

Dated: October 18, 1995.

Gloria Parker,

*Director, Information Resources Group.*

Office of Elementary and Secondary Education

*Type of Review:* Revision

*Title:* Migrant Education Program State Performance Report

*Frequency:* One Time

*Affected Public:* State, Local, or Tribal Governments

*Reporting Burden:*

Responses: 51

Burden Hours: 4080

*Recordkeeping Burden:*

Recordkeepers: 0

Burden Hours: 0

*Abstract:* Information will be used to develop estimates for funding purposes of the number of migratory children resident in each State, and to assess and report on the effectiveness of the Migrant Education Program on an ongoing basis.

[FR Doc. 95-26227 Filed 10-23-95; 8:45 am]

BILLING CODE 4000-01-M

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed information collection requests.

**SUMMARY:** The Director, Information Resources Group, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before December 26, 1995.

**ADDRESSES:** Written comments and requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue SW., Room 5624, Regional Office Building 3, Washington, DC 20202-4651, or should be electronically mailed to the internet address #FIRB@ed.gov, or should be faxed to 202-708-9346.

**FOR FURTHER INFORMATION CONTACT:**

Patrick J. Sherrill (202) 708-8196.

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:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Department of Education (ED) provide interested Federal agencies and

the public an early opportunity to comment on information collection requests. The Office of Management and Budget (OMB) may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Group, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. ED invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department, (2) will this information be processed and used in a timely manner, (3) is the estimate of burden accurate, (4) how might the Department enhance the quality, utility, and clarity of the information to be collected, and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: October 19, 1995.

Gloria Parker,

*Director, Information Resources Group.*

Office of Postsecondary Education

*Type of Review:* Revision

*Title:* Federal Direct Consolidation Loan Program Application Documents

*Frequency:* On-Occasion

*Affected Public:* Individuals or households; business or other for-profit

*Annual Reporting and Recordkeeping Burden Hours:*

Responses: 3,428,000

Burden Hours: 1,464,200

*Abstract:* These forms are the means by which a borrower applies for/ promises to repay a Federal Direct

Loan and a lender verifies an eligible loan to be considered.

[FR Doc. 95-26282 Filed 10-23-95; 8:45 am]

BILLING CODE 4000-01-M

### DEPARTMENT OF ENERGY

#### Office of Dispute Resolution; Alternative Dispute Resolution

**AGENCY:** Department of Energy.

**ACTION:** Notice of interim policy statement.

**SUMMARY:** The Department of Energy today publishes an interim Statement of Policy on Alternative Dispute Resolution to further its commitment to the use of alternative dispute resolution for resolving disputes in a fair, timely, and cost efficient manner, and to comply with the Administrative Dispute Resolution Act, 5 U.S.C. § 571 *et seq.* The Department seeks comments from the public, including those persons whose activities the Department regulates, on any aspect of this interim policy and its implementation. At the end of the 30-day comment period, the Department will consider issues raised by interested persons and may modify the interim Statement of Policy.

**DATES:** Comments on this Statement of Policy should be received on or before November 24, 1995.

**ADDRESSES:** Comments may be submitted to Phyllis Hanfling, Director, Office of Dispute Resolution (GC-12), U.S. Department of Energy, Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** Phyllis Hanfling, Director, Office of Dispute Resolution, U.S. Department of Energy, Washington, DC 20585, (202) 586-6972.

**SUPPLEMENTARY INFORMATION:** The Administrative Dispute Resolution Act (ADRA), 5 U.S.C. § 571 *et seq.*, enacted November 15, 1990, authorizes and encourages federal agencies to employ consensual methods of dispute resolution as alternatives to litigation. Under the ADRA, a federal agency is required to: (1) Designate a senior official as a dispute resolution specialist; (2) establish training programs in the use of dispute resolution methods; (3) adopt a policy on the use of ADR techniques; and (4) review the standard language in agency contracts, grants or other agreements, to determine whether to include a provision on ADR.

Congress enacted the ADRA to reduce the time, cost, inefficiencies and contentiousness that too often are associated with litigation and other

adversarial dispute resolution mechanisms. Experience at other federal agencies shows that ADR can help achieve mutually acceptable solutions to disputes more effectively than litigation or administrative adjudication. In recognition of these virtues, Vice President Gore recommended in September 1993 that federal agencies "increase the use of alternative means of dispute resolution." Report of the National Performance Review, Recommendation REG06 (Sept. 7, 1993).

Therefore, the Department of Energy has adopted the following interim Statement of Policy:

#### Statement of Policy on Alternative Dispute Resolution

##### A. Introduction

This statement of Policy addresses the use of alternative dispute resolution (ADR) by the Department of Energy as required by the Administrative Dispute Resolution Act (ADRA), 5 U.S.C. § 571 *et seq.*

The ADRA authorizes and encourages agencies to use mediation and other consensual methods of dispute resolution as alternatives to traditional dispute resolution processes. The ADRA requires agencies to designate a Dispute Resolution Specialist, establish a policy addressing the use of ADR, review contracts and grants for appropriate inclusion of ADR clauses and provide for regular training on ADR.

