DATES: Commentors should submit their written comments by September 13, 1996.

FOR FURTHER INFORMATION CONTACT:

Karen W. Kershenstein, Director, Accreditation and State Liaison Division, U.S. Department of Education, 600 Independence Avenue, S.W., Room 3915 ROB–3, Washington, DC 20202–5244, telephone: (202) 708–7417. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service at 1–800–877–8339 between 8 a.m. and 7 p.m., Eastern time, Monday through Friday.

SUBMISSION OF THIRD-PARTY COMMENTS: The Secretary of Education is required by law to publish a list of accrediting agencies that he determines to be reliable authorities regarding the quality of education or training offered by institutions or programs they accredit. The National Advisory Committee on Institutional Quality and Integrity (the ''Advisory Committee'') advises the Secretary on specific accrediting agencies that seek to be recognized by the Secretary or to be granted an expansion of scope.

The agency listed in this notice is seeking renewal of recognition and an expansion of scope, which was inadvertently omitted from the Federal Reigster notice dated Tuesday, July 9, 1996. The Advisory Committee will consider this petition for renewal and expansion of scope, along with the petitions listed in the July Notice, at its November 18–20, 1996 meeting.

The purpose of this notice is to invite interested third parties to present written comments on the agency that will be reviewed by the Advisory Committee. In order for Department staff to give full consideration to the comments received, the comments must arrive at the address listed above not later than September 13, 1996. All written comments received by the Department in response to this notice will be reviewed by Department staff as part of its evaluation of the agency's compliance with the criteria for recognition.

A subsequent Federal Register notice will announce the meeting and invite individuals and/or groups to submit requests for oral presentation before the Advisory Committee on the AMDA and other agencies being reviewed at the meeting. That notice, however, does not constitute another call for written comment. This notice is the only call for written comment.

Request for Renewal of Recognition and Expansion of Scope

The agency listed below is seeking renewal of recognition and expansion of scope:

1. The American Dietetic Association (requested scope of recognition: the accreditation of coordinated undergraduate programs in Dietetics and postbaccalaureate Dietetic Internships). The agency is seeking an expansion of scope for (1) Coordinated Programs at the graduate level; (2) Dietetic Technician Programs (associated degree level); and (3) preaccreditation status for all programs.

Public Inspection of Petitions and Third-Party Comments

All third-party comments received in response to this call for comment, as well as the agency's original petition and supporting documentation, and the Department staff analysis of that petition will be available for public inspection and copying at the U.S. Department of Education, ROB–3, Room 3915, 7th and D Streets, S.W., Washington, DC 20202–5244, telephone (202) 708–7417 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. It is preferred that an appointment be made in advance of such inspection and copying.

Dated: August 26, 1996.

David A. Longanecker,

Assistant Secretary for Postsecondary Education.

[FR Doc. 96–22220 Filed 8–29–96; 8:45 am]

BILLING CODE 4000–01–M

Arbitration Panel Decision Under the Randolph-Sheppard Act

AGENCY: Department of Education.

ACTION: Notice of Arbitration Panel Decision Under the Randolph-Sheppard Act.

SUMMARY: Notice is hereby given that on January 22, 1996, an arbitration panel rendered a decision in the matter of *Johnny Wilson* v. *Georgia Department of Human Resources, (Docket No. R–S/92–4).* This panel was convened by the U.S. Department of Education pursuant to 20 U.S.C. 107d–2, upon receipt of a complaint filed by Johnny Wilson.

FOR FURTHER INFORMATION CONTACT: A copy of the full text of the arbitration panel decision may be obtained from George F. Arsnow, U.S. Department of Education, 600 Independence Avenue, S.W., Room 3230, Mary E. Switzer Building, Washington, D.C. 20202–2738. Telephone: (202) 205–9317. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205–8298.

SUPPLEMENTARY INFORMATION: Pursuant to the Randolph-Sheppard Act (20 U.S.C. 107d–2(c)), the Secretary publishes a synopsis of arbitration panel decisions affecting the administration of vending facilities on Federal and other property.

Background

In October 1990 the Georgia Department of Human Resources, the State licensing agency (SLA), announced a vacancy at a new facility, No. 1–350. This was a vending machine facility at the United States Postal Service Mail Processing Center in Duluth, Georgia. The announcement for this facility indicated that a manager and an assistant manager would be needed at this location.

Mr. Johnny Wilson was the successful applicant for this position and several weeks later another vendor was selected as the assistant manager. The complainant employed his spouse at the facility. The assistant manager at various times also employed his spouse and occasionally members of his family. The relationship between the two vendors became increasingly strained. The SLA initiated action to discharge the spouse of each vendor.

The complainant filed a complaint with the SLA under the State fair hearing procedures. Mr. Wilson's complaint included two additional grievances. The first concerned the equipment required for the start-up of his facility. The equipment to begin operation of complainant's facility had been purchased by Georgia Co-op for the Blind and leased to the SLA under a lease-purchase agreement that required monthly payments. The SLA passed these payments on to Mr. Wilson and the assistant manager at facility No. 1–350. This charge was in addition to the 12 per cent set-aside fee on net proceeds. Secondly, Mr. Wilson grieved the decision of the SLA to place an additional blind vendor at a cafeteria facility at the Mail Processing Center.

A fair hearing was conducted by the SLA on February 21, 1992, regarding the three issues: (1) Dismissal of Mr. Wilson's spouse. (2) The assignment of the equipment lease payment in addition to the set-aside fee to complainant's facility. (3) The SLA's proposal to establish the cafeteria as a separate facility at the Mail Processing Center.

On March 16, 1992, the Administrative Law Judge (ALJ) ruled in Mr. Wilson's favor on the following issues. The ALJ ruled that the SLA had exceeded its authority in terminating

the employment of the vendor's spouse. The ALJ ruled that the monthly lease-purchase payments assigned to facility No. 1–350 were in direct violation of the Act, Federal regulations, and the SLA's own policy manual, all of which require the SLA to provide equipment to blind vendors. The ALJ, therefore, directed that the SLA reimburse Mr. Wilson for all equipment charges improperly assessed. The ALJ also ruled that the SLA's proposal to establish a cafeteria facility at the same location as Mr. Wilson's was within the discretion of the SLA.

On April 1, 1992, Mr. Wilson appealed three portions of the ALJ's decision to the Secretary of the U.S. Department of Education. The issues appealed were: (1) The ruling on the proposed new cafeteria facility. (2) The failure of the ALJ to award interest on the reimbursement payments by the SLA to Mr. Wilson for the lease-purchase of equipment. (3) The failure of the ALJ to award attorney's fees.

These issues were pending before a Federal arbitration panel when the SLA imposed a three-day suspension without pay on complainant as the result of alleged actions taken by Mr. Wilson that impaired the assistant manager's ability to perform his duties at facility No. 1–350. Mr. Wilson appealed the SLA's action in a State fair hearing proceeding before an ALJ. The ALJ denied Mr. Wilson's claim, and, subsequently, the complainant filed a grievance with respect to this matter with the Secretary of the U.S. Department of Education. The Secretary consolidated this grievance along with the earlier complaint.

An arbitration hearing was held on this matter on June 29 and 30, 1994. The issues before the panel were: (1) What remedy, if any, is appropriate for the three-day suspension? (2) Did the State agency improperly award the cafeteria contract to the detriment of Mr. Wilson, and, if so, what is the appropriate remedy? (3) Can the arbitration panel award attorney's fees to Mr. Wilson, and, if so, is such an award justified? Prior to the hearing, the parties resolved the issue concerning interest on the leased equipment payments that Mr. Wilson made to the SLA.

Arbitration Panel Decision

The arbitration panel ruled that the SLA did not or would not violate the Randolph-Sheppard Act or any regulations promulgated under the Act by assigning the license to operate the cafeteria facility to a vendor other than Mr. Wilson. The panel's majority concluded, with one dissent, that the conflict between the agency's duty to protect and maximize the earnings of existing vendors and its duty to maximize the number of vendors operating viable facilities is a matter committed to the SLA's discretion. Among other considerations, even if Mr. Wilson's vending facility revenues were to be reduced as he projected, his facility would remain one of the most highly remunerative in the entire State.

The panel also ruled that the complainant failed to show that the refusal to award attorney's fees in the State fair hearing violated any State or Federal statute or regulations.

Finally, the panel ruled that the appropriate remedy for the concededly improper suspension of the complainant was the sum withheld for his three-day suspension plus interest at the Federal funds rate together with costs, including reasonable attorney's fees, incurred by Mr. Wilson in contesting the matter in the State fair hearing proceedings and in the arbitration proceedings. The panel majority concluded, with one dissent, that an award of attorney's fees was appropriate and not barred by the Eleventh Amendment to the United States Constitution.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the U.S. Department of Education.

Dated: August 27, 1996.

Judith E. Heumann,

Assistant Secretary Special Education and Rehabilitative Services.

[FR Doc. 96–22217 Filed 8–27–96; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Office of Arms Control and Nonproliferation Policy; Proposed Subsequent Arrangement

AGENCY: Department of Energy.

ACTION: Subsequent arrangement.

SUMMARY: Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed ''subsequent arrangement'' to be carried out in Canada under the Agreement for Cooperation Concerning Civil Uses of Atomic Energy between the Government of the United States of America and the Government of Canada, signed June 15, 1955, as amended.

The subsequent arrangement to be carried out under the above-mentioned agreement involves approval of the alteration in form or content of irradiated fuel rods from the H.B. Robinson Nuclear Power Station to produce elements for irradiation in a research reactor, using a dry proliferation-resistant fabrication process in accordance with the plan contained in the document AECL/KAERI/US DOS Joint Development Program for the Direct Use of Spent PWR Fuel in CANDU (DUPIC), dated November 1995.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Dated: August 26, 1996.

For the Department of Energy.

Edward T. Fei,

Deputy Director, International Policy and Analysis Division, Office of Arms Control and Nonproliferation.

[FR Doc. 96–22188 Filed 8–29–96; 8:45 am]

BILLING CODE 6450–01–P

Office of Arms Control and Nonproliferation Policy; Proposed Subsequent Arrangement

AGENCY: Department of Energy.

ACTION: Subsequent arrangement.

SUMMARY: Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed ''subsequent arrangement'' under the Agreement for Cooperation for Civil Uses of Atomic Power between the United States and the Republic of Argentina, and the Agreement for Cooperation for Civil Uses of Atomic Power between the United States and Brazil.

The subsequent arrangement to be carried out under the above-mentioned agreements involves the conclusion of protocols concerning the suspension of the application of safeguards by the International Atomic Energy Agency (IAEA) under the Safeguards Transfer Agreement between the Republic of Argentina, the United States of America and the IAEA, signed June 13, 1969; and the Safeguards Transfer Agreement between the Federative Republic of Brazil, the United States of America and the IAEA, signed March 10, 1967, and amended July 27, 1972. These agreements will be replaced by a Quadripartite Agreement between Argentina, Brazil, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials, the IAEA, and by the Safeguards Agreement referred to as the Voluntary Offer Agreement between the United States