

## INDEPENDENT STUDENTS WITHOUT DEPENDENTS OTHER THAN A SPOUSE—Continued

If students' State or territory of residence is	The percentage is—
Mississippi, Arizona, Alabama, Pennsylvania, New Jersey, Missouri .....	3
Nebraska, Indiana, Colorado, New Mexico, Oklahoma, Kansas, West Virginia, Rhode Island, Virginia, Georgia, Arkansas, Vermont, Michigan .....	4
Montana, Idaho, Utah, Kentucky, Massachusetts, California, North Carolina, South Carolina, Ohio, Iowa, Delaware, Maine, Wisconsin .....	5
Oregon, Maryland, Minnesota, Hawaii .....	6
District of Columbia, New York ....	7
Other .....	2

(Catalog of Federal Domestic Assistance  
Numbers: 84.007 Federal Supplemental  
Educational Opportunity Grant; 84.032  
Federal Stafford Loan Program; 84.033  
Federal Work-Study Program; 84.038 Federal  
Perkins Loan Program; 84.063 Federal Pell  
Grant Program)

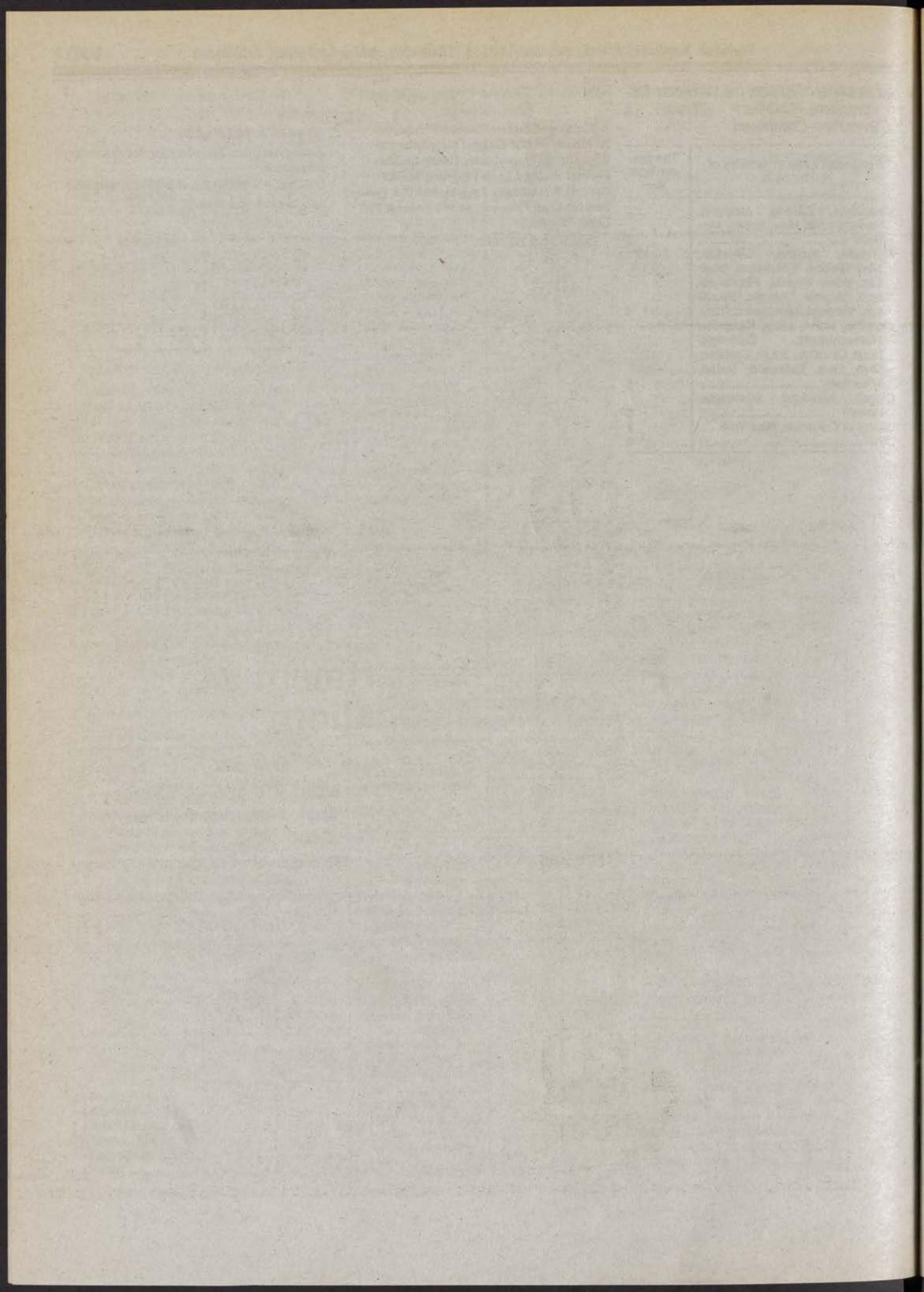
3 Dated: May 20, 1993.

Maureen A. McLaughlin

*Acting Assistant Secretary for Postsecondary  
Education.*

[FR Doc. 93-12490 Filed 5-26-93; 8:45 am]

BILLING CODE 4000-01-P



# Proposed Rule

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Thursday  
May 27, 1993

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## Part V

### Department of Education

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**34 CFR Parts 462 and 472  
State-Administered Workplace Literacy  
Program; National Workplace Literacy  
Program; Proposed Rule**

**DEPARTMENT OF EDUCATION****34 CFR Parts 462 and 472**

RIN 1830-AA11

**State-Administered Workplace Literacy Program; National Workplace Literacy Program****AGENCY:** Department of Education.**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Secretary proposes to amend existing regulations that govern the State-Administered Workplace Literacy Program and the National Workplace Literacy Program. These amendments are needed to increase project accountability and to make technical changes. The regulations provide rules for applying for and expending Federal funds under these programs.

**DATES:** Comments must be received on or before June 28, 1993.

**ADDRESSES:** All comments concerning these proposed regulations should be addressed to Dr. Thomas L. Johns, Director, Policy Analysis Staff, Office of Vocational and Adult Education, U.S. Department of Education, (Mary E. Switzer Building, room 4050), 400 Maryland Avenue, SW., Washington, DC 20202-7120.

A copy of any comments that concern the information collection requirements should also be sent to the Office of Management and Budget at the address listed in the Paperwork Reduction Act section of this preamble.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Sharon A. Jones, Department of Education, 400 Maryland Avenue SW., room 4050, Mary E. Switzer Building, Washington, DC 20202-7120. Telephone: (202) 205-8237. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:****Background**

The State-Administered Workplace Literacy Program and the National Workplace Literacy Program are important steps toward achieving the National Education Goals. Specifically, the workplace literacy programs address Goal 5, that every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship. Moreover, the National Workplace Literacy Program supports

this goal by providing grants to exemplary partnerships between a business, industry, or labor organization, or a private industry council and an education organization to support work-related literacy education.

These proposed regulations would increase the accountability of workplace literacy projects. The Department is implementing this strategy in order to expand the demonstration and dissemination activities of projects, thereby increasing the number of instructional approaches, materials, and techniques for providing work-related literacy education that are submitted to and approved by the Department's Program Effectiveness Panel, and subsequently made available to practitioners.

**Summary of Major Provisions**

The following is a summary of the major regulatory provisions the Secretary is proposing in the NPRM. The NPRM includes minor technical corrections in the existing regulations. These minor technical corrections are not discussed.

**State-Administered Workplace Literacy Program**

The NPRM would revise §§ 462.30 and 462.32 to require partners to enter into a binding agreement that details the role of each partner and is submitted with the application. An identical requirement is in the regulations governing the National Workplace Literacy Program. Through its experience in administering this program, the Department has observed that a binding partnership agreement is critical to the success of workplace projects involving multiple partners. Requiring a partnership agreement under the State-administered program will strengthen accountability and further ensure the success of projects funded under that program.

