foundations or universities are encouraged in order to promote comprehensive social services programs. "For-profit" organizations are eligible applicants for projects funded under authority of the Head Start Act and section 805 of the Native American Programs Act. They may participate as subcontractors to eligible applicants on other projects.

B. Available Funds

The Office of Human Development Services expects to award approximately \$21,500,000 in the third and fourth quarters of FY 1983 (dependent on the availability of funds and appropriation by Congress) for new grants and cooperative agreements. Subject to Congressional action on the FY 1984 budget, HDS may also award a limited number of grants under this announcement in the first and second quarters of FY 1984. Appropriate HDS discretionary funding authorities will be used to fund projects, and more than one authority may be used to fund some projects.

The funding estimated to be available from each authority is summarized below. Applicants should take into account the proportion of funds available under each authority in designing their projects.

FUNDING SUMMARY

Program	Estimated availability of fiscal year 1983 funds
Administration on Aging.....	\$4,500,000
ACYF/Child Abuse and Neglect.....	1,580,000
ACYF/Adoption Opportunities.....	890,000
ACYF/Child Welfare.....	1,115,000
ACYF/Runaway Youth.....	3,300,000
ACYF/Head Start.....	6,665,000
Administration for Native Americans.....	400,000
Administration on Developmental Disabilities.....	1,000,000
HDS/Social Services Research.....	2,000,000
Total.....	21,450,000

HDS expects to make approximately 140 new awards pursuant to this announcement. These awards are expected to range from \$50,000 to a maximum of \$250,000 per year, with the average award expected to be \$125,000. Actual awards may vary widely and eligible applicants requiring smaller awards should also apply.

Generally, projects will be supported for periods of one to two years. However, projects of less than 18 months duration are encouraged.

The funds provided in the initial award will sustain the Federal share of the budget for the first budget period of the project (normally 12-17 months). Support for any additional time remaining in the project period depends on the availability of funds, the grantee's satisfactory performance, and the determination that continued funding is in the best interest of the Federal government.

As stated earlier, applicants should be aware that HDS received 5,620 preapplications in its FY 1982 Coordinated Discretionary Funds Program. Of these, 167 applicants received grant awards in FY 1982.

C. Grantee Share of the Project

At least 25% of the total cost of proposed projects must come from a source other than the Federal government (except in the case of projects funded under the Native Americans Act Authority, where the grantee match must be 20%). The non-Federal share of project costs may be in the form of grantee-incurred costs or third party in-kind contributions. HDS strongly encourages preapplications where the grantee share is more than 25% of the project costs or the applicant proposes to match—partially or fully—HDS grants with contributions from other non-Federal funding sources.

D. Preapplication Process

Organizations wishing to compete for grants under this announcement must submit a preapplication by January 31, 1983. Preapplications received in

response to this announcement will be reviewed by HDS staff and non-Federal experts. It is expected that the top ranked applicants will be invited to submit final applications in early spring to compete for funding scheduled for the third and fourth quarters of FY 1983 and the first and second quarters of FY 1984.

1. Availability of Forms:

Preapplications for grants under the HDS Coordinated Discretionary Funds Program must be submitted on standard forms provided for that purpose. For your convenience, copies of those forms as well as detailed guidance materials, for use in preparing the preapplication are included in Part IV of this announcement. Additional copies of this announcement may be obtained by writing to:

OPD/Division of Research and Demonstration, Office of Human Development Services, 200 Independence Avenue, SW., Room 732E, Washington, D.C. 20201, Telephone: 245-6235.

2. *Preapplication Submission:* One signed original and a minimum of two copies of the preapplication must be submitted to:

Division of Grants and Contracts Management, HHS/Office of Human Development Services, 330 Independence Avenue, SW., Room 1740, Washington, D.C. 20201, Attention: HDS-83.

Submission of five additional copies would expedite processing. There is no penalty for not submitting these additional copies.

3. *A-95 Notification Process:* The HDS Discretionary Funds Program is covered by the provisions of OMB Circular A-95. With the exception of Indian tribes, applicants for grants must notify both the State and Area-wide A-95 Clearinghouse of the intent to apply for Federal assistance prior to submitting an application. Preapplicants should contact the appropriate State Clearinghouse (listed at 42 FR 2210, January 10, 1977) for information on specific State requirements regarding preapplications.

4. *Preapplication Consideration:* Complete preapplications that conform to the requirements of this Program Announcement will be reviewed competitively and evaluated by Federal officials and qualified persons outside of the Federal government. The results of the review will assist the Assistant Secretary and Program Commissioners in considering competing preapplications. This consideration may also take into account comments from Federal Regional and Headquarters program staff offices. In addition, comments may be requested from appropriate specialists and constituents

inside and outside of the Federal government. The Assistant Secretary for Human Development Services, Program Commissioners and other members of the HDS Executive Staff will determine the action to be taken on panel recommendations for each preapplication, and will make the decision to request a final application. (The Older Americans Act places certain responsibilities upon, and authority in, the Commissioner on Aging which affects the role of the Administration on Aging in implementing this program announcement. All such requirements will be met through actions which conform to the mandates of the Act.)

The official award document is the notice of Financial Assistance Awarded, which sets forth in writing to the recipient the amount of funds awarded, the purpose of the award, other terms and conditions of the award, the effective date of the award, the budget period for which support is given, the total project period for which support is contemplated, and the total recipient participation.

HDS reserves the option of discussing preapplications with, or referring them to, other Federal or non-Federal funding sources when this is determined to be in the best interests of the Federal government or the applicant.

5. *Funding Limitations on Indirect Costs:* Preapplicants should be aware that for training projects there is a limitation of 8 percent on indirect costs.

E. Special Considerations for Funding

Within the limits of available Federal funds, Human Development Services Executive Staff make financial assistance awards consistent with the purposes of the statutory authorities governing the HDS Discretionary Funds Program and this announcement.

Preference will be given to requests for assistance where substantial non-Federal funds and in-kind match beyond the required 25 percent also support the effort. Preference will also be given to projects that propose innovative use of volunteers. To the extent possible, final decisions will reflect the equitable distribution of assistance among the States, geographical areas of the Nation, and rural and urban areas.

F. Criteria for Screening and Review

All preapplications that meet the deadline will be screened to determine completeness and conformity to the requirements of this announcement. Complete, conforming preapplications will then be reviewed and evaluated competitively.

1. Screening Requirements: In order for a preapplication to be in conformance it must meet *all* of the following requirements:

(a) **Number of copies:** An original signed preapplication and two copies must be submitted.

