

## V. Application Review Information

*Selection Criteria:* The selection criteria for this program are in 34 CFR 637.32.

## VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notice (GAN). We may also notify you informally.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118 and 34 CFR 75.720.

## VII. Agency Contact

*For Further Information Contact:* Dr. Bennie Samuels, Ms. Mary Payne, or Ms. Carolyn Proctor, Institutional Development and Undergraduate Education Services, U.S. Department of Education, 1990 K Street, NW., 6th floor, Washington, DC 20006-8517. Telephone: (202) 502-7777, or by e-mail: [OPE\\_MSEIP@ed.gov](mailto:OPE_MSEIP@ed.gov)

If you use a telecommunication device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (*e.g.*, Braille, large print, audiotape, or computer diskette) on request to the program contact persons listed in this section.

## VIII. Other Information

*Electronic Access to This Document:* You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the

following site: <http://www.ed.gov/news/fedregister/index.html>

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>

Dated: January 22, 2004.

**Sally L. Stroup,**

*Assistant Secretary, Office of Postsecondary Education.*

[FR Doc. 04-1727 Filed 1-26-04; 8:45 am]

**BILLING CODE 4000-01-P**

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## DEPARTMENT OF ENERGY

### Office of the Secretary

#### **Decision To Compete Management and Operating Contracts for Los Alamos National Laboratory, Ames National Laboratory, Lawrence Berkeley National Laboratory, Argonne National Laboratory, and Lawrence Livermore National Laboratory**

Section 301(a) of the Energy and Water Development Appropriations Act, 2004, Public Law 108-137, provides that none of the funds appropriated for fiscal year 2004 or any previous fiscal year may be used for a "noncompetitive management and operating contract" unless the Secretary of Energy, within 60 days of enactment of the Act, publishes in the **Federal Register** and submits to the Appropriation Committees of the House of Representatives and the Senate "a written notification, with respect to each such contract, of the Secretary's decision to use competitive procedures for the award of the contract, or to not renew the contract, once the term of the contract expires." Pursuant to section 301(a)(3), this requirement does not apply to "an extension for up to 2 years of a noncompetitive management and operating contract, if the extension is for purposes of allowing time to award competitively a new contract, to provide continuity of service between contracts, or to complete a contract that will not be renewed."

Paragraph (b)(1) of section 301 identifies the noncompetitive management and operating contracts subject to Secretarial review and decision as the contracts for the

management and operation of Ames Laboratory, Argonne National Laboratory, Lawrence Berkeley National Laboratory, Lawrence Livermore National Laboratory, and Los Alamos National Laboratory. For purposes of section 301, paragraph (b)(2) of section 301 provides that the term "competitive procedures" has "the meaning provided in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403) and includes the procedures described in section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) other than a procedure that solicits a proposal from only one source."

Public Law 108-137 was enacted on December 1, 2003. Well before that time, on April 30, 2003, I announced my decision to use competitive procedures to award the Los Alamos National Laboratory management and operating contract when its term expires. In addition, I hereby announce my decision to use competitive procedures described in section 301 to award the Ames Laboratory, Argonne National Laboratory, Lawrence Berkeley National Laboratory, and Lawrence Livermore National Laboratory management and operating contracts. Decisions concerning the precise timing and form that these competitions will take are still under consideration and will be made in accordance with applicable law and regulation.

Dated: January 21, 2004.

**Spencer Abraham,**

*Secretary of Energy.*

[FR Doc. 04-1655 Filed 1-26-04; 8:45 am]

**BILLING CODE 6450-01-P**

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## DEPARTMENT OF ENERGY

### **Privacy Act of 1974; Notice To Amend An Existing System of Records**

**AGENCY:** Department of Energy.

**ACTION:** Notice.

**SUMMARY:** As required by the Privacy Act of 1974, 5 U.S.C. 552a, and Office of Management and Budget (OMB) Circular A-130, the Department of Energy (DOE) is publishing a notice of a proposed amendment to an existing system of records. DOE proposes to amend the routine use provision for DOE-13 "Payroll and Leave Records." The proposed amendment will allow disclosure of information to the Defense Finance and Accounting Service (DFAS) for the purpose of providing payroll services for the DOE.