**National Workplace Literacy Program**

(1)(a) **Definition of employment and training agency.** The NPRM would revise the definition of "employment and training agency" in § 472.5(b) in order to clarify that employment and training agencies under the workplace literacy programs are nonprofit agencies. This change would codify the Secretary's interpretation of that definition, and would restrict the participation of for-profit employment and training firms to participation as "businesses and industry organizations" as defined in § 472.5.

(b) **Definition of project director.** The NPRM would amend § 472.5(b) to define

the term "project director" as the person with day-to-day operational responsibility for the project. Section 472.32(e) would require each recipient of an award to provide for a project director. The project director would participate in conferences sponsored by the Department to improve project accountability.

(2) **Preapplications.** Section 472.10 allows the Secretary to require applicants to submit a preapplication if the Secretary includes that requirement in an application notice published in the *Federal Register*. Section 472.11 establishes the conditions under which the Secretary can consider such an application. The NPRM would delete Subpart B containing these sections because the preapplication process has never been used and is not expected to be used in the future.

(3) **Small businesses.** Section 472.21(e) is being added to establish the conditions under which an applicant may be awarded the statutorily mandated preference for including a small business in a partnership. Corresponding changes are being made to § 472.5(b) with the addition of a definition of "small business" that is based on the Small Business Administration's definition of that term, and to § 472.20 with the deletion of paragraph (c).

(4) **Accountability.** Generally, the regulations governing the National Workplace Literacy Program would be revised to increase the accountability of projects funded under this program and thereby ensure that these demonstration projects further contribute to the improvement of education. This approach is designed to expand the demonstration and dissemination activities of projects and to increase the number of instructional approaches, materials, and techniques for providing workplace literacy that are submitted to and approved by the Department's Program Effectiveness Panel and subsequently made available to practitioners. The following provisions would be changed to implement this strategy:

(a) **Selection criteria.** The selection criteria in § 472.22 would be revised to focus on projects that undertake more activities of a demonstration nature, clearly identify promising practices, and disseminate information to inform policy and practice in the broad field of workplace literacy. Specifically, the selection criteria encourage partnerships to—

(i) Focus on improving performance in jobs or job functions that have a broad representation within the Nation's workforce so that products can be

adapted for use by similar workplaces nationwide;

(ii) Develop or use curriculum materials for adults based on literacy skills needed in the workplace;

(iii) Develop curriculum and instructional materials and methods, and test and revise them so that promising practices may be clearly identified and adopted by other worksites of a similar type;

(iv) Provide, and document for others, structured programs of staff training in such areas as curriculum development and special methods of teaching most effective for workplace environments;

(v) Submit in their applications a plan to disseminate the results of proposed projects; and

(vi) Include evaluations that collect evidence verifying the effectiveness of the projects' practices thus making project outcomes more suitable for submission to the Department's Program Effectiveness Panel (PEP). The PEP validates and promotes proven practices in education that can be replicated at other sites.

(b) *Commitment.* The selection criterion in § 472.22(h)(2) would be added to encourage applicants to show how partners plan to establish a program of workplace literacy services that can continue after the Federal funding ends. This would permit the workplace training initiated with Federal funds to be sustained and integrated into the long-term planning of partner organizations.

Under the National Workplace Literacy Program, it is generally an education partner's role to design a work-related literacy curriculum for specific types of jobs for business and labor organizations that are also partners in the project. However, a project's promising practices can benefit these partners both during and after the project itself. Therefore, business and labor partners are encouraged to plan to use non-Federal funds to extend the Federal investment in training to workers that have not been served by a project. Workers who have been served may also benefit from additional training based on outcomes of the project. Integration of literacy services into the culture of the workplace reflects a commitment to carry out the broad purposes of the National Workplace Literacy Program. Of course, the new selection criterion concerning commitment is not intended to reduce efforts to demonstrate innovative approaches during the period of Federal funding or to encourage unnecessary training after that funding has ended. The Secretary is particularly interested in receiving comments on this criterion,

including any effects it might have on small businesses.

(c) *Extended grant period.* The heightened emphasis on demonstration and dissemination activities would necessitate a lengthening of the grant period to three years, as authorized by section 371(a)(6) of the Adult Education Act, in order to allow for the testing and revision of promising practices.

(d) *Start-up period.* Section 472.32(b) would be revised to extend the three-month start-up period currently authorized to one that does not exceed six months. The extension of the start-up period would benefit projects by allowing additional time for curriculum development and staff training activities.

(e) *Reporting.* To ensure adequate progress over the extended grant period, § 472.30(b) of the NPRM would add a new requirement for projects to submit performance and financial reports to the Secretary at least semi-annually. The semi-annual report is designed to increase program accountability, track project progress, and ensure that comparable data concerning activities of the National Workplace Literacy Program are available. The Secretary anticipates use of a two-page report form that would request data on the number and type of learners and sites served, learner outcomes, and total Federal spending during the reporting period. Under proposed § 472.31(f), the Secretary could determine that a grantee fully or partially met the reporting requirements in § 472.30 if it had cooperated in a Federal evaluation of its project.

The Secretary is interested in receiving comments on whether semi-annual reports would be overly burdensome.

(f) *Evaluation requirements.* A new § 472.31 would be added to strengthen the evaluation requirements under this program. A project would be required to plan and budget for an independent evaluation that collects evidence supporting the effectiveness of its practices.

(5) *Circumstances under which a project may continue despite the withdrawal of a partner from a partnership.* Section 472.34 of the NPRM would add regulations to establish the conditions under which a project may continue despite the withdrawal of a partner. These regulations are intended to accommodate partners who, during an extended project period, become unable to perform their role in the partnership because of unanticipated changes in market, labor, and related conditions. The Secretary anticipates that the

withdrawal of a partner would be rare and will be allowed only if the conditions in § 472.34 are fully satisfied.

#### Executive Order 12291

These proposed regulations have been reviewed in accordance with Executive Order 12291. They are not classified as major because they do not meet the criteria for major regulations established in the order.

#### Regulatory Flexibility Act Certification

The Secretary certifies that these proposed regulations would not have a significant economic impact on a substantial number of small entities.

The small entities that would be affected by these proposed regulations are small local educational agencies, institutions of higher education, schools, businesses, industries, or labor or other organizations receiving Federal funds under this program. However, the regulations would not have a significant economic impact on the small entities affected because the regulations would not impose excessive regulatory burdens or require unnecessary Federal supervision. The regulations would impose minimal requirements to ensure the proper expenditure of program funds.

#### Paperwork Reduction Act of 1980

Sections 462.30, 462.32, 472.22, and 472.31 contain information collection requirements. As required by the Paperwork Reduction Act of 1980, the Department of Education will submit a copy of these sections to the Office of Management and Budget (OMB) for its review (44 U.S.C. 3504(h)).

These regulations affect the following types of entities eligible to apply for funds under the Workplace Literacy Program: State educational agencies, local educational agencies, institutions of higher education, schools (including area vocational schools), employment and training agencies, community-based organizations, businesses, industries, labor organizations, and private industry councils. The Department needs and uses the information to make grants, to monitor the compliance of grantees, and to increase the accountability of recipients.

Annual public reporting and recordkeeping burden for this collection of information is estimated to average 90 hours per response for 300 respondents, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Organizations and individuals desiring to submit comments on the

information collection requirements should direct them to the Office of Information and Regulatory Affairs, OMB, room 3002, New Executive Office Building, Washington, DC 20503; Attention: Daniel J. Chenok.

#### Intergovernmental Review

These programs are subject to the requirements of Executive Order 12372 and the regulations in 34 CFR part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

#### Invitation to Comment

Interested persons are invited to submit comments and recommendations regarding these proposed regulations.

All comments submitted in response to these proposed regulations will be available for public inspection, during and after the comment period, in room 4050, 330 C Street, SW., Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Monday through Friday of each week except Federal holidays.

To assist the Department in complying with the specific requirements of Executive Order 12291 and the Paperwork Reduction Act of 1980 and their overall requirement of reducing regulatory burden, the Secretary invites comment on whether there may be further opportunities to reduce any regulatory burdens found in these proposed regulations.

#### Assessment of Educational Impact

The Secretary particularly requests comments on whether the proposed regulations in this document would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

#### List of Subjects

##### 34 CFR Part 462

Adult education, Business and industry, Labor unions, Reporting and recordkeeping requirements, Workplace literacy.

##### 34 CFR Part 472

Adult education, Business and industry, Labor unions, Reporting and recordkeeping requirements, and Workplace literacy.

(Catalog of Federal Domestic Assistance Number 84.198 National Workplace Literacy Program. Catalog of Federal Domestic Assistance Number has not been assigned for the State-Administered Workplace Literacy Program)

Dated: May 20, 1993.

Richard W. Riley,

Secretary of Education.

The Secretary proposes to amend parts 462 and 472 of title 34 of the Code of Federal Regulations as follows:

#### PART 462—STATE-ADMINISTERED WORKPLACE LITERACY PROGRAM

1. The authority citation for part 462 continues to read as follows:

Authority: 20 U.S.C. 1211a(b), unless otherwise noted.

2. Section 462.30 is amended by adding a new paragraph (c) to read as follows:

##### § 462.30 Who is eligible to apply to a State for an award?

(c) The partners shall enter into an agreement, in the form of a single document signed by all partners, designating one member of the partnership as the applicant and the subgrantee or contractor. The agreement must also detail the role each partner plans to perform and bind each partner to every statement and assurance made in the application.

3. Section 462.32 is revised to read as follows:

##### § 462.32 What are the local application requirements?

A local partnership application, submitted to an SEA for funding under the State-administered Workplace Literacy Program, must contain—

- (a) The information in section 371(a)(4) of the Act; and
- (b) A signed partnership agreement as described in § 462.30(c).

(Authority: 20 U.S.C. 1211(b)(5))

#### PART 472—NATIONAL WORKPLACE LITERACY PROGRAM

4. The authority citation for part 472 continues to read as follows:

Authority: 20 U.S.C. 1211(a), unless otherwise noted.

5. Part 472 is amended by removing and reserving subpart B.

6. Section 472.5 is amended by revising paragraph (a) and the definition of "Employment and training agency" in paragraph (b) and by adding new definitions of "Project director" and "Small business" to paragraph (b) in alphabetical order to read as follows:

#### § 472.5 What definitions apply?

(a) The definitions in 34 CFR 460.4 apply to this part.

(b) \* \* \*

*Employment and training agency* includes any nonprofit agency that provides—as a substantial portion of its activity—employment and training services, either directly or through contract.

\* \* \* \* \*

*Project director* means the person with day-to-day operational responsibility for the project.

\* \* \* \* \*

*Small business* means a business entity that—

(1) Is organized for profit, with a place of business located in the United States and that makes a significant contribution to the U.S. economy through payment of taxes or use of American products, materials, or labor, or both; and

(2) May be in the legal form of an individual proprietorship, partnership, corporation, joint venture, association, trust or a cooperative, except that where the form is a joint venture there can be no more than 49 percent participation by foreign business entities in the joint venture; and

(3) Meets the requirements found in 13 CFR part 121 concerning Standard Industrial Classification codes and size standards.

#### § 472.20 [Amended]

7. Section 472.20 is amended by removing paragraph (c).

8. Section 472.21 is amended by revising paragraph (b) and adding a new paragraph (e) to read as follows:

#### § 472.21 How does the Secretary evaluate an application?

(b) The Secretary may award up to 100 points, including a reserved 10 points to be distributed in accordance with paragraph (d) of this section, based on the criteria in § 472.22.

(e) In addition to the points to be awarded based on the criteria in § 472.22, the Secretary awards five points to applications from partnerships that include as a partner a small business that has signed the partnership agreement.

9. Section 472.22 is amended by removing the word "and" after the semicolon at the end of paragraph (a)(3); removing the period at the end of paragraph (a)(4), and adding, in its place, ";" and"; adding a new paragraph (a)(5); revising paragraph (b), introductory text; revising paragraph

(c)(1); removing the word "and" after the semicolon at the end of paragraph (c)(3); removing the period at the end of paragraph (c)(4), and adding, in its place, ";" and"; adding a new paragraph (c)(5); revising paragraph (d), introductory text; removing the word "and" after the semicolon at the end of paragraph (d)(2)(iii); adding the word "and" after the semicolon at the end of paragraph (d)(2)(iv); adding a new paragraph (d)(2)(v); revising paragraph (e), introductory text; revising paragraph (e)(2)(i); revising paragraph (f), introductory text; removing the word "and" after the semicolon at the end of paragraph (f)(4); removing the period at the end of paragraph (f)(5), and adding, in its place, ";" and"; adding a new paragraph (f)(6) and a "Note to §472.22(f)(6)" following the paragraph; revising paragraph (g), introductory text; and adding a new paragraph (h) to read as follows:

**§472.22 What selection criteria does the Secretary use?**

- (a) \* \* \*
- (5) Focuses on improving performance in jobs or job functions that have a broad representation within the Nation's workforce so that the products can be adapted for use by similar workplaces across the Nation.
- (b) *Extent of need for the project.* (10 points) \* \* \*
- (c) \* \* \*
- (1) Develop or use curriculum materials for adults based on literacy skills needed in the workplace;
- (5) Provide, and document for others, a program of training for staff including, but not limited to, techniques of curriculum development and special methods of teaching that are appropriate for workplace environments.
- (d) *Plan of operation.* (15 points) \* \* \*
- (2) \* \* \*
- (v) A realistic time table for accomplishing project objectives;
- (e) *Applicant's experience and quality of key personnel.* (8 points) \* \* \*
- (2) \* \* \*
- (i) The qualifications, in relation to project requirements, of the project director;
- (f) *Evaluation plan.* (10 points) The Secretary reviews each application to determine the quality of the plan for an independent evaluation of the project,

including the extent to which the applicant's methods of evaluation—

- \* \* \* \* \*
- (6) Will yield results that can be summarized and submitted to the Secretary for review by the Department's Program Effectiveness Panel.

**Note to §472.22(f)(6):** The Program Effectiveness Panel (PEP) is the Department's primary mechanism for validating the effectiveness of educational programs developed by schools, universities, and other agencies. The PEP is composed of experts in the evaluation of educational programs and in other areas of education, at least two-thirds of whom are non-Federal employees who are appointed by the Secretary. Regulations governing the PEP are codified in 34 CFR parts 785 through 789. Specific criteria for PEP review are found in 34 CFR 786.12 or 787.12.

- (g) *Budget and cost-effectiveness.* (7 points) \* \* \*
- \* \* \* \* \*

- (h) *Demonstration and commitment.* (10 points)

(1) The quality of the applicant's plan, during the grant period, to disseminate the results of the project, including—

- (i) Demonstrating promising practices used by the project to others interested in implementing these techniques;
- (ii) Conducting workshops or delivering papers at national conferences or professional meetings; and
- (iii) Making available material that will help others implement promising practices developed in the project.

(2) The quality of the applicant's plan to continue the program after Federal funding has ceased, including—

- (i) Continued provision or expansion of work-based literacy services built on the outcomes of the funded project; and
- (ii) Integration of workplace literacy services into long-term planning of partner organizations.

**§§ 472.30, 472.31 [Redesignated as §§ 472.32, 472.33]**

10. Sections 472.30 and 472.31 are redesignated as §§ 472.32 and 472.33, respectively.

11. A new § 472.30 is added to read as follows:

**§ 472.30 What are the reporting requirements?**

- (a) A recipient of a grant or cooperative agreement under this program shall submit to the Secretary performance and financial reports.
- (b) These reports must be submitted at times required by the Secretary and at least semi-annually.
- (c) These reports must contain information required by the Secretary.

(Authority: 20 U.S.C. 1211(a))

12. A new § 472.31 and "Note to § 472.31" are added to read as follows:

**§ 472.31 What are the evaluation requirements?**

(a) Each recipient of a grant or cooperative agreement under this program shall provide and budget for an independent evaluation of project activities.

(b) The evaluation must be both formative and summative in nature.

(c) The evaluation must be based on student learning gains and the effects of job advancement, job performance (including, for example, such elements as productivity, safety, and attendance), and project and product spread and transportability.

(d) A proposed project evaluation design for the entire project period, expanding on the plans outlined in the application pursuant to § 472.22(f), must be submitted to the Secretary for review and approval prior to the end of the first year of the project period.

(e) A summary of evaluation activities and results that can be reviewed by the Department's Program Effectiveness Panel, as described in 34 CFR parts 785 through 789, must be submitted to the Secretary during the last year of the project period.

(f) If a grantee cooperates in a Federal evaluation of its project, the Secretary may determine that the grantee fully or partially meets the evaluation requirements of this section and the reporting requirements in § 472.30.

(Authority: 20 U.S.C. 1211(a))

**Note to § 472.31:** As used in § 472.31(c)—  
"Spread" means the degree to which—

(1) Project activities and results are demonstrated to others;

(2) Technical assistance is provided to others to help them replicate project activities and results;

(3) Project activities and results are replicated at other sites; or

(4) Information and material about or resulting from the project are disseminated; and

"Transportability" means the ease by which project activities and results may be replicated at other sites, such as through the development and use of guides or manuals that provide step-by-step directions for others to follow in order to initiate similar efforts and reproduce comparable results.

13. Section 472.32, as redesignated, is amended by revising paragraphs (b), (d)(1), and (e) to read as follows:

**§ 472.32 What other requirements must be met under this program?**

- (b)(1) The project period may include a start-up period, not to exceed six months, during which the project is

being established and prior to the time services are provided to adult workers.

(2) Applicants shall minimize the start-up period, if any, proposed for their projects.

\* \* \* \*

(d) \* \* \*

(1) 100 percent of the administrative costs incurred in establishing a project during the start-up period described in paragraph (b) of this section by an SEA, LEA, or other entity described in § 472.2(a), that receives a grant under this part; and

\* \* \* \*

(e) Each recipient of an award under this program shall provide for a project director.

14. A new § 472.34 is added to read as follows:

**§ 472.34 Under what circumstances may a project continue if a partner withdraws?**

(a) A project may continue despite the withdrawal of a partner that is unable to perform its role as outlined in the grant award document if the following conditions are met:

(1) Written approval is given by the Secretary.

(2) The partnership continues to meet the requirements in § 472.2(b).

(3) The partnership will be able to complete the remainder of the project.

(4) The partner's withdrawal will not cause a change in the scope or objectives of the grant or cooperative agreement.

(b) In determining that the condition in paragraph (a)(4) of this section is satisfied, the Secretary considers such factors as whether—

(1) A similar new partner will sign the partnership agreement and agree to carry out the role of the withdrawing partner as described in the grant agreement;

(2) One or more of the remaining partners will agree to carry out the role of the withdrawing partner as described in the grant agreement; or

(3) One or more of the remaining partners will expand its activities as approved under the grant in order to compensate for the activities that would have been carried out under the grant agreement by the partner that is withdrawing without a change in the project's scope or objectives.

(Authority: 20 U.S.C. 1211(a))  
[FR Doc. 93-12491 Filed 5-26-93; 8:45 am]  
BILLING CODE 4000-01-P

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Thursday  
May 27, 1993

misses  
neglect

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**Part VI**

**Department of  
Education**

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**Institutional Quality Assurance Program;  
Notice**

**DEPARTMENT OF EDUCATION****Institutional Quality Assurance Program**

**AGENCY:** Department of Education.  
**ACTION:** Notice of deadline date for participation in the Institutional Quality Assurance Program and revision of selection criteria.

**SUMMARY:** The Secretary issues a deadline date for the submission of a written notice by an institution that it wishes to participate in the Institutional Quality Assurance (IQA) Program and amends the criteria used to select institutions for the IQA Program. In addition, the Secretary amends the limitation of participants for the IQA Program. The Secretary also implements a name change from the Institutional Quality Control (IQC) Project to the Institutional Quality Assurance (IQA) Program.

**EFFECTIVE DATE:** These selection criteria take effect either 45 days after publication in the **Federal Register** or later if the Congress takes certain adjournments. These selection criteria will become effective after the information collection requirement in this notice has been submitted by the Department of Education and approved by the Office of Management and Budget under the Paperwork Reduction Act of 1980. If you want to know the effective date of these criteria, call or write the Department of Education contact person.

**DEADLINE DATE FOR REQUEST TO PARTICIPATE IN IQA PROGRAM:** An institution must submit its request to participate in the IQA Program by June 28, 1993.

**FOR FURTHER INFORMATION CONTACT:**  
 Barbara Mroz, Performance and Accountability Improvement Staff, Field Operations Service, U.S. Department of Education, 400 Maryland Avenue SW. (Regional Office Building 3, room 5036), Washington, DC 20202-5252. Telephone Number: (202) 708-8439. Deaf and hearing impaired individuals may call the Federal Information Relay Service at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The Secretary implements a name change pursuant to section 487A of the Higher Education Act of 1965, as amended (HEA). The Institutional Quality Control (IQC) Project is now renamed the Institutional Quality Assurance (IQA) Program. The regulatory authority for the IQC Project would have expired at the end of the 1993-94 award year.

However, enactment of the Higher Education Amendments of 1992 (Pub. L. 102-325) (the Amendments) provides statutory authority for the IQA Program. The IQA Program is an alternative management approach to verification of information provided on student financial assistance applications, under which a participating institution develops and implements a quality assurance system in connection with its administration of the Federal Pell Grant, campus-based (Federal Perkins Loan, Federal Work-Study, and Federal Supplemental Educational Opportunity Grant), and Federal Stafford Loan programs. An institution must submit a written request to participate in the IQA Program by the date listed above.

The Secretary plans to continue to provide the regulatory exemptions related to student verification that were part of the IQC Project to institutions that participate in the IQA Program. Therefore, an institution that is selected to participate in the IQA Program is exempt, for the period of its participation in the IQA Program, from the requirements specified in the verification regulations of Subpart E of the Student Assistance General Provisions regulations, 34 CFR part 668. These requirements are contained in the following sections:

- Section 668.53(a) (1) through (4);
- Section 668.54(a) (2), (3), and (5);
- Section 668.56;
- Section 668.57, except that an institution shall require an applicant that it has selected for verification to submit to it a copy of the income tax return, if filed, of the applicant, his or her spouse, and his or her parents, if the income reported on the income tax return was used in determining the expected family contribution; and
- Section 668.60(a).

In lieu of these regulatory requirements, the Secretary requires a participating institution to develop and implement a quality control or assurance system in connection with its administration of the Student Financial Assistance Programs authorized by Title IV of the Higher Education Act of 1965, as amended (Title IV, HEA Programs). Under a quality control or assurance system, the institution must (1) evaluate its current procedures for administering the Title IV, HEA programs ("management assessment component"); (2) identify the variances in both data item (e.g., household size) and student aid award (e.g., Pell overpayment) accuracy that result from its current verification policies and office procedures ("annual measurement component"); (3) design

corrections to its procedures that will enable it to eliminate or significantly reduce those variances ("corrective actions component"); and (4) review the management assessment and remeasure and analyze data annually ("monitoring system status").

The Secretary is considering providing additional regulatory flexibility to institutions participating in the IQA Program beginning with the 1994-95 award year. The Secretary will provide details of any additional regulatory exemptions, along with the new quality assurance activity that will replace the regulatory requirements, to institutions participating in the IQA Project at a later date.

The Secretary published Final Selection Criteria for participation in the IQC Project in the **Federal Register** on July 26, 1991 (56 FR 35790-35791). When the Secretary published the Final Selection Criteria he indicated that, to administer the IQC Project properly, the number of institutions participating in the IQC Project should not exceed 102. Currently 79 institutions participate in the IQC Project, and these institutions need not reapply to continue their participation. Because the results from the IQC Project have been positive, and the Congress provided legislative authority for the IQA Program, the Secretary no longer considers it necessary, or desirable, to limit the number of institutions participating to 102. However, the Secretary has chosen a controlled expansion of the IQA Program over a three-year period, to allow for further assessments of the IQA implementation and results. Therefore, the Secretary will limit to 100 the number of additional institutions accepted to participate in the IQA Program in the 1993-94 award year.

The selection criteria published in the July 26, 1991 Notice indicated that selected institutions should have experience in the Federal Pell Grant, campus-based (Federal Perkins Loan, Federal Work-Study, and Federal Supplemental Educational Opportunity Grant), and Federal Stafford Loan programs and in dealing with a significant number of students and Federal dollars in all those programs. Accordingly, the selection criteria required that an institution be a participant in the above programs during the 1990-91 award year and have participated in all five programs during the preceding two award years (the 1988-89 and 1989-90 award years).

The Secretary is updating the relevant award years contained in those criteria. Therefore, institutions admitted to participate in the IQA Program for the first time during the 1993-94 award

year must be participating in the five programs during the 1992-93 award year, and have participated in all five programs during the 1990-91 and 1991-92 award years.

The Secretary is republishing Final Selection Criteria I, II, and III in this notice. The Secretary will select all applicants that meet Selection Criterion I provided that the total number of new participants does not exceed the limit of 100 institutions set in Selection Criterion II. In the event that the number of new applicants meeting Selection Criterion I exceeds 100, the Secretary will select applicants on the basis of Selection Criterion III.

This Notice clarifies that, as part of Selection Criteria III, an institution will be evaluated on the basis of findings resulting from the institution's latest ED audit, in addition to findings resulting from the institution's latest program review. In addition, the Secretary has updated the criterion with regard to participation in the electronic data transmission projects of the Title IV programs to include current projects.

#### Application Procedures

There are no special application forms that must be used to apply to participate in the IQA Program. An institution applies to participate in the IQA Program by sending a written notice of its request to participate to the Assistant Secretary for Postsecondary Education. In this notice, an interested institution must include a brief statement that demonstrates its commitment to quality control and error reduction in managing student financial assistance dollars. This statement must summarize: (a) The institution's procedures for verification of student data and eligibility; (b) the activities and procedures that it uses routinely to control, reduce, and correct errors in its administration of the Title IV, HEA programs; and (c) the resources, such as automated data processing, personnel, and the management support at all levels of the organization, that will be committed to assure efficient administration of the program. The institution's adequate completion of the statement of commitment is a necessary element in the application process. Although the statement is not considered as a part of the review of the selection criteria, it provides information necessary to allow the Secretary to make a complete determination of the institution's ability to administer the program. Interested institutions may request background information and materials on the IQA Program from the Department of Education contact person.

#### Paperwork Reduction Act of 1980

Annual public reporting burden for this collection of information is estimated to average 1 hour per response for 100 respondents, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Organizations and individuals desiring to submit comments on the information collection requirements should direct them to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project, Room 3002, New Executive Office Building, Washington, DC 20503; attention: Daniel J. Chenok.

#### Waiver of Rulemaking

In accordance with section 431(b)(2)(A) of the General Education Provisions Act (20 U.S.C. 1232(b)(2)(A)), and the Administrative Procedure Act (5 U.S.C. 553), it is the practice of the Secretary to offer interested parties the opportunity to comment on proposed rules. However, the changes to the criteria are technical in nature and establish no new substantive policy. Therefore, pursuant to 5 U.S.C. 553(b)(B) the Secretary finds that publication of proposed selection criteria is unnecessary and contrary to the public interest.

#### Final Selection Criteria I, II, and III

I. In order to be selected to participate in the IQA Program, an institution must:

1. Participate in the Federal Pell Grant, campus-based (Federal Perkins Loan, Federal Work-Study and Federal Supplemental Educational Opportunity Grant) and Federal Stafford Loan programs during the 1992-93 award year and have participated in all five programs during the 1990-91 and 1991-92 award years;

2. Have had, in the aggregate, at least 1,000 Federal Pell Grant and campus-based program recipients during the 1990-91 award year;

3. Have awarded, in the aggregate, at least \$1 million under the Federal Pell Grant and campus-based programs combined in the 1990-91 award year; and

4. Have submitted and had approved by the Secretary its most recent audit report in which the reported liability was less than \$150,000.

- II. If not more than 100 applicants meet the above criterion, the Secretary selects all the applicants who meet the criterion to participate in the IQC Project.

III. If more than 100 applicants meet the above criteria, the Secretary selects applicants who score the highest number of points on the basis of the following additional criteria.

#### 1. Findings of the Latest ED Program Review or Audit (Maximum 30 Points)

An applicant receives the following number of points based upon the findings of the latest program review or audit conducted by ED at the institution:

Findings	Points
For each award year covered by the latest program review or audit:	
Compliance with all applicable statutes and regulations .....	30
Failure to comply with applicable statutory and regulatory requirements, which results in an assessed liability of an amount equal to not more than 15 percent of the amount received by the institution under the Federal Pell and campus-based programs for that year .....	16
Failure to comply with applicable statutory and regulatory requirements, which results in an assessed liability of an amount equal to more than 15 percent of the amount received by the institution under the Federal Pell and campus-based programs for that year .....	0

#### 2. The Institution's Full-Time Equivalent (FTE) Enrollment for the 1990-91 Award Year (Maximum 20 Points)

An applicant receives the following number of points based upon its FTE enrollment for the 1990-91 award year:

FTE enrollment	Points
Above 10,000 .....	20
5001-10,000 .....	15
2000-5000 .....	10
Fewer than 2000 .....	0

#### 3. Compliance with the Federal Pell Grant Program Reporting Requirements (Maximum 20 Points)

An applicant receives 20 points if it complies with all the deadline dates for the receipt of institutional payment (IPS) documents for the 1991-92 award year which were published in the *Federal Register* on April 29, 1992 (57 FR 18320).

#### 4. Participation in ED Electronic Data Transmission Projects. (Maximum 10 Points)

An applicant receives 10 points for participating in award year 1992-93 in

the Electronic Data Exchange if it performs one or more of the following four processing functions: Complete and send electronic initial and renewal applications (Stage Zero); receive electronic Student Aid Reports (Stage I); make electronic corrections (Stage II); or receive electronic payment information (Stage III). The Electronic Data Exchange establishes a link between the

Department of Education's Central Processing System and participating schools and service agents. Both schools and Federal student aid applicants benefit from the speed and ease of using Electronic Data Exchange.

**Authority:** 20 U.S.C. 1070 et seq.  
(Catalog of Federal Domestic Assistance  
Numbers: Number 84.007, Federal  
Supplemental Educational Opportunity

Grant Program; Number 84.032, Federal  
Stafford Loan Program; Number 84.033,  
Federal Work-Study Program; Number  
84.038, Federal Perkins Loan Program;  
Number 84.063, Federal Pell Grant Program)

Dated: May 21, 1993.