(b) **Length:** The narrative portion of the preapplication must not exceed ten double-spaced pages (or five single spaced pages) typewritten on one side of the paper only. The capability statement must not exceed two double spaced or one single spaced type written pages.

(c) **Standard form 424:** The preapplication must include an SF 424, completed according to instructions.

(d) **Certification:** The preapplication must be signed by an official of the applicant organization having authority to legally obligate the applicant.

(e) **Multiple Submittals:** A project can only be proposed once under this announcement. Multiple submittals of the same—or essentially the same—project as preapplications under different priority areas will be deemed nonconforming.

(f) **Eligibility:** The applicant must be an eligible entity as defined in the announcement.

(g) **HDS' Priorities:** The concept or project embodied in the preapplication must specifically address a priority stated in the announcement.

(h) **HDS Populations:** The preapplication must clearly target one or more HDS population: the elderly; children, youth and families; Native Americans; the poor; the developmentally disabled; and/or the mentally retarded.

(i) **Non-Federal Contribution:** A non-Federal contribution of at least 25% of total project costs must be proposed.

(j) **Cost:** Proposed projects requesting over \$300,000 per project year will be deemed nonconforming.

(k) **Purpose:** The preapplication must clearly propose new research, demonstration, evaluation or training. Proposals for service delivery, continuation of existing projects or activities, or other activities will not be considered.

Preapplications Must Meet *All* of the Above Requirements To Be Considered.

2. Review Criteria: Preapplications which are determined to be in conformance with the announcement will be reviewed by panels which may be composed of Federal staff, State/local staff, university and other non-government experts. Stage one will use the following criteria:

(a) **Innovativeness:** (30 points) The preapplication takes into account (through a concise discussion of the

current state-of-the-art) previous related work in the field and represents an improvement upon, or important departure from, existing practices.

(b) **Prospects for Wider Impact:** (20 points) The project proposed in the preapplication has the potential for achieving far-reaching impact through improvements that will be useful in a variety of settings. The results of the proposed project, if used, can contribute significantly to resolving the problem addressed by the project. The preapplication outlines a sound product dissemination strategy. This strategy: (1) identifies the intended audience(s) and (2) specifies the approaches to dissemination proposed in order to promote the utilization of research results and realize the project's potential contribution to the improvement of practice.

(c) **Project Design:** (15 points) The problem to be addressed is clearly stated. The preapplication has a concise but clear statement of goals, measurable objectives and project design or methodology. Problems, issues and methods are clearly related.

(d) **Potential for Success:** (15 points) The goals of the proposed project are realistic in terms of the methodology, staff and funds allocated to the activity. Overall costs are reasonable. The applicant organization is capable of carrying out the project as proposed.

(e) **Responsiveness to Program Announcement:** (20 points) The preapplication fully addresses one of the priority areas listed in the program announcement and satisfies one of the two major themes. The preapplication is targeted on one or more HDS population and proposes a significant non-Federal share.

After the preapplications are rated by the review panels using these criteria, the HDS Executive staff will select those which will be invited to submit final applications.

3. Evaluation Criteria: In stage two (the final application stage) those preapplicants ranked highly by the review panels and selected by the Executive Staff will be asked to submit final applications. These applications will be either administratively reviewed by HDS staff (in the case of a limited number of preapplications of exceptional quality) or competitively reviewed by a qualified panel of non-Federal experts.

Acceptable applications must be complete and meet the following criteria:

(a) **Criterion I: Technical Approach** (25 Points).

• The applicant proposes a well-defined and carefully worked out technical approach (including problem

or issue definition) that is, if well executed, capable of achieving the objectives of the project. The approach may include: research methodology, demonstration plan, design of training programs or other appropriate techniques.

• Where appropriate, the applicant describes evaluation components. Evaluation, data collection and analysis procedures are geared to assess (using quantitative measures as much as possible) the degree to which intended objectives are achieved. The applicant clearly distinguishes the evaluation from activities designed primarily for giving project staff feedback on their progress toward meeting project objectives.

(b) **Criterion II: Beneficial Impact** (25 Points).

The knowledge, methods, or technology to be developed can be expected to impact beneficially on human service programs and target populations beyond the site at which the project is conducted. This includes generalizability of results for research, demonstrations, and evaluation projects.

(c) **Criterion III: Project Implementation Plan** (20 Points).

• The application specifies a sound plan for task accomplishment and staff loading by task.

• The application contains a suitable plan for insuring the use of project results by appropriate users. The plan describes the kinds of reports and media to be used in transmitting final results to users and explains why this is expected to be an effective dissemination package that will reach and influence users.

(d) **Criterion IV: Staffing and Management** (15 Points).

• The proposed staff are well-qualified to carry out the project.

• The division of responsibilities is appropriate to carry out project tasks, including sufficient time of senior staff to assure adequate management of the project.

• The applicant organization has adequate facilities, resources, and experience to conduct the project as proposed.

(e) **Criterion V: Budget Appropriateness and Reasonableness** (15 points).

• The proposed budget is commensurate with the level of effort needed to accomplish the project objectives. The cost of the project is reasonable in relation to the value of the anticipated results.

• The contribution of any collaborative agencies or organizations are assured in writing and included with the application when it is submitted.

The participation of an agency other than the applicant, if critical to the proposed project, is evidenced by a letter indicating agreement to participate.

The author(s) for both the preapplication and the application must be clearly identified together with their current relationship to the applicant organization and any future project role they may have if the application is funded.

G. Closing Date for Receipt of Preapplications

The closing date for receipt of preapplications for priorities identified in this program announcement is January 31, 1983. Preapplications may be mailed or hand delivered to:

Division of Grants and Contracts
Management, HHS/Office of Human
Development Services, 330 Independence
Avenue, SW, Washington, D.C. 20201,
Attention: HDS-83.

Preapplications must be received at the above address by the closing date. Hand delivered preapplications are accepted during the normal working hours of 9:00 a.m. to 5:30 p.m., Monday through Friday. A preapplication will be considered to be received on time if:

1. The preapplication was sent by registered or certified mail no later than the closing date, as evidenced by a U.S. Postal Service dated postmark, unless it arrives too late to be considered by the independent review panel. Applicants should be aware that not all post offices provide a dated postmark. Applicants are advised to check with their post office to determine this.

2. The preapplication is received on or before the closing date by the Department of Health and Human Services in Washington, D.C. In establishing the date of receipt, consideration will be given to documentary evidence of receipt maintained by HHS.

Part IV.—Instructions for Completing Preapplications

A. *Preapplication Package:* Each preapplication package should include:

1. An original and a minimum of two additional copies of the preapplication (See Section B below). While an original and two copies are required, five additional copies would be useful to facilitate processing. No applicant will be penalized for submitting only the three required copies. Each copy should be stapled (back and front) in the upper left corner. The original copy of the preapplication must have original signatures. In order to facilitate handling, please do not use covers, binders or tabs. Do not include extraneous materials such as agency

promotion brochures, slides, tapes, film clips, etc. It is not feasible to use such items in the review process, and they will be discarded if included.

2. Three extra copies of Form 424 and three copies of the cover sheet/abstract stapled together apart from the copies of the preapplication.

3. One acknowledgment card. The applicant must include a self-addressed, stamped postcard if acknowledgment of receipt is desired. All preapplications will be assigned an identification number. This number and the priority area must be referred to in *All* subsequent communication with HDS concerning the preapplication. HDS will notify preapplicants of this number by returning the self-addressed acknowledgment card. If you do not receive the acknowledgment within three weeks after the deadline date, please notify HDS by telephone (202) 245-6235. Special note: After an identification number is assigned and the preapplicant has been notified of the number, preapplications are filed serially by the number to aid in quick retrieval. It will not be possible for HDS staff to provide a timely response to inquiries about a specific preapplication unless this number and the priority area are given.

B. *Content of Preapplication:* Each copy of the preapplication must contain in the order listed, each of the following items:

1. Standard form 424, page 1, completed according to the instructions listed below.
2. Cover sheet and abstract completed according to the instructions listed below.
3. Completed criteria index form.
4. Project narrative, *no more than ten pages long*, double-spaced and typewritten on one side only (or five pages single-spaced), completed according to instructions listed below.
5. Organizational capability statement or materials, *no more than two double spaced typewritten pages long*. (See instructions below.)

C. *Preparing the Preapplication:* Preapplication forms (Standard Form 424, page 1, and (criteria Index Form)) are reprinted below for your convenience. We suggest that you reproduce them and type your application on the copies. Prepare your preapplication in accordance with the following instructions:

1. Instructions for standard form 424, page 1: Complete item numbers 1-8, 13, 14, 17, 22 and 23 only. Specific instructions are as follows:

Item 1. Mark "preapplication" box.

Item 2.a. Applicant's own control number, if desired.

Item 2.b. Date preapplication is submitted.

Item 3.a. Number if assigned by State clearinghouse or, if delegated by State, by areawide clearinghouse.

Item 3.b. Date applicant notified of clearinghouse identifier.

Items 4.a.-4.h. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of applicant, and name and telephone number of person who can provide further information about this request.

Item 5. Employer identification number of applicant as assigned by Internal Revenue Service.

Item 6.a. Indicate "not available."

Item 6.b. Type: State "HDS FY 1983 Coordinated Discretionary Funds Program" and the number of the priority area under which the preapplication is being submitted. If more than one priority area is listed, HDS will disregard all but the first one listed.

Item 7. The title should briefly and clearly describe the focus of the proposed project and be selected with public understanding of the value of the project in mind. Do not use acronyms, abbreviations or jargon. Avoid unnecessary phrases such as "A Study of * * *," "Research to * * *," "A Project * * *" etc. *Do not use more than 100 characters*, including punctuation and spaces between words. (Characters in excess of 100 will be lost during electronic data entry.)

Item 8. Self-explanatory. "City" includes town, township, or other municipality.

Item 13. Amount requested or to be contributed during the first budget period by each contributor. Include value of in-kind contributions.

Item 14.a. Enter the number of the congressional district where the applicant's principal office is located.

Item 14.b. Enter the number of the congressional district(s) where the project will be located.

Item 17. Estimated number of months to complete project after Federal funds are available.

Item 22. Self-explanatory. (b) Leave blank.

Item 23. Self-explanatory.

2. Instructions for the cover page and abstract. On plain white bond, type (single-spaced):

- Title of preapplication (exactly as entered in item 7 on form 424).
- Name and address of applicant organization.
- Priority area under which the preapplication is submitted.
- Target population(s).

- Total project period and amount requested for first budget period.
- Project abstract summarizing, in 200 nontechnical words or less, the proposed project. The abstract should be so clearly written that the following questions could be answered by a member of the general public who reads it: What is the specific purpose of the project? How is the project to be conducted? What difference might the results make? To whom?

• The name of the author(s), their current relationship to the applicant and proposed project role.

3. Instructions for Criteria Index Form (See E. Below). Complete by typing on a separate sheet of paper every item in the criteria index form indicating the page and paragraph number where screening requirements and specific review criteria are addressed.

4. Instructions for project narrative. Describe the project you propose in response to this announcement. Your narrative (10 pages typed double-spaced, or five pages typed single space maximum, on 8½" x 11" plain white bond with 1" margins on both sides) should provide information on how the preapplication meets the review criteria. It is strongly suggested that you follow the following format and page limitations:

a. *Statement of Need for the Proposed Project* (2 pages maximum.) This portion of the preapplication should state the objectives of the project, including clear specification of the key issue(s) to be addressed by the project and the HDS populations targeted. In addition, this portion should document the need for and importance of the issues to be addressed by the project. It should also describe how the proposed project builds upon previous work and how it advances the state of knowledge in the area.

b. *Results and Benefits Expected* (1 page maximum.) This portion of the program narrative should briefly summarize the anticipated results and delineate the benefits which are expected. Emphasis should be placed on the utility of the results.

c. *Approach*. Project Design (5 pages maximum.) This portion of the program narrative should describe specific plans for conducting the project. It should include relevant information about a) hypotheses to be tested (if appropriate), b) data to be collected (including specification of data sources), c) plan for data analysis, d) what the project will do, and e) who will do it.

d. *Utilization and Dissemination* (1 page maximum.) This portion of the narrative should address the project's responsibility to serve as a source of

information to other agencies and/or researchers. This section should describe ways in which the project will share its experiences and findings with the field of human services in general and, specifically, with agencies or organizations capable of developing improved service delivery and management.

e. *Level of Effort*. (1 page maximum.) This part of the narrative should describe what staff, money, facilities and time would be required to complete the project as envisioned. Describe the resources needed to carry out the project. State the total Federal funds required to complete the project proposed.

5. *Organizational capability statement*. A brief (maximum 2 pages double spaced or one page single spaced) background description of how the applicant agency (or the particular division of a larger agency which will have responsibility for this project) is organized and the types and quantity of services it provides or research capabilities it possesses. Include descriptions of any current or previous relevant experience. Describe the competence of the project team and its demonstrated ability to produce a final product that is readily comprehensible and usable. The qualifications of key staff should be described in a few paragraphs rather than in formal vitae. Indicate clearly whether written commitments have been obtained from organizations that will be directly involved in the proposed project.