**DATES:** The proposed amendment to an existing system of records will become effective without further notice, on

March 12, 2004, unless in advance of that date, DOE receives adverse comments and determines that this amendment should not become effective on that date.

**ADDRESSES:** Written comments should be directed to the following address: U.S. Department of Energy, Abel Lopez, Director, Freedom of Information Act and Privacy Act Group, ME-74, 1000 Independence Avenue, S.W., Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** Abel Lopez, Director, Freedom of Information Act and Privacy Act Group, ME-74, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20585, 202-586-5955; Wendy L. Miller, Director, Capital Accounting Center, ME-14, 1000 Independence Avenue, S.W., Washington, DC 20585-1290, (301) 903-5858; and Isiah Smith, Office of the General Counsel, GC-77, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20585, (202) 586-8618.

**SUPPLEMENTARY INFORMATION:** DOE proposes to amend the routine use provision for an existing system of records, DOE-13 "Payroll and Leave Records." The new routine use is necessary because DOE has entered into a cross-servicing agreement with DFAS to provide payroll processing services to DOE. The proposed amendment will allow disclosure of information to DFAS for the purpose of processing DOE's payroll; the issuance of salary payments to employees and distribution of wages; and the distribution of allotments and deductions to financial and other institutions, many of which are through electronic funds transfer.

The proposed routine use is compatible with the purpose for which the information is being collected and maintained.

DOE is submitting the report required by OMB Circular A-130 concurrently with the publication of this notice. The text of this notice contains the information required by the Privacy Act, 5 U.S.C. 552a(e)(4).

Issued in Washington, DC on January 15, 2004.

**James T. Campbell,**

*Acting Director, Office of Management, Budget and Evaluation/Acting Chief Financial Officer.*

**DOE-13**

**SYSTEM NAME:**

Payroll and Leave Records.

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION(S):**

U.S. Department of Energy, Headquarters, 1000 Independence Avenue, SW., Washington, DC 20585

U.S. Department of Energy, National Nuclear Security Administration (NNSA) Service Center Albuquerque, P.O. Box 5400, Albuquerque, NM 87185-5400

U.S. Department of Energy, Atlanta Regional Support Office, 730 Peachtree, NE., Suite 876, Atlanta, GA 30308

U.S. Department of Energy, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208

U.S. Department of Energy, Boston Regional Support Office, One Congress Street, Room 1101, Boston, MA 02114-2021

U.S. Department of Energy, Carlsbad Field Office, P.O. Box 3090, Carlsbad, NM 88221

U.S. Department of Energy, Chicago Operations Office, 9800 South Cass Avenue, Argonne, IL 60439

U.S. Department of Energy, Golden Field Office, 1617 Cole Boulevard, Golden, CO 80401

U.S. Department of Energy, Idaho Operations Office, 850 Energy Drive, Idaho Falls, ID 83401

U.S. Department of Energy, National Energy Technology Laboratory (Morgantown), P.O. Box 880, Morgantown, WV 26507-0880

U.S. Department of Energy, National Energy Technology Laboratory (Pittsburgh), 626 Cochran Mill Road, Pittsburgh, PA 15236-0940

U.S. Department of Energy, National Petroleum Technology Office, William Center Tower One, 1 West Third Street, Suite 1400, Tulsa, OK 74103

U.S. Department of Energy, Naval Petroleum and Oil Shale Reserves, 907 N. Poplar, Suite 150, Casper, WY 82601

U.S. Department of Energy, Naval Petroleum Reserves in California, 1601 New Stine Road, Suite 240, Bakersfield, CA 93309

U.S. Department of Energy, NNSA Service Center Nevada, P.O. Box 98518, Las Vegas, NV 89193-8518

U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box 2001, Oak Ridge, TN 37831

U.S. Department of Energy, NNSA Service Center Oakland, 1301 Clay Street, Oakland, CA 94612-5208

U.S. Department of Energy, Office of Scientific & Technical Information, P.O. Box 62, Oak Ridge, TN 37831

U.S. Department of Energy, Ohio Field Office, P.O. Box 3020, Miamisburg, OH 45343