The initiatives required under the ADRA are supplemented by the Negotiated Rulemaking Act, 5 U.S.C. § 561 *et seq.*, which establishes a framework for use of negotiated rulemaking ("reg neg") to increase acceptability and improve the substance of rules.

##### B. Policy

The Department of Energy is committed to the use of ADR as a management tool to prevent or minimize the escalation of disputes, and to resolve disputes at the earliest stage possible in an expeditious, cost effective and mutually acceptable manner. In furtherance of this commitment to the use of ADR, and in compliance with the ADRA, the DOE has designated a Dispute Resolution Specialist and created an Office of Dispute Resolution, with responsibility to encourage and coordinate the ADR efforts of the Department, formulate Department-wide ADR policies, disseminate information about the Department's ADR activities, including pilot programs, and provide assistance, consultation and training within the Department on ADR matters. The Department supports the flexible

use of all ADR processes, including mediation, neutral evaluation, reg-neg, partnering, mini-trials and arbitration, where appropriate.

##### C. Strategic Focus

The Department will strive to maximize use of appropriate ADR techniques in three main areas.

##### 1. Dispute Prevention

The Department believes that ADR techniques can be used as a management tool to prevent conflict from escalating into more serious disputes. For example, faced with significant changes due to realignment of its workforce, this is an important time to provide training of employees and managers in conflict resolution techniques. Mediation and other forms of ADR may be applied to workplace related issues to promote a humane and productive workplace and a reduction in grievances, EEO and whistleblower complaints.

To prevent disputes in the contracting area, the Department may consider "partnering" large contracts when appropriate. This technique, used successfully by several other Federal agencies and by private sector companies, fosters cooperative efforts to carry out the objectives of the contract and helps to manage conflict by identifying potential disputes and planning in advance for their resolution.

Finally, "facilitated negotiations"—mediations with large groups of disparate interests striving to reach a consensual decision on a policy issue—will be encouraged. This may include negotiated rulemakings where appropriate.

##### 2. Early Intervention

Where disputes cannot be avoided, early use of ADR, especially mediation, can nonetheless promote their prompt and efficient resolution and avoid the need for a more formal disposition.

##### 3. Litigation

(a) The ADRA amended Chapter 5 of Title 5, United States Code, to encourage Federal agencies to use ADR to resolve disputes involving their administrative programs when all participants voluntarily agree. DOE will pursue the appropriate use of ADR in administrative litigation, and will consider the use of ADR in such cases when requested by a party to the litigation or by the administrative body hearing the case.

(b) In addition, the Department will provide assistance to the Department of Justice, as requested, in support of DOJ Order 1160.1, "Promoting the Broader

Appropriate Use of Alternative Dispute Resolution Techniques".

(c) Finally, the Department will encourage and assist its management and operating contractors and their counsel in applying ADR techniques in litigation brought against them.

##### D. Role of the Dispute Resolution Specialist

The Dispute Resolution Specialist, who also acts as the Director of the Office of Dispute Resolution, serves as a resource to all DOE components and contractors. The Dispute Resolution Specialist shall:

1. Identify categories of disputes and potential disputes that are suitable for ADR;

2. Develop ADR procedures and establish pilot projects for use by the Department in resolving appropriate disputes;

3. Identify categories of agreements, contracts and memoranda of understanding which may be suitable for inclusion of standard ADR clauses;

4. Develop education/training programs for DOE personnel in ADR techniques and applications, including conflict management and resolution skills. This shall include:

(a) Introductory ADR training to assure that executives, managers and supervisors understand what ADR is, its potential benefits and where to go for assistance;

(b) ADR training for personnel having an identified role in dispute management (e.g., labor/management relations, contract disputes, litigation, administrative adjudication);

(c) Skill training for an internal group of mediators.

5. Institute procedures to support more systematic use of ADR within DOE.

6. Disseminate information on ADR techniques and their applicability within DOE.

7. Ensure that procedures are in place for evaluation of ADR results, including numbers of resolutions, satisfaction of the participants and estimated cost savings.

##### E. Reporting and Consultation

The Dispute Resolution Specialist may be consulted to assist in determining whether and when ADR should be used, selecting the appropriate ADR process, choosing a neutral and preparing for the ADR process. Departmental components that employ ADR processes shall report annually to the Dispute Resolution Specialist concerning their use of ADR, including the final outcome of all ADR activities, so that she/he can maintain relevant statistics.

**F. Periodic Evaluation**

DOE believes that its ADR policy should continue to evolve. To that end, it has determined to periodically evaluate the ADR program and the steps taken toward its effective implementation. The Dispute Resolution Specialist will report annually to the General Counsel and the Secretary on the Department's progress in implementing this policy and will recommend any necessary revisions.

In addition, pursuant to Section 3(a) of the ADRA, the Dispute Resolution Specialist will consult with the Administrative Conference of the United States and the Federal Mediation and Conciliation Service concerning steps to develop and strengthen the Department's ADR capabilities.

