

use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Employment Standards Administration (ESA).

*Title:* Economic Survey Schedule.

*Type of Review:* Extension.

*OMB Number:* 1215-0028.

*Frequency:* Biennially.

*Affected Public:* Business or other for-profit; State, Local, or Tribal Government.

*Number of Respondents:* 50.

*Number of Annual Responses:* 50.

*Estimated Time Per Response:* 45 minutes.

*Total Burden Hours:* 38.

*Total Annualized capital/startup costs:* \$0.

*Total annual costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* Form WH-1 is used by the Department of Labor to collect data and prepare an economic report for the industry committee which sets industry wage rates in American Samoa.

**Ira L. Mills,**

*Departmental Clearance Officer.*

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**BILLING CODE 4510-27-M**

## DEPARTMENT OF LABOR

### Occupation Safety and Health Administration

#### Occupational Safety and Health of Contractor Employees at Energy Department Site; Jurisdiction and Enforcement Responsibilities; Clarification

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** This notice is to advise the public of a recent clarification of the jurisdiction and enforcement responsibilities of the Occupational Safety and Health Administration (OSHA) at various Department of Energy (DOE) sites which are not subject to the Atomic Energy Act (AEA).

**EFFECTIVE DATE:** This clarification becomes effective on July 5, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Mike Turner, Office of Technical Programs and Coordination Activities, Directorate of Technical Support, U.S. Department of Labor, Occupational Safety and Health Administration, Room N-3653, 200 Constitution Avenue, NW, Washington, DC 20210. Telephone (202) 693-2110.

**SUPPLEMENTARY INFORMATION:** The U.S. Department of Labor (DOL) and the U.S. Department of Energy (DOE) have sought to clarify the regulatory authority over the occupational safety and health of contractor employees at a number of DOE government-owned or leased facilities that are not subject to the Atomic Energy Act (AEA) which provides statutory authority for DOE to regulate occupational safety and health matters relating to private sector employees at facilities subject to the AEA.

Section 4(b)(1) of the Occupational Safety and Health Act of 1970, 29 U.S.C., Sec. 653(b)(1), precludes OSHA coverage of working conditions over which other Federal agencies have exercised statutory authority to prescribe or enforce standards for occupational safety or health. A 1992 interagency Memorandum of Understanding acknowledges DOE's extensive regulation of contractor health and safety through safety orders which require contractor compliance with all OSHA standards as well as additional requirements prescribed by DOE. The agreement concludes with provisions stating that the Occupational Safety and Health Act shall not apply to Government Owned-Contractor Operated (GOCO) sites or other facilities for which DOE, pursuant to the AEA, has exercised its authority to regulate occupational safety and health.

By letter of June 18, 1999, DOE, through David Michaels, Assistant Secretary Environment, Safety and Health, provided OSHA with a list of DOE sites that were not covered by the AEA and requested OSHA's concurrence with DOE's views that the sites in question were subject to OSHA's jurisdiction. The letter states, in pertinent part:

Enclosed is the complete list of DOE facilities and activities that do not involve activities authorized under the AEA, and are therefore under OSHA jurisdiction. Our staffs have concluded that a simple letter of affirmation and acknowledgment of receipt of this list will suffice to fully clarify that OSHA and the State Plan states, as appropriate, do have a valid jurisdiction over these facilities.

OSHA responded by letter of July 13, 1999, from Charles N. Jeffress, Assistant Secretary for Occupational Safety and Health, agreeing with DOE that OSHA has jurisdiction over the working conditions of private sector employers and employees at the noted facilities. Subsequently, on March 21, 2000, DOE provided OSHA with a validated list of "... DOE facilities and activities currently having contractors on site for which DOE has not claimed 4(b)(1)

exemption status and are under OSHA jurisdiction." (See Exhibit 1.)