D. *Check List of Preapplication Requirements*: The following check list is provided for your convenience:

- SF 424, page 1, has been completed according to instructions (see sample SF 424).

- SF 424 has been signed and dated by an authorized official and original has been included in package to mail.

- Each preapplication has been stapled (no folders or binders) with 2 copies of the SF 424, page 1, on top of each copy.

Included in your preapplication package:

- A self-addressed acknowledgement postcard, attached to the original.

- One original preapplication plus seven copies.

Each of the copies should include the following: SF 424, page 1; A cover page and abstract; A criteria index form; A narrative (10 pages, double-spaced maximum); Organizational capability statement (2 pages, maximum).

Remember, preapplications must be postmarked or hand delivered (by 5:30 p.m.) no later than January 31, 1983 to:

Division of Grants and Contracts Management, HHS/Office of Human Development Services, 330 Independence Avenue, SW., Room 1740, Washington, D.C. 20201, Attention HDS-83

E. *Criteria Index Form*: Complete every item in this criteria index form by typing on a separate sheet of paper every item listed and indicating the page and paragraph number where screening requirements and review criteria are addressed in the preapplication.

Criteria and location in preapplication

Screening Requirements:

F. Eligibility _____

G. Addressing of HDS' priorities _____

H. HDS' populations _____

Review Criteria:

A. Innovativeness _____

State-of-the-art _____

New/improved approach _____

B. Prospects for wider impact _____

Generalizability of results _____

Significance of results _____

Usefulness of results _____

C. Potential for success _____

Feasibility of proposed project _____

Organizational capability _____

Staff and funds allocation _____

D. Responsiveness to program _____

announcement _____

Addressing of priority area _____

HDS theme relatedness _____

Targeting on HDS' population _____

G. Points To Remember:

- Designate your preapplication for one priority area and one priority area only.

- Although multiple preapplications (of different concepts) from the same applicant are not prohibited, they are not encouraged.

- You are required to send three copies of a preapplication. We would like to request that you send five additional copies to facilitate our review. However, there is no penalty for sending only three copies.

- Preapplications containing narratives in excess of ten typewritten double-spaced pages or capability statements or more than two double spaced pages will not be given further consideration.

- The distribution of topics related to specific HDS programs (e.g., AoA) is not necessarily commensurate with the distribution of discretionary funds among those programs.

- An abstract of 200 words or less is an essential element of the preapplication.

- Follow the recommended format as closely as possible in preparing the preapplication's narrative.

The qualifications of key staff should be described in a few paragraphs rather than in formal vitae.

- Although letters of agreement (where appropriate) are required in final

applications, it will suffice in the preapplication to state clearly in a paragraph that the necessary agreements have been obtained from those agencies whose participation is essential to the conduct of the proposed project.

- Applicants are strongly encouraged to have someone other than the writer apply the screening requirements and review criteria to the preapplication prior to its submittal. In this way, applicants will gain a sense of their preapplication's quality and potential competitiveness.

BILLING CODE 4130-01-M

OMB Approval No. 29-R0218

FEDERAL ASSISTANCE		2. APPLICANT'S APPLICATION	a. NUMBER	3. STATE APPLICATION IDENTIFIER	a. NUMBER
1. TYPE OF ACTION <input type="checkbox"/> PREAPPLICATION <input type="checkbox"/> APPLICATION <input type="checkbox"/> NOTIFICATION OF INTENT (Opt.) <input type="checkbox"/> REPORT OF FEDERAL ACTION <small>(Mark appropriate box)</small>		b. DATE Year month day 19		b. DATE Year month day ASSIGNED 19	
4. LEGAL APPLICANT/RECIPIENT a. Applicant Name : b. Organization Unit : c. Street/P.O. Box : d. City : e. State : f. Contact Person (Name & telephone No.) : g. County : h. ZIP Code:		5. FEDERAL EMPLOYER IDENTIFICATION NO. a. NUMBER b. TITLE (From Federal Catalog)			
7. TITLE AND DESCRIPTION OF APPLICANT'S PROJECT		8. TYPE OF APPLICANT/RECIPIENT A-State B-Interstate C-Substate D-County E-City F-School District G-Special Purpose District H-Community Action Agency I-Higher Educational Institution J-Indian Tribe K-Other (Specify): Enter appropriate letter <input type="checkbox"/>			
10. AREA OF PROJECT IMPACT (Names of cities, counties, States, etc.)		11. ESTIMATED NUMBER OF PERSONS BENEFITING		9. TYPE OF ASSISTANCE A-Basic Grant B-Supplemental Grant C-Loan D-Insurance E-Other Enter appropriate letter(s) <input type="checkbox"/>	
13. PROPOSED FUNDING		14. CONGRESSIONAL DISTRICTS OF:		12. TYPE OF APPLICATION A-New B-Renewal C-Revision D-Continuation E-Augmentation Enter appropriate letter <input type="checkbox"/>	
a. FEDERAL \$.00		a. APPLICANT		15. TYPE OF CHANGE (For 18a or 18b) A-Increase Dollars B-Decrease Dollars C-Increase Duration D-Decrease Duration E-Cancellation Enter appropriate letter(s) <input type="checkbox"/>	
b. APPLICANT .00		b. PROJECT			
c. STATE .00		16. PROJECT START DATE Year month day 19			
d. LOCAL .00		17. PROJECT DURATION Months			
e. OTHER .00		18. ESTIMATED DATE TO BE SUBMITTED TO FEDERAL AGENCY Year month day 19		19. EXISTING FEDERAL IDENTIFICATION NUMBER	
f. TOTAL \$.00					
20. FEDERAL AGENCY TO RECEIVE REQUEST (Name, City, State, ZIP code)				21. REMARKS ADDED <input type="checkbox"/> Yes <input type="checkbox"/> No	
22. THE APPLICANT CERTIFIES THAT		a. To the best of my knowledge and belief, data in this preapplication/application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is approved. b. If required by OMB Circular A-95 this application was submitted, pursuant to instructions therein, to appropriate clearinghouses and all responses are attached: (1) <input type="checkbox"/> No response <input type="checkbox"/> Response attached (2) <input type="checkbox"/> (3) <input type="checkbox"/>			
23. CERTIFYING REPRESENTATIVE		a. TYPED NAME AND TITLE		b. SIGNATURE	
24. AGENCY NAME				c. DATE SIGNED Year month day 19	
25. ORGANIZATIONAL UNIT		26. ADMINISTRATIVE OFFICE		27. APPLICANT RECEIVED Year month day 19	
28. ADDRESS				28. FEDERAL APPLICATION IDENTIFICATION	
31. ACTION TAKEN		32. FUNDING		33. ACTION DATE Year month day 19	
<input type="checkbox"/> a. AWARDED		a. FEDERAL \$.00		34. STARTING DATE Year month day 19	
<input type="checkbox"/> b. REJECTED		b. APPLICANT .00		35. CONTACT FOR ADDITIONAL INFORMATION (Name and telephone number)	
<input type="checkbox"/> c. RETURNED FOR AMENDMENT		c. STATE .00		36. ENDING DATE Year month day 19	
<input type="checkbox"/> d. DEFERRED		d. LOCAL .00		37. REMARKS ADDED <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> e. WITHDRAWN		e. OTHER .00			
		f. TOTAL \$.00			
38. FEDERAL AGENCY A-95 ACTION		a. In taking above action, any comments received from clearinghouses were considered. If agency response is due under provisions of Part 1, OMB Circular A-95, it has been or is being made.		b. FEDERAL AGENCY A-95 OFFICIAL (Name and telephone no.)	

Dated: November 29, 1982.

Dorcas R. Hardy,

*Assistant Secretary for Human Development
Services.*

Clarence Hodges,

*Commissioner, Administration for Children,
Youth, and Families.*

Jean Elder,

*Commissioner, Administration on
Developmental Disabilities.*

Lennie-Marie P. Tolliver,

Commissioner, Administration on Aging.

Casimer R. Wichlacz,

*Acting Commissioner Administration for
Native American.*

[FR Doc. 82-33079 Filed 12-6-82; 8:45 am]

BILLING CODE 4130-01-M

Federal Register

Tuesday
December 7, 1982

Part V

Department of Justice

Bureau of Prisons

Control, Custody, Care, Treatment, and Instruction of Inmates; Final and Proposed Rules

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Part 540

Control, Custody, Care, Treatment, and Instruction of Inmates

AGENCY: Bureau of Prisons, Justice.

ACTION: Final rule.

SUMMARY: This document finalizes interim § 540.71(b)(7) of the Bureau of Prisons final rule on Incoming Publications. The interim rule was published in the *Federal Register* November 13, 1980 (at 47 FR 75125-26). The intent of the rule was, and is, to provide specific criteria for the rejection of sexually explicit material. The final rule also includes examples of the term "book".

DATE: Effective date: January 10, 1983.

ADDRESS: Office of General Counsel, Bureau of Prisons, Room 760, 320 1st Street, NW., Washington, D.C. 20534.

FOR FURTHER INFORMATION CONTACT: Mike Pearlman, Office of General Counsel, Bureau of Prisons, phone 202/724/3062.

SUPPLEMENTARY INFORMATION: The Bureau of Prisons final rule on Incoming Publications was published in the *Federal Register* June 29, 1979 (at 44 FR 38259 et seq.). Section 540.71(b)(7) of that rule allowed for rejection of a publication which "advocates or may lead to prohibited sexual activity in the institution". This language was subject to criticism as being overly broad, or vague. To clarify its intent, the Bureau of Prisons revised § 540.71(b)(7) to provide more specific guidelines for determining whether a publication containing sexual material may be rejected. As amended, the interim rule, published in the *Federal Register* November 13, 1980 (at 45 FR 75125-26), provided that the Warden may reject sexually explicit material which by its nature or content poses a threat to the security, good order, or discipline of the institution, or facilitates criminal activity.

While the Bureau of Prisons considered the interim rule to better define what sexually oriented material could be excluded, the Bureau elected to publish the revisions as an interim rule and to solicit public comment. Accordingly, public comment on the interim rule was invited and received.

In addition to finalizing § 540.71(b)(7), this document is also amending § 540.70(a) by including examples of what is meant by the term "book" (novels, instructional manuals). This amendment places no increased restriction on either the inmate or the

public and is intended to clarify the scope of the Bureau's present rule. For these reasons, the provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

Members of the public may submit further comments concerning the final rule by writing the previously cited address. These comments will be considered but will receive no response in the *Federal Register*.

The Bureau of Prisons has determined that this rule is not a major rule for the purpose of EO 12291. The Bureau of Prisons has determined that EO 12291 does not apply to this rule since the rule involves agency management. After review of the law and regulations, the Director, Bureau of Prisons has certified that this rule, for the purpose of the Regulatory Flexibility Act (Pub. L. 96-354), does not have a significant impact on a substantial number of small entities.

Summary of Changes

1. Section 540.70—For purposes of clarity, § 540.70(a) is amended to include novels and instructional manuals as examples of the term "book".

2. Section 540.71—A commenter, in suggesting that the interim rule remains vague and overbroad, presented three specific concerns.

(1) The first concern is that the standard fails to provide adequate guidance on the acceptability of publications addressed to, or concerning issues relevant to sexual minorities. The commenter considers the term "sexually explicit material" to be "inherently subjective" and states that parties submitting material will not be able, from reading the rule, to obtain an understanding of what is admissible.

The Bureau does not agree, nor does our experience indicate, that the term "sexually explicit material" is unnecessarily vague or overbroad, or "inherently subjective". In preparing a rule, a broad focus is necessary in order to accommodate the significant range of material that may be confronted. Where appropriate, internal guidelines are developed to assist staff in the implementation of a particular rule. Because these guidelines are not rules, they are not subject matter for inclusion within the CFR. Reference to the guidelines, however, may be included in the *Federal Register* as a preamble to the rule. With respect to the rule on sexually explicit material, a brief discussion of the guidelines was included as part of our November 13, 1980 preamble. For information

purposes, these guidelines are reprinted below in the format in which they are available to staff.

While publications may not be excluded solely because they have sexual content, some sexually oriented publications may be rejected. In order to assist in determining which materials may pose the type of threat which warrants exclusion, the following guidelines are given

(a) A Warden may determine that sexually explicit material of the following types is to be excluded, as potentially detrimental to the security, or good order, or discipline of the institution, or facilitating activity:

- (1) Homosexual (of the same sex as the institution population).
- (2) Sado-masochistic.
- (3) Bestiality.
- (4) Involving children.

(b) The following points should be emphasized:

(1) It is the local Warden's decision (except for child-model materials, which are prohibited by law)—a sexually explicit homosexual publication for example may be admitted if it is determined not to pose a threat at the local institution;

(2) Explicit heterosexual material will ordinarily be admitted;

(3) Sexually explicit material does not include material of a news or information type—publications covering the activities of gay rights organizations or gay religious groups, for example, should be admitted;

(4) Literary publications should not be excluded, solely because of homosexual themes or references, if they are not sexually explicit; and

(5) Sexually explicit material may nonetheless be admitted if it has scholarly value, or general social or literary value.

Where a publication is determined unacceptable, the inmate is advised in writing of this decision and the reasons for it. The notice contains reference to the specific article(s) or material(s) considered objectionable. The inmate may elect to appeal this rejection under the Administrative Remedy Procedure (see Part 542). Since the November 1980 publication of the interim rule, only a few inmates (approximately six) have utilized these administrative remedies because of the exclusion of sexually explicit material. In addition to the Administrative Remedy Procedure for use by inmates, the Warden also provides a copy of the rejection letter to the publisher or sender of an unacceptable publication, along with an advisement on how an independent review of the rejection may be obtained (see § 540.71(e)). These provisions clearly indicate that the rule is not now, nor will it be, applied with "inherent subjectivity". With respect to the commenter's primary concern, the Bureau's basic premise is that materials such as newsmagazines which contain advertising or art material portraying

the nude form are not to be denied admission into the institution. In those instances where staff determine that the drawings or photographs may be potentially detrimental to the security, good order, or discipline of the institution, or facilitate criminal activity, a rejection of the publication may occur, notification will be made, reasons will be given, and, where desired, the inmate/publisher/sender may appeal the rejection.

(2) A second concern was that the standard unnecessarily and unjustifiably discriminates against material produced for and/or directed toward non-heterosexual audiences. The commenter favors a uniform application of the rule, regardless of the sexual preference of the audience to whom it is addressed, stating, "there is no legitimate reason which persuasively argues for the preclusion of sexually explicit homosexual material when equally explicit heterosexually material is to be permitted."

Within this same context, another commenter states he is unable to see how a "dirty book" compromises the discipline, security, or good order of an institution or facilitates criminal activity. This commenter's position is that there is no overt connection between motivation of sex crimes and pornography. The commenter claims that banning homosexual, but not heterosexual publications constitutes not only sexism, but selective bigotry. This commenter suggests an alternative rule that prohibits entry into the institution of any sexual publication determined by a Federal court to be pornographic material.

Other commenters, opposed to the admission of homosexual material into the institution, approach this issue from a different perspective. One person, upon reading about this issue in a newspaper, was concerned that allowing homosexual publications into the institution increases the possibility of homosexual activity among inmates. The commenter raises the question, "Who will protect the young prisoners from the desires of the homosexual?" A different commenter expresses the view that sexual abuses abound between the weak and the strong. This individual strongly favors restricting the entry of erotic publications into the institution.

In response to these comments, the Bureau does not consider it appropriate or effective to state that sexually explicit material may be prohibited only upon the determination of a Federal court that the material is pornographic. Our primary concern is a threat to institutional security, not offense to community standards. Further there is

no mechanism for obtaining such advisory rulings from the courts.

With respect to the remaining comments, the Bureau of Prisons must balance First Amendment rights to freedom of information with the need to maintain the security, good order, and discipline of the institution. Correctional institutions, for the most part, are single-sex institutions. The admission of sexually explicit material of the same sex as the inmate population identifies individuals, whether accurately or not, as homosexual or as interested in homosexual matters and may subject those persons to sexual pressures and predatory violence. While a commenter is correct in stating that this same situation may occur from allowing a non-sexually explicit gay magazine into the institution, publications with sexually explicit material more readily identify the inmate's interests, and informational material on the "gay movement" has an enhanced importance because it serves as a source of news. With respect to the comment regarding inmate safety, the Bureau of Prisons is responsible for the safekeeping and care of persons committed to its custody. This responsibility is exercised through the supervision afforded within the institution, and through the promulgation of rules for the care, custody, and control of inmates.

Concomitantly, the Bureau of Prisons also has a responsibility not to reject or prohibit an inmate's obtaining material which does not adversely impact on the institution or facilitate criminal activity. Accordingly, the Bureau should allow each inmate access to material which, while it may be repugnant to some, poses little or no threat to institution security, good order, or discipline and which does not facilitate criminal activity.

We disagree with a suggestion that the terms "by its nature" and "good order" be deleted from § 540.71(b)(7). While the commenter is correct in stating that institution staff who screen the mail will determine whether the rule on sexually explicit material applies, it is not correct to state that these staff have unbridled discretion. Bureau policy provides guidelines for staff to follow. Further, if staff who initially screen the mail consider certain information excludable, this is referred for review and a final determination by administrative officials. If, following this review, the material is excluded, both the inmate and publisher or sender are notified of the rejection, the reasons for the rejection, and of the appeal process. These steps clearly prevent abuse of discretion.

(3) A third concern of the initial commenter is that the Bureau has failed to consider utilizing the least restrictive alternative with respect to newspapers, magazines, and similar publications. The Bureau has considered many alternatives, and this has occurred in several ways, including conferences with representatives of the gay community. The commenter suggests that the Bureau allow the inmate the opportunity to have the objectionable material excluded, with the remainder of the publication delivered to the inmate. This approach is not considered feasible, because it would require defacing the material and laboriously going over every line of the material in the publication to identify all objectionable material, even after identifying material that otherwise would be sufficient to reject the publication.

List of Subjects in 28 CFR Part 540

Prisoners.

Conclusion

Accordingly, pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director of the Bureau of Prisons in 28 CFR 0.96(q), 28 CFR, Chapter V, is amended by revising § 540.70(a) and finalizing § 540.71(b)(7).

Dated: November 29, 1982.

Norman A. Carlson,
Director, Bureau of Prisons.

PART 540—CONTACT WITH PERSONS IN THE COMMUNITY

* * * * *

Subpart F—Incoming Publications

1. The authority citation for Part 540, subpart F reads as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 5006-5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95-0.99.

2. By revising § 540.70(a) to read as follows:

§ 540.70 Purpose and scope.

(a) The Bureau of Prisons permits an inmate to subscribe to or to receive publications without prior approval and has established procedures to determine if an incoming publication is detrimental to the security, discipline, or good order of the institution or if it might facilitate criminal activity. The term publication, as used in this rule, means a book (for example, novel, instructional manual), or a single issue of a magazine or newspaper, plus such other materials addressed to a specific inmate as

advertising brochures, flyers, and catalogues.

3. By adopting as final, the revision of § 540.71(b)(7) published on November 13, 1980 at 45 FR 75126. As revised paragraph (b)(7) reads as follows:

§ 540.71 Procedures.

(b) * * *
(7) It is sexually explicit material which by its nature or content poses a threat to the security, good order, or discipline of the institution, or facilitates criminal activity.

[FR Doc. 82-33308 Filed 12-6-82; 8:45 am]

BILLING CODE 4410-05-M

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Parts 540 and 551

Control, Custody, Care, Treatment, and Instruction of Inmates

AGENCY: Bureau of Prisons, Justice.

ACTION: Proposed rules.

SUMMARY: The Bureau of Prisons is publishing its proposed rules on (1) Prohibition Against an Inmate Conducting a Business and (2) Emergency Signaling Devices—Inmate Housing Units. The Bureau of Prisons is also publishing proposed amendments to its rules on telephone regulations for inmates and inmate organizations. The rule prohibiting an inmate from conducting a business while confined is intended to provide written information on what is considered "conducting a business". The rule on emergency signaling devices is intended to ensure that inmates in locked housing units which do not have 24-hour staff coverage have access to signaling devices for use in alerting staff in the event of an emergency. Amendments to the rule on telephone regulations for inmates discuss revisions to the monitoring procedures and expenses of inmate telephone use. Amendments to the rule on inmate organizations establish a fiscal year for these organizations and also identify two additional ways for use of organizational funds.

DATE: Comments must be received on or before January 31, 1983.

ADDRESS: Office of General Counsel, Bureau of Prisons, Room 760, 320 1st Street NW., Washington, D.C. 20534. Comments received will be available for examination by interested persons at the above address.

FOR FURTHER INFORMATION CONTACT: Mike Pearlman, Office of General Counsel, Bureau of Prisons, phone 202/724-3062.

SUPPLEMENTARY INFORMATION: Pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director, Bureau of Prisons, in 28 CFR 0.96(q), notice is hereby given that the Bureau of Prisons intends to publish in the *Federal Register* its proposed rules on (1) Prohibition Against an Inmate Conducting a Business and (2) Emergency Signaling Devices—Inmate Housing Units. The former rule prohibits an inmate in service of a criminal sentence from conducting a business while confined in a federal institution. This policy is also included in the

Bureau of Prisons rule on Inmate Discipline and Special Housing Units (see prohibited act #408, § 541.13). The proposed rule will help clarify the prohibited act by providing written information on what is considered "conducting a business". The rule allows the inmate up to 30 days, following arrival at the institution designated for service of sentence, to assign those business matters in which the inmate was involved prior to confinement. Also discussed is the rule's impact on an inmate's subsequent involvement in hobbycraft, artistic, and creative activities. The rule on emergency signaling devices requires that inmates in housing units that are locked and without 24-hour staff coverage have access to a signaling device for use in alerting correctional staff in the event of an emergency within the housing unit.

The Bureau of Prisons is also proposing amendments to its final rules on Telephone Regulations for Inmates, and on Inmate Organizations. Final rules on these subjects were published in the *Federal Register* June 29, 1979 (at 44 FR 38236 et seq.). The proposed amendments to the rule on telephone regulations require the Warden to establish procedures which allow monitoring of telephone calls on any telephone located within the institution. The present rule (§ 540.101) states that the Warden "may establish" Such procedures. A second revision (to § 540.104) states that inmate calls shall ordinarily be made collect to the party called. Third party billing and electronic transfer of a call to a third party are prohibited. These procedures are being implemented to ensure the security, good order and discipline of the institution and to protect the public. Amendments (proposed new § 551.36(f) and (g)) to the rule on inmate organizations identify two ways in which an inmate organization may use its funds, specifically for providing financial assistance to an inmate who has insufficient resources to meet the expenses necessary for an emergency humanitarian purpose, such as a bedside visit or funeral trip, and for the purchase of items for use in the institution, provided that such items are not ordinarily furnished by the government. Approval of the Warden is required prior to either use. Amendments to existing sections (§ 551.36(b) and (c)) of this rule on inmate organizations establish a January–December fiscal year for each inmate organization and require an internal audit of each inmate organization immediately following the end of the fiscal year.

The Bureau of Prisons has determined that these rules are not major rules for the purpose of EO 12291. The Bureau of Prisons has determined that EO 12291 does not apply to these rules since the rules involve agency management. After review of the law and regulations, the Director, Bureau of Prisons has certified that these rules, for the purpose of the Regulatory Flexibility Act (Pub. L. 96-354), do not have a significant impact on a substantial number of small entities.

Interested persons may participate in this proposed rulemaking by submitting data, views, or arguments in writing to the Bureau of Prisons, Room 760, 320 1st Street, NW., Washington, DC. 20534. Comments received on or before January 31, 1983 will be considered before final action is taken. The proposed rules may be changed in light of the comments received. No oral hearings are contemplated.

List of Subjects in 28 CFR Parts 540 and 551

Prisoners.

In consideration of the foregoing, it is proposed to amend Subchapter C of 28 CFR, Chapter V as follows: In Part 540, amend Subpart I and add a new Subpart J; and in Part 551, amend Subpart D and add a new Subpart K.

SUBCHAPTER C—INSTITUTIONAL MANAGEMENT

PART 540—CONTACT WITH PERSONS IN THE COMMUNITY

1. The authority citation for Part 540, Subpart I reads as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 5006–5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95–0.99.

2. In Part 540, amend Subpart I by revising §§ 540.101 and 540.104 to read as follows:

Subpart I—Telephone Regulations for Inmates

§ 540.101 Monitoring of inmate telephone calls.

The Warden shall establish procedures that enable monitoring of telephone conversations on any telephone located within the institution, said monitoring to be done to preserve the security and orderly management of the institution and to protect the public. The Warden must provide notice to the inmate of the potential for monitoring. Staff may not monitor an inmate's properly placed call to an attorney. The Warden shall notify an inmate of the proper procedures to have an unmonitored telephone conversation with an attorney.

§ 540.104 Expenses of inmate telephone use.

An inmate is responsible for the expenses of inmate telephone use. Inmate calls shall ordinarily be made collect to the party called. Third party billing and electronic transfer of a call to a third party are not permitted. The Warden may direct the government to bear the expense of inmate telephone use under compelling circumstances such as when an inmate has lost contact with his family or has a family emergency. Another example is where the inmate experiences a lack of visits over an extended period of time. This is particularly true where there are no financial resources available either from the inmate or his family.

3. In Part 540, add a new Subpart J to read as follows:

Subpart J—Emergency Signaling Devices—Inmate Housing Units

Sec.

540.110 Purpose and scope.

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 5006–5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95–0.99.

Subpart J—Emergency Signaling Devices—Inmate Housing Units**§ 540.110 Purpose and scope.**

The Warden shall ensure that inmates in locked housing units have access to signaling devices for use in alerting correctional staff in the event of an emergency. Signaling devices shall be available:

(a) In dormitories (both open and cubicle style) that are locked and which do not have 24-hour staff coverage; and

(b) In housing units with rooms or cells (both single and multiple occupancy) lacking 24-hour staff coverage. The signaling device shall be located in the common area of the unit and must be accessible to inmates when not locked in their rooms or cells.

PART 551—MISCELLANEOUS

4. The authority citation for Part 551, Subpart D reads as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 4161–4166, 5006–5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95–0.99.

5. In Part 551, Subpart D, revise paragraphs (b) and (c) and add new paragraphs (f) and (g) to § 551.36 to read as follows:

Subpart D—Inmate Organizations**§ 551.36 Accountability for funds.**

* * * * *

(b) The fiscal year for each organization shall begin January 1 and end December 31. The treasurer of the

inmate organization shall prepare financial statements (cumulative-to-date) by January 20, April 20, and October 20 each year. The treasurer shall present copies of the financial reports to the membership, the staff sponsor, and the Warden.

(c) The Warden shall require an internal audit of each inmate organization to be conducted immediately following the end of the fiscal year.

* * * * *

(f) Upon approval of the Warden, an inmate organization may use its funds to provide financial assistance to an inmate who has insufficient resources to meet the expenses necessary for an emergency humanitarian purpose, such as a bedside visit or funeral trip.

(g) Upon approval of the Warden, an inmate organization may be allowed to purchase items for use in the institution, provided that the items intended for purchase are not ordinarily furnished by the government.

6. In Part 551, add a Subpart K to read as follows:

Subpart K—Prohibition Against an Inmate Conducting a Business

Sec.

551.130 Propose and scope.

551.131 Definitions.

551.132 Procedures.

551.133 Hobbycraft, artistic, and creative activities.

551.134 Disciplinary action.

551.135 Exceptions.

Authority: 5 U.S.C. 301; 18 U.S.C. 4001, 4042, 4081, 4082, 5006–5024, 5039; 28 U.S.C. 509, 510; 28 CFR 0.95–0.99.

Subpart K—Prohibition Against an Inmate Conducting a Business**§ 551.130 Purpose and scope.**

The Bureau of Prisons does not permit an inmate in service of a criminal sentence to be involved in the operation of a business while that inmate is confined in a federal institution. The Bureau of Prisons provides an inmate 30 days from the date of the inmate's arrival at the institution designated for service of sentence to delegate or to assign those business matters in which the inmate was engaged prior to incarceration. The inmate may not begin a new business while confined.

§ 551.131 Definitions.

(a) For purposes of this rule, the term "business" refers to all types of activities which produce profit or remuneration—creative, artistic, professional, consultative, advisory, financial, service, managerial, laboring activities, as well as commercial transactions. The term "business"

includes any trade, skill, work, or profession which comprised the inmate's principal source of income prior to the inmate's incarceration as well as any new trade, skill, work, or profession in which the inmate engages while confined.

(b) For purposes of this rule, the phrase "conducting a business" refers to any activities of an inmate directing business decisions or engaging in business while confined. It includes any action, conduct, or promise, either written or oral, from which an inmate could reasonably expect to receive either direct or indirect benefit. While an inmate may take steps to protect property and funds which were the inmate's prior to incarceration, the inmate may not be involved in ongoing business decisions.

§ 551.132 Procedures.

(a) An inmate confined in a federal institution may not actively engage in (the operation of) a business. An inmate who was engaged in a business prior to commitment is expected to sign the authority (power of attorney or other delegation of authority) for the operation of such business to a person in the community. Staff shall provide an inmate up to 30 days following the inmate's arrival at the institution designated for service of sentence to delegate or assign all business matters.

(b) No provision of this rule is intended to prohibit an inmate from protecting property and funds which were legitimately the inmate's at the time of commitment. Thus, there may be an occasion where a decision must be made which will substantially affect the assets or prospects of a business or the disposition of property. For example, an inmate may correspond about refinancing a mortgage on the inmate's home or may sign insurance papers, but may not make ongoing decisions about operation of a mortgage or insurance business. Similarly, while an inmate may sign papers authorizing the sale of stocks which were legitimately in the possession of the inmate at the time of commitment, the inmate may not make ongoing decisions about the trade and/or purchase of stocks and bonds while confined in a federal institution.

The Warden may authorize an inmate a special visit with the inmate's attorney, business associates, or family members, for the purpose of signing business or legal papers necessary to protect the inmate's prior assets. Any other business activities ordinarily shall be disapproved.

§ 551.133 Hobbycraft, artistic, and creative activities.

(a) An inmate may donate to a non-profit organization the results of the inmate's institutional hobbycraft, artistic, or creative activities (for example, a manuscript prepared while in custody). Neither the inmate nor the inmate's family may receive compensation or financial benefit of any kind from the inmate's donated hobbycraft, artistic, or creative works.

(b) Except as provided in paragraph (c) of this section, an inmate may sell the results of the inmate's institutional hobbycraft, artistic, or creative activities through the institution's art and hobbycraft sales program (see 28 CFR 544.33). The inmate may not achieve a net profit (selling price minus cost of

materials) for any calendar year in excess of \$500.00.

(c) An inmate may not sell or give for compensation or financial benefit, accruing either to the inmate or to the inmate's family, any hobbycraft, artistic, or creative work which in the Warden's judgment is considered indicative of the type of work that constituted a principal source of income to the inmate prior to confinement. For example, while an inmate who is bricklayer by occupation may sell a painting through the institution's art and hobbycraft sales program, the inmate who is a writer by occupation may not sell or give for compensation or financial benefit a manuscript prepared while in custody.

§ 551.134 Disciplinary action.

Staff shall initiate disciplinary action against an inmate who is conducting a business (see 28 CFR 541.13).

§ 551.135 Exceptions.

(a) The provisions of this rule do not apply to pre-trial inmates (see 28 CFR 551.101 and 551.120).

(b) The Warden may approve an exception to the provisions of this rule for sound and compelling correctional reasons, in an individual case, documented in the record.

Dated: November 29, 1982.

Norman A. Carlson,
Director, Bureau of Prisons.

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