DOE welcomes and encourages input on the use of ADR from both within and outside the Department.

Issued in Washington, DC on September 18, 1995.

Robert R. Nordhaus,  
*General Counsel.*

[FR Doc. 95-26343 Filed 10-23-95; 8:45 am]

BILLING CODE 6450-01-P

**DOE Implementation Plan for Recommendation 95-1 of the Defense Nuclear Facilities Safety Board, Improved Safety of Cylinders Containing Depleted Uranium**

**AGENCY:** Department of Energy.

**ACTION:** Notice.

**SUMMARY:** The Defense Nuclear Facilities Safety Board published Recommendation 95-1, concerning Improved Safety of Cylinders Containing Depleted Uranium in the Federal Register on May 15, 1995 (60 FR 25893). Section 315(e) of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2286d(e) requires the Department of Energy to transmit an implementation plan to the Defense Nuclear Facilities Safety Board after acceptance of the Recommendation by the Secretary. The Department's implementation plan was sent to the Safety Board on October 16, 1995, and is available for review in the Department of Energy Public Reading Rooms.

**DATES:** Comments, data, views, or arguments concerning the Implementation Plan are due on or before November 24, 1995.

**ADDRESSES:** Send comments, data, views, or arguments concerning the implementation plan to: Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ray Hunter, Deputy Director of the Office of Nuclear Energy, Science and Technology, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585.

Issued in Washington, DC, on October 16, 1995.

Mark B. Whitaker,

*Departmental Representative to the Defense Nuclear Facilities Safety Board.*

The Secretary of Energy

Washington, DC 20585.

October 16, 1995.

The Honorable John T. Conway,  
*Chairman, Defense Nuclear Facilities Safety Board, Suite 700, 625 Indiana Avenue NW., Washington, DC 20004*

Dear Mr. Conway: This letter forwards the Department's implementation plan for addressing the issues raised in the Defense Nuclear Facilities Safety Board's Recommendation 95-1.

The implementation plan presents an aggressive program of corrective actions. The Department is proceeding on all activities identified in my June 29, 1995, acceptance letter. We expect that there will be further cylinder management program improvements as the commitments in the implementation plan are completed.

The implementation plan was prepared by Mr. Ray A. Hunter, Deputy Director of the Office of Nuclear Energy, Science and Technology, in coordination with other senior Department managers. This plan was developed in liaison with Defense Nuclear Facilities Safety Board staff. We appreciate your staff's dedication and support of the development of this plan.

Sincerely,

Hazel R. O'Leary.

Enclosure

[FR Doc. 95-26342 Filed 10-23-95; 8:45 am]

BILLING CODE 6450-01-P-M

**Office of Fossil Energy**

**[FE Docket No. 95-63-NG]**

**Williams Energy Services Co.; Order Granting Blanket Authorization To Import Natural Gas From Canada**

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of order.

**SUMMARY:** The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting Williams Energy Services Company (WESCO) authorization to import up to 200 Bcf of natural gas from Canada. The term of the authorization is for a period of two years, beginning on the date of first delivery.

WESCO's order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F-056,

Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 586-9478. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C., October 11, 1995.

Clifford P. Tomaszewski,

*Director, Office of Natural Gas, Office of Fuels Programs, Office of Fossil Energy.*

[FR Doc. 95-26337 Filed 10-23-95; 8:45 am]

BILLING CODE 6450-01-P

**Environmental Management Site Specific Advisory Board, Idaho National Engineering Laboratory**

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given of the following Advisory Committee meeting: Environmental Management Site Specific Advisory Board (EM SSAB), Idaho National Engineering Laboratory (INEL).

**DATES:** Tuesday, November 14, 1995 from 8:00 a.m. until 6:00 p.m. Mountain Standard Time (MST) and Wednesday, November 15, 1995 from 8:00 a.m. until 5:00 p.m. MST. There will be a public comment availability session Tuesday, November 14, 1995 from 5:00 to 6:00 p.m. MST.

The Board will also be participating in a tour of the INEL Site on Monday, November 13, 1995, from 7:30 a.m. to 5:00 p.m. MST.

**ADDRESSES:** Shilo Inn, 780 Lindsay Boulevard, Idaho Falls, Idaho 83402, (208) 523-1818.

**FOR FURTHER INFORMATION CONTACT:** Idaho National Engineering Laboratory Information 1-800-708-2680 or Marsha Hardy, Jason Associates Corporation Staff Support 1-208-522-1662.

**SUPPLEMENTARY INFORMATION:**

Purpose of the Board

The purpose of the Board is to make recommendations to DOE and its regulators in the areas of environmental restoration, waste management, and related activities.

**Meeting Purpose:** EM SSAB, INEL will be developing and issuing a recommendation on the *INEL Comprehensive Facility and Land Use Plan*, participating in discussions regarding the Pit 9 cleanup project as a follow-up to the last meeting, and developing issues regarding the EM