U.S. Department of Energy, Philadelphia Regional Support Office, 1880 John F. Kennedy Boulevard, Suite 501, Philadelphia, PA 19103-7483

U.S. Department of Energy, Pittsburgh Naval Reactors Office, P.O. Box 109, West Mifflin, PA 15122-0109

U.S. Department of Energy, Richland Operations Office, P.O. Box 550, Richland, WA 99352

U.S. Department of Energy, Rocky Flats Field Office, 10808 Highway 93, Unit A, Golden, CO 80403-8200

U.S. Department of Energy, Savannah River Operations Office, P.O. A, Aiken, SC 29801

U.S. Department of Energy, Seattle Regional Support Office, 800 Fifth Avenue, Suite 3950, Seattle, WA 98104

U.S. Department of Energy, Schenectady Naval Reactors Office, P.O. Box 1069, Schenectady, NY 12301

U.S. Department of Energy, Southeastern Power Administration, 1166 Athens Tech Road, Elberton, GA 30635-4578

U.S. Department of Energy, Southwestern Power Administration, Williams Tower One, One West Third Street, Tulsa, OK 74103

U.S. Department of Energy, Strategic Petroleum Reserve Project Office, 900 Commerce Road East, New Orleans, LA 70123

U.S. Department of Energy, Western Area Power Administration, P.O. Box 3402, Golden, CO 80401

U.S. Department of Energy, Office of Repository Development, P.O. Box 364629, North Las Vegas, NV 89036-8629

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Department of Energy (DOE), including National Nuclear Security Administration (NNSA) personnel and consultants.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Time and attendance records, earning records, payroll actions, deduction information requests, authorizations for overtime and night differential, and Office of Personnel Management (OPM) retirement records.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

42 U.S.C. 7101 *et seq.*; 50 U.S.C. 2401 *et seq.*; Privacy Act of 1974, Pub. L. 93-579 (5 U.S.C. 552a); General Accounting Office Policy and Procedures Manual; Personal Responsibility and Work Opportunity Reconciliation Act, Pub. L. 104-193.

**PURPOSE(S):**

The records are maintained and used by the DOE to document historical information on employee wages, deductions, retirement benefits, and leave.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

1. A record from this system may be disclosed as a routine use to the Department of Treasury to collect withheld taxes, process payroll payments, and issue savings bonds.

2. A record from this system may be disclosed as a routine use to the Internal Revenue Service to process Federal income tax payments and tax levies.

3. A record from this system may be disclosed as a routine use to state and local governments to process State and local income tax deductions and court ordered child support or alimony payments.

4. A record from this system may be disclosed as a routine use to OPM to establish and maintain retirement records and benefits.

5. A record from this system may be disclosed as a routine use to the Thrift Savings Board to update Section 401K type records and benefits.

6. A record from this system may be disclosed as a routine use to the Social Security Administration to establish Social Security records and benefits.

7. A record from this system may be disclosed as a routine use to the Department of Labor to process workmen's compensation claims.

8. A record from this system may be disclosed as a routine use to the Department of Defense to adjust military retirement.

9. A record from this system may be disclosed as a routine use to financial institutions to credit net deposits, savings allotments, and discretionary allotments.

10. A record from this system may be disclosed as a routine use to employee unions to credit accounts for employees with union dues deductions.

11. A record from this system may be disclosed as a routine use to health insurance carriers to process insurance claims.

12. A record from this system may be disclosed as a routine use to the General Accounting Office to verify accuracy and legality of disbursement.

13. A record from this system may be disclosed as a routine use to the Department of Veterans Affairs to evaluate veteran's benefits to which the individual may be entitled.

14. A record from this system may be disclosed as a routine use to States' departments of employment security to determine entitlement to unemployment compensation or other State benefits.

15. A record from the system may be disclosed as a routine use to the appropriate local, State or Federal agency when records alone or in

conjunction with other information, indicates a violation or potential violation of law whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program pursuant thereto.

16. A record from the system may be disclosed as a routine use to a Federal, State, or local agency to obtain information relevant to a Departmental decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit. The Department must deem such disclosure to be compatible with the purpose for which the Department collected the information.