**Richard W. Riley,**

*Secretary of Education.*

[FR Doc. 93-12492 Filed 5-26-93; 8:45 am]

BILLING CODE 4000-01-P

Environmental Protection Agency

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Thursday  
May 27, 1993

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**Part VII**

**Environmental  
Protection Agency**

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**Intent To Grant BP Chemicals, Inc., an  
Exemption From the Land Disposal  
Restrictions of the Hazardous and Solid  
Waste Amendments of 1984; Notice**

**ENVIRONMENTAL PROTECTION  
AGENCY**

[FRL-4659-9]

**Intent To Grant BP Chemicals, Inc., an  
Exemption From the Land Disposal  
Restrictions of the Hazardous and  
Solid Waste Amendments of 1984  
(HSWA) Regarding Injection of  
Hazardous Waste**
**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of intent to Grant an Exemption for the use of Waste Disposal Well No. 4 to BP Chemicals, Inc. of Lima, Ohio, for the Injection of Certain Hazardous Wastes.

**SUMMARY:** The United States Environmental Protection Agency (USEPA or Agency) today is proposing to grant an exemption from the ban on disposal of hazardous wastes through its waste injection well (WDW) No. 4 to BP Chemicals, Inc. (BPCI) of Lima, Ohio. If the exemption is granted and if WDW No. 4 is permitted by the Ohio Environmental Protection Agency (Ohio EPA), BPCI may use WDW No. 4 to inject Resource Conservation and Recovery Act (RCRA) regulated hazardous wastes, codes K011, K013, K014, F039, and various D, U, and P listed materials listed in the following table:

Ignitability .....	D001
Corrosivity .....	D002
Cyanides .....	D003
Arsenic .....	D004
Barium .....	D005
Cadmium .....	D006
Total chromium .....	D007
Lead .....	D008
Mercury .....	D009
Selenium .....	D010
Silver .....	D011
Acrolein .....	P003
Allyl alcohol .....	P005
Hydrogen cyanide .....	P063
Potassium cyanide .....	P098
Sodium cyanide .....	P106
Acetaldehyde .....	U001
Acetone .....	U002
Acetonitrile .....	U003
Acrylic acid .....	U008
Acrylonitrile .....	U009
Benzene .....	U019
Chloroform .....	U044
Crotonaldehyde .....	U053
Cyclohexane .....	U057
Methylene chloride .....	U080
Ethyl acetate .....	U112
Formaldehyde .....	U122
Formic acid .....	U123
Furan .....	U124
Furfural .....	U125
Lindane .....	U129
Isobutyl alcohol .....	U140
Maleic anhydride .....	U147
Mercury .....	U151
Methacrylonitrile .....	U152

Methanol .....	U154
Methyl ethyl ketone .....	U159
Methyl isobutyl ketone .....	U161
Nitrobenzene .....	U169
Phenol .....	U188
Pyridine .....	U196
Carbon tetrachloride .....	U211
Tetrahydrofuran .....	U213
Toluene .....	U220
Xylene .....	U239

These wastes were banned from land disposal on various dates as set forth at 40 CFR 148.14 *et seq.* On May 7, 1992, the USEPA granted an exemption for the above named wastes for BPCI's WDW Nos. 1, 2, and 3 based on a finding that BPCI's injected wastes will not migrate out of the injection zone within the next 10,000 years. BPCI has now met all the requirements with respect to WDW No. 4, including a demonstration of mechanical integrity, to enable the USEPA to exempt WDW No. 4 from the restrictions on the land disposal of hazardous wastes.

**DATES:** The USEPA requests public comments on today's proposed decision. Comments will be accepted until July 6, 1993. Comments post-marked after the close of the comment period will be stamped "Late". A joint public hearing with the Ohio EPA to allow comment on draft permits proposed by Ohio EPA and this proposed action by USEPA will be scheduled and notice of this hearing will be given in a local paper and to all people on mailing lists developed by the USEPA and the Ohio EPA. The participation of the USEPA in the joint public hearing will be canceled if it does not appear to be warranted by public interest. If you wish to be notified of the date and location of the public hearing or to request that USEPA participate, please contact the person listed below.

**ADDRESSES:** Submit written comments, by mail, to: United States Environmental Protection Agency, Region 5, Underground Injection Control Section (WD-17J), 77 West Jackson Street, Chicago, Illinois 60604, Attn: Richard J. Zdanowicz, Chief.

**FOR FURTHER INFORMATION CONTACT:** Harlan Gerrish, Lead Petition Reviewer, UIC Section, Water Division, Office Telephone Number: (312) 886-2939, 17th floor, Metcalfe Building, 77 West Jackson Street, Chicago, Illinois 60404.

**SUPPLEMENTARY INFORMATION:**
**I. Background**
**A. Authority**

The Hazardous and Solid Waste Amendments of 1984 (HSWA), enacted on November 8, 1984, impose

substantial new responsibilities on those who handle hazardous waste. The amendments prohibit the land disposal of untreated hazardous waste beyond specified dates, unless the Administrator determines that the prohibition is not required in order to protect human health and the environment for as long as the waste remains hazardous (RCRA Section 3004(d)(1), (e)(1), (f)(2), (g)(5)). The requirements for such a determination for injection wells are codified in 40 CFR part 148, Subpart B.

**B. Previous Action**

On March 1, 1992 USEPA published a notice at 57 FR 8753 proposing to grant an exemption to BPCI WDW Nos. 1, 2, and 3 from the ban on disposal of certain hazardous wastes. This proposal was based on USEPA's review of BPCI's no-migration demonstration which included an analysis of the effects of injection through BPCI's WDW No. 4 in addition to injection through WDW Nos. 1, 2, and 3. USEPA determined that wastes injected through these wells would not leave the injection zone for the next 10,000 years and that the granting of an exemption was proper. It granted the exemption for the BPCI wells on May 7, 1992 (published June 1, 1992 at 57 FR 23094). The USEPA has determined that an exemption for WDW No. 4 must be issued separately because construction of that well was incomplete at the time the original exemption was granted. The wastes for which this exemption is granted are those specified in the Summary portion of this notice.

**C. Submission**

On November 20, 1992, BPCI submitted a request that an exemption from the land disposal of hazardous wastes be granted for WDW No. 4 at the Lima facility. The request was accompanied by data demonstrating required mechanical integrity testing. BPCI submitted additional data demonstrating satisfactory results of the testing on December 16, 1992.

**II. Basis for Determination**

The aspects of the no-migration demonstration relevant to BPCI's waste injection operation, including WDW No. 4 among others, were described in the *Federal Register* notice proposing to grant an exemption to BPCI on March 12, 1992. However, BPCI still needed to submit the Mechanical Integrity Test (MIT) information for WDW No. 4 required by 40 CFR 148.20 (a)(2)(iv). MITs, including a Standard Annulus Pressure Test and a Radioactive Tracer Survey are required to assure that the

waste does not leak from the tubing prior to reaching the injection zone nor upward along the well bore after injection. On October 28, 1992, BPCI conducted a pressure test of the annulus system of WDW No. 4 and a series of radioactive tracer surveys, all witnessed by Ohio EPA personnel.

The pressure test consisted of raising the pressure within the annulus system to 1,241 pounds per square inch (psi) which is almost 400 psi above the proposed pressure limit. The pressure in the system, measured using a recently calibrated 0-2,000 psi gauge with an accuracy of 0.25% of full scale, fluctuated by as much as 2 psi, but was 1,241 psig at the end of the 1-hour test period. The greatest fluctuation, therefore, represents only a fraction of the 3% per hour change which is allowable under Ohio and USEPA policies and the stability of the pressure readings indicate that no leak exists. The radioactive tracer surveys were conducted using logging equipment owned and operated by Atlas Wireline Services. The tests included tracking slugs of very short-lived radioactive material through the tubing and open well bore from a depth of 2,865 feet to

3,035 feet. Based on its review of the initial logs of the surveys and additional logs scaled for better resolution, USEPA has determined that the surveys showed that no radioactive material went upward above the casing shoe after its exit from the tubing. Therefore, results of the required tests confirm that the injected wastes are carried into the injection interval via the well and do not return along the well bore upward above the casing shoe.

### III. Conditions of the Petition Approval

In addition to general conditions found at 40 CFR part 148, the USEPA imposes the following requirements as a condition of granting this exemption from the ban on injection of certain hazardous wastes for WDW No. 4:

(1) The permitted injection zone must be comprised of the Middle Run, Mt. Simon, and Eau Claire Formations;

(2) Injection shall occur only into the Middle Run and Mt. Simon Sandstones in WDW No. 4;

(3) This exemption is issued in conjunction with the exemption issued for the BPCI Lima, Ohio, site on May 7, 1992; the combined monthly injection volume for all four wells at the BPCI Lima, Ohio, site must not exceed 24 million gallons;

(4) The petitioner shall fully comply with all requirements set forth in the Underground Injection Control Permit-to-Operate for BPCI WDW No. 4 issued by the Ohio EPA; and

(5) The injection pressure at the well head shall be no greater than 844 psi, the pressure at which the no-migration demonstration was made.

Condition 4 of the exemption issued on May 7, 1992, required completion of a final report on seismic surveys carried out near the BPCI facility. The report was submitted on May 8, 1992. On February 8, 1993, USEPA notified BPCI that USEPA is satisfied with the interpretations of the seismic surveys performed in the vicinity of the BPCI facility. These surveys give no evidence of complex structural conditions which might allow movement of injectate from the injection zone. Condition 4 of the original exemption is therefore satisfied.

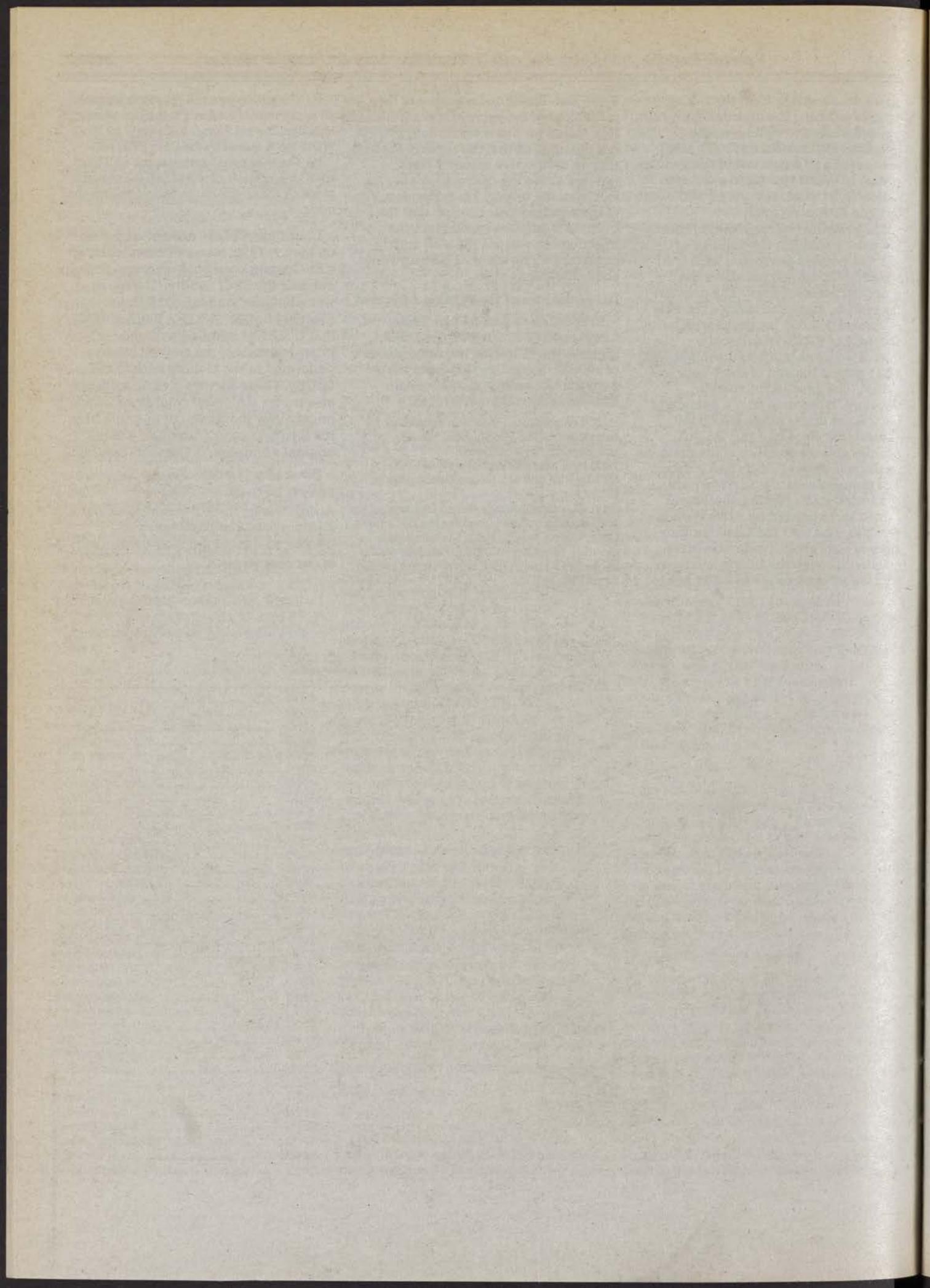
Dated: May 14, 1993.

Barry C. De Graff,

*Acting Director, Water Division Region 5, U.S. Environmental Protection Agency.*

[FR Doc. 93-12643 Filed 5-26-93; 8:45 am]

BILLING CODE 6580-50-P



Executive Order 12849  
Implementation of  
Agreement With the European Community  
on Government Procurement

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Thursday  
May 27, 1993

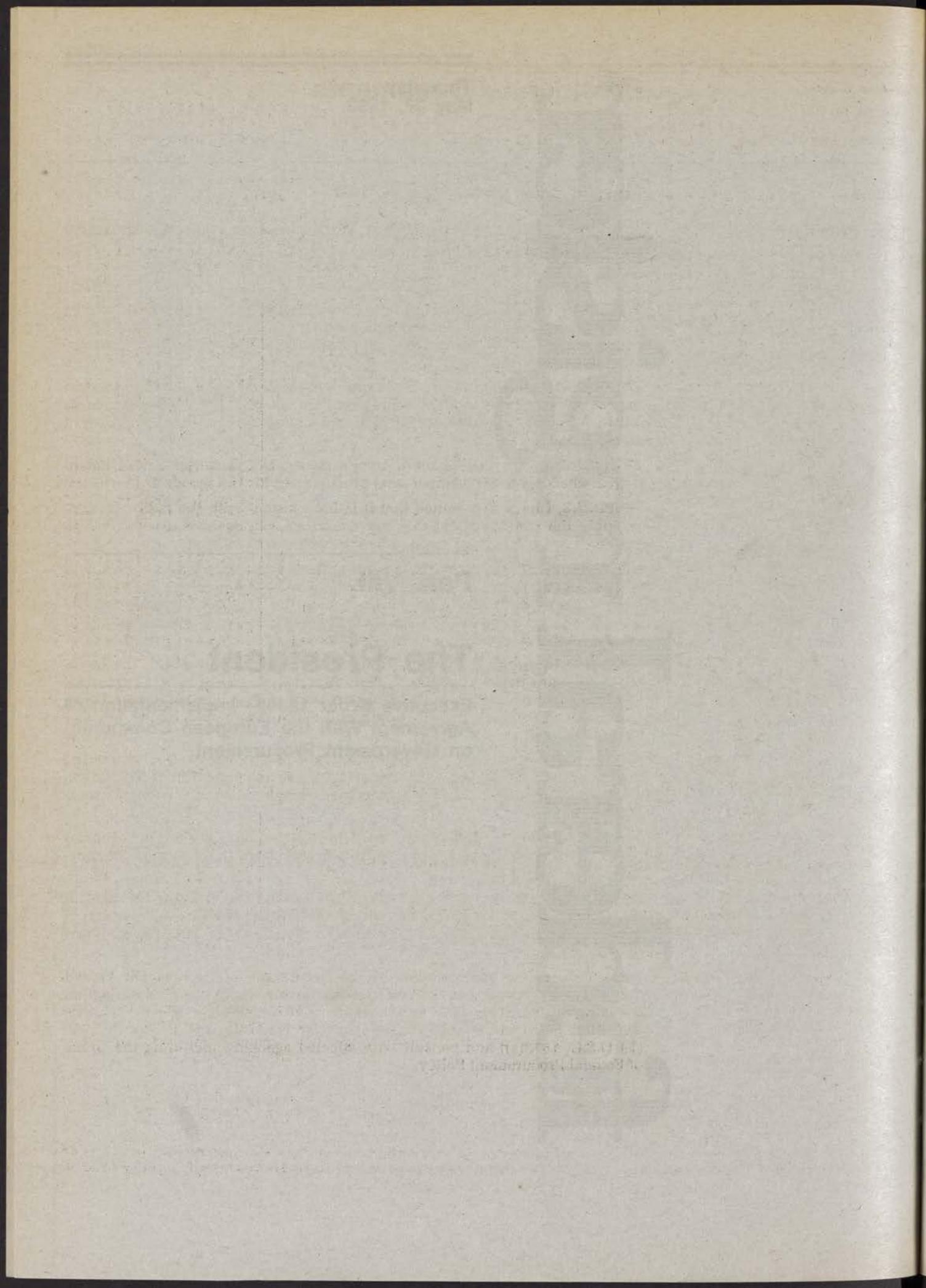
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**Part VIII**

**The President**

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**Executive Order 12849—Implementation of  
Agreement With the European Community  
on Government Procurement**



# Presidential Documents

Title 3—

The President

Executive Order 12849 of May 25, 1993

## Implementation of Agreement With the European Community on Government Procurement

WHEREAS, the United States and the European Community (EC) have entered into a Memorandum of Understanding on Government Procurement (Agreement) that provides appropriate reciprocal competitive government procurement opportunities;

WHEREAS, the commitments made in the Agreement are intended to become part of an expanded General Agreement on Tariffs and Trade Agreement on Government Procurement (GATT Code) and are an important step toward an expanded GATT Code;

WHEREAS, as a result of these commitments, U.S. businesses will obtain increased access to EC member state procurement for U.S. goods and services;

WHEREAS, I have determined that it is inconsistent with the public interest to apply the restrictions of the Buy American Act, as amended (41 U.S.C. 10a-10d), to procurement covered by the Agreement;

NOW, THEREFORE, by virtue of the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2511-2518), and in order to implement the Agreement, it is hereby ordered as follows:

**Section 1.** In applying the provisions of the Buy American Act, the heads of the agencies listed in Annex 1, Parts A and B, of this order are requested, as of the date of this order, to apply no price differential between articles, materials, or supplies of U.S. origin and those originating in the member states of the EC.

**Sec. 2.** For purposes of this order, the rule of origin specified in section 308 of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2518), shall apply in determining whether goods originate in the member states of the EC.

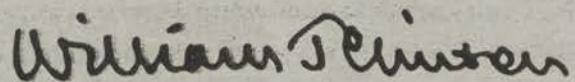
**Sec. 3.** This order shall apply only to solicitations, issued by agencies listed in Annex 1, Parts A and B, of this order, above the threshold amounts set forth in Annex 2.

**Sec. 4.** This order shall apply to solicitations outstanding on the date of this order, except for those for which the initial deadline for receipt of bids or proposals has passed, and to all solicitations issued after the date of this order.

**Sec. 5.** Except for procurements by the Department of Defense, the United States Trade Representative (USTR) shall be responsible for interpretation of the Agreement. The USTR shall seek the advice of the interagency organization established under section 242(a) of the Trade Expansion Act of 1962 (19 U.S.C. 1872(a)) and consult with affected agencies, including the Office of Federal Procurement Policy.

**Sec. 6.** This Executive order is effective immediately. Although regulatory implementation of this order must await revisions to the Federal Acquisition Regulation (FAR), it is expected that agencies listed in Annex 1, Parts A and B, of this order will take all appropriate actions in the interim to implement those aspects of the order that are not dependent upon regulatory revision.

**Sec. 7.** Pursuant to section 25 of the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 421(a)), the Federal Acquisition Regulatory Council shall ensure that the policies established herein are incorporated in the FAR within 30 days from the date this order is issued.



THE WHITE HOUSE,  
May 25, 1993.

Billing code 3195-01-P

**Annex 1A**

Department of Agriculture

Department of Commerce

Department of Defense

Department of Education

Department of Energy

(Not including national security procurement made in support of safeguarding nuclear materials or technology and entered into under the authority of the Atomic Energy Act; and oil purchases related to the Strategic Petroleum Reserve)

Department of Health and Human Services

Department of Housing and Urban Development

Department of the Interior

Department of Justice

Department of Labor

Department of State

Department of Transportation

(The national security consideration currently applicable to the Department of Defense under the GATT Government Procurement Code is equally applicable under this Agreement to the Coast Guard)

Department of the Treasury

United States Agency for International Development

General Services Administration (other than Federal Supply Groups 51 and 52 and Federal Supply Class 7340)

National Aeronautics and Space Administration

Department of Veterans Affairs

Environmental Protection Agency

United States Information Agency

National Science Foundation

Panama Canal Commission

Executive Office of the President

Farm Credit Administration

National Credit Union Administration

Merit Systems Protection Board

ACTION Agency

United States Arms Control and Disarmament Agency

Office of Thrift Supervision

Federal Housing Finance Board

National Labor Relations Board

National Mediation Board

Railroad Retirement Board

American Battle Monuments Commission

Federal Communications Commission  
Federal Trade Commission  
Interstate Commerce Commission  
Securities and Exchange Commission  
Office of Personnel Management  
United States International Trade Commission  
Export-Import Bank of the United States  
Federal Mediation and Conciliation Service  
Selective Service System  
Smithsonian Institution  
Federal Deposit Insurance Corporation  
Consumer Product Safety Commission  
Equal Employment Opportunity Commission  
Federal Maritime Commission  
National Transportation Safety Board  
Nuclear Regulatory Commission  
Overseas Private Investment Corporation  
Administrative Conference of the United States  
Board for International Broadcasting  
Commission on Civil Rights  
Commodity Futures Trading Commission  
The Peace Corps  
National Archives and Records Administration

#### **Annex 1B**

**The Power Marketing Administrations of the Department of Energy**  
**Tennessee Valley Authority**

#### **Annex 2**

##### **Thresholds Applicable to Agencies listed in Annex 1A**

Goods contracts—130,000 SDRs (currently \$176,000)

Construction contracts—\$6,500,000

##### **Thresholds Applicable to Agencies listed in Annex 1B**

Goods contracts—\$450,000

Construction contracts—\$6,500,000