The OSHA acknowledgment letter states, in pertinent part:

OSHA accepts your conclusion that DOE is not exercising AEA authority at these sites and accordingly we generally concur that OSHA has jurisdiction over the working conditions of private sector employers and employees at these facilities. (OSHA would not, of course, have authority for working conditions addressed by other, non-DOE occupational safety or health requirements.) The extent to which OSHA's authority at non-AEA facilities may be preempted by rules of other agencies would have to be determined on a case-by-case basis, in consultation with the concerned agency, applying the principles of 4(b)(1) law. Although not explicitly stated in your letter, it is also our understanding in making this determination that DOE is not exercising safety and health enforcement authority at these sites under any other statute in a manner that would preempt OSHA's jurisdiction under section 4(b)(1) . . . (As noted in your letter, OSHA has jurisdiction for federal employees at these sites, in accordance with Executive Order 12296 and 29 CFR 1960.)

Accordingly, OSHA is giving public notice that private sector employers and employees at the DOE facilities listed in Exhibit 1 are subject to all standards, rules and requirements issued under the Occupational Safety and Health Act.

A number of the non-AEA sites listed in Exhibit 1 are located in States which operate OSHA-approved State Plans. Until a final determination is made, such sites will be deemed "issues not covered by the State plan" and thus subject to Federal enforcement jurisdiction. OSHA will work with its State partners in determining whether State plans or Federal jurisdiction is appropriate for individual facilities and will provide further formal notification, as appropriate. In the interim, Federal OSHA will exercise enforcement jurisdiction over those sites listed in Exhibit 1, which are located in State Plan States, until it is determined whether the State is able to exercise jurisdiction.

Signed at Washington, DC this 23rd day of June, 2000.

**Charles N. Jeffress,**

*Assistant Secretary.*

#### Exhibit 1

*Department of Energy (DOE) Non-Atomic Energy Act (AEA) Sites and Facilities*

Western Area Power Administration  
Headquarters, P.O. Box 3402, Golden, CO 80401-0098, Covers all or part of the following States: AZ, CA, CO, IA, KS, MN, MT, NE, ND, NM, NV, SD, TX, UT, WY  
Southwestern Power Administration,  
Headquarters, P.O. Box 1619, Tulsa, OK

74101, Covers all or part of the following States: AR, KS, LA, MO, OK, TX  
 Southeastern Power Administration, Headquarters, 2 South Public Square, Elberton, GA 30635, Covers all or part of the following States: AL, FL, GA, IL, KY, MS, NC, SC, VA, WV  
 Bonneville Power Administration, 905 NE 11th Ave., P.O. Box 3621, Portland, OR 97208-3621, Covers all or part of the following States: CA, ID, MT, NV, OR, UT, WA, WY  
 National Energy Technology Laboratory (NETL), 3610 Collins Ferry Road, P.O. Box 880, Morgantown, WV 26507-0880  
 National Energy Technology Laboratory (NETL), 626 Cochran Mill Road, Pittsburgh, PA 15236-0940  
 Strategic Petroleum Reserves (SPR), Project Office, 900 Commerce Road East, New Orleans, LA 70123  
 National Petroleum Technology Office, Williams Center Tower 1, 1 West Third St., Suite 1400, Tulsa, OK 74103  
 Albany Research Center, 1450 Queen Ave., SW, Albany, OR 97321-2198  
 Naval Petroleum & Oil Shale Reserves in CO, UT, & WY., 907 N. Poplar St., Suite 150, Casper, WY 82601  
 Naval Petroleum Reserves in California, 28590 Highway 119, P.O. Box 11, Tupman, CA 93276

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## DEPARTMENT OF LABOR

### Office of the Assistant Secretary for Veterans' Employment and Training

#### Homeless Veterans' Reintegration Project Competitive Grants for Rural Areas

**AGENCY:** Office of the Assistant Secretary for Veterans' Employment and Training.

**ACTION:** Notice of availability of funds and solicitation for grant applications for Rural Homeless Veterans Reintegration Projects (SGA 00-02).

**SUMMARY:** This notice contains all of the necessary information and forms needed to apply for grant funding. All applicants for grant funds should read this notice in its entirety. The U.S. Department of Labor, Veterans' Employment and Training Service (VETS) announces a grant competition for Rural Homeless Veterans Reintegration Projects (HVRP) authorized under the Stewart B. McKinney Homeless Assistance Act. Such projects will assist eligible veterans who are homeless by providing employment, training, supportive and transitional housing assistance where possible. Under this solicitation, VETS expects to award up to eight grants in FY 2000.

This notice describes the background, the application process, description of program activities, evaluation criteria, and reporting requirements for Solicitation of Grant Applications (SGA) 00-02. VETS anticipates that up to \$1,000,000 will be available for grant awards under this SGA.

The information and forms contained in the Supplementary Information Section of this announcement constitute the official application package for this Solicitation. In order to receive any amendments to this Solicitation which may be subsequently issued, *all applicants must register their name and address with the Procurement Services Center*. Please send this information as soon as possible, Attention: Grant Officer, to the following address: U. S. Department of Labor, Procurement Services Center, Room N-5416, 200 Constitution Avenue, NW, Washington, DC 20210. Please reference SGA 00-02.

**DATES:** One (1) ink-signed original, complete grant application (plus three (3) copies of the Technical Proposal and three (3) copies of the Cost Proposal shall be submitted to the U.S.

Department of Labor, Procurement Services Center, Room N-5416, 200 Constitution Avenue, NW, Washington, DC 20210, not later than 4:45 p.m., Eastern Standard Time, August 4, 2000. Hand delivered applications must be received by the Procurement Services Center by that time.

**ADDRESSES:** Applications shall be mailed to the U.S. Department of Labor, Procurement Services Center, Attention: Jeanette Villa, Reference SGA 00-02, Room N-5416, 200 Constitution Avenue, NW, Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Jeanette Villa, U.S. Department of Labor, Procurement Services Center, telephone (202) 219-9355 [not a toll free number].

#### SUPPLEMENTARY INFORMATION:

##### Rural Homeless Veterans Reintegration Project Solicitation

###### I. Purpose

The U.S. Department of Labor (DOL), Veterans' Employment and Training Service (VETS) is requesting grant applications for the provision of employment and training services in accordance with the Stewart B. McKinney Homeless Assistance Act (MHAA), as reauthorized and codified at Title 38, Chapter 41, Section 4111 (formerly 42 U.S.C 11448). These instructions contain general program information, requirements and forms for application for funds to operate a Rural Homeless Veterans Reintegration Project (HVRP).

###### II. Background

The Stewart B. McKinney Homeless Assistance Act of 1987, enacted on July 22, 1987, under Title VII, Subtitle C, Section 738 provides that "The Secretary shall conduct, directly or through grant or contract, such programs as the Secretary determines appropriate to *expedite the reintegration of homeless veterans into the labor force.*" This program was reauthorized under Section 621 of the McKinney Homeless Assistance Amendments Act of 1990 (Public Law 101-645) for an additional three years, *i.e.*, through FY 1993. Under the Homeless Veterans Comprehensive Service Programs Act of 1992 (Public Law 102-590—enacted on November 10, 1992) the Homeless Veterans Reintegration Project was reauthorized through Fiscal Year 1995. However, the program was rescinded in FY 1995. Public Law 104-275, dated October 9, 1996, was amended to reauthorize the program through FY 1998. Public Laws 105-41 and 105-114, enacted in 1997, extend the program through FY 1999. Public Law 106-73 dated October 19, 1999, reauthorized and codified at Title 38, Chapter 41, Section 4111 extends the program through FY 2003.

The Homeless Veterans Reintegration Project was the first nationwide Federal program that focused on placing homeless veterans into jobs. In accordance with the MHAA, the Assistant Secretary for Veterans' Employment and Training (ASVET) is making approximately \$1,000,000 of the funds available to award grants for HVRPs in rural areas and all interested homeless service providers who were ineligible to apply for funding under the HVRP Solicitation for Grant Applications (SGA 00-01) that was limited to the largest 75 metropolitan areas in FY 2000.

Bonus points of 15 points will be applied to those proposals for applicants who meet the definition of a rural applicant as specified below in section III., *Application Process*. The bonus points are to encourage rural eligibles to apply, as homeless resources are extremely limited in these areas. Rural projects are expected to provide valuable information on approaches that work in a rural environment.

###### III. Application Process

###### A. Rural Areas

Under this announcement, applications will be accepted from eligible applicants, (as defined in Section B. Of this part), to serve homeless veterans.