17. A record from the system may be disclosed as a routine use to DOE contractors in performance of their contracts, and their officers and employees who have a need for the record in the performance of their duties. Those provided information under this routine use are subject to the same limitations applicable to DOE officers and employees under the Privacy Act.

18. A record from this system of records may be disclosed as a routine use to a member of Congress submitting a request involving the constituent when the constituent has requested assistance from the member concerning the subject matter of the record. The member of Congress must provide a copy of the constituent's request for assistance.

19. A record from this system may be disclosed as a routine use to the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services, Federal Parent Locator System (FPLS) and Federal Tax Offset System to locate individuals and identify their income sources to establish paternity, establish and modify orders of support, and for enforcement action.

20. A record from this system may be disclosed as a routine use to the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services, FPLS and Federal Tax Offset System, for release to the Social Security Administration to verify social security numbers in connection with the operation of the FPLS by the Office of Child Support Enforcement.

21. A record from this system may be disclosed as a routine use to the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services, FPLS and Federal Tax

Offset System, for release to the Department of Treasury to administer the Earned Income Tax Credit Program (Section 32, Internal Revenue Code of 1986) and verify a claim with respect to employment in a tax return.

22. A record from this system may be disclosed as a routine use to the Defense Finance and Accounting Service (DFAS) so that DFAS may perform payroll processing services for DOE. These services may include the issuance of salary payments to employees and distribution of wages; and the distribution of allotments and deductions to financial and other institutions, many of which are through electronic funds transfer.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**  
**STORAGE:**

Records may be stored as paper records and electronic media.

**RETRIEVABILITY:**

Records may be retrieved by name, social security number, and payroll number.

**SAFEGUARDS:**

Paper records are maintained in locked cabinets and desks. Electronic records are controlled through established DOE computer center procedures (personnel screening and physical security), and they are password protected. Access is limited to those whose official duties require access to the records.

**RETENTION AND DISPOSAL:**

Records retention and disposal authorities are contained in the National Archives and Records Administration (NARA) General Records Schedule and DOE record schedules that have been approved by NARA.

**SYSTEM MANAGER(S) AND ADDRESS:**

Headquarters: Director, Office of Management, Budget and Evaluation/ Chief Financial Officer, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

*Field Offices:* The Managers of the DOE offices "System Locations" listed above are the system managers for their respective portions of this system.

**NOTIFICATION PROCEDURES:**

In accordance with the DOE regulation implementing the Privacy Act, at Title 10, Code of Federal Regulations, part 1008, a request by an individual to determine if a system of records contains information about him/her should be directed to the Director, Headquarters Freedom of Information

Act and Privacy Act Group, U.S. Department of Energy, or the Privacy Act Officer at the appropriate address identified above under "System Locations." For records maintained by Laboratory or Site Office, the request should be directed to the Privacy Act Officer at the Operations Office that has jurisdiction over that office or facility. The request should include the requester's complete name, time period for which records are sought, and the office location(s) where the requester believes the records are located.

**RECORDS ACCESS PROCEDURES:**

Same as Notification Procedures above. Records are generally kept at locations where the work is performed. In accordance with the DOE Privacy Act regulation, proper identification is required before a request is processed.

**CONTESTING RECORD PROCEDURES:**

Same as Notification Procedures above.

**RECORD SOURCE CATEGORIES:**

The subject individual, supervisors, timekeepers, official personnel records, and the Internal Revenue Service.

**SYSTEM EXEMPT FROM CERTAIN PROVISIONS OF THE ACT:**

None.

[FR Doc. 04-1551 Filed 1-26-04; 8:45 am]

BILLING CODE 6450-01-P

**DEPARTMENT OF ENERGY**

**Office of Energy Efficiency and Renewable Energy**

**Energy Conservation Program for Consumer Products: Representative Average Unit Costs of Energy**

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice.

**SUMMARY:** In this notice, the Department of Energy (DOE or Department) is forecasting the representative average unit costs of five residential energy sources for the year 2004 pursuant to the Energy Policy and Conservation Act. The five sources are electricity, natural

gas, No. 2 heating oil, propane, and kerosene.

**EFFECTIVE DATE:** The representative average unit costs of energy contained in this notice will become effective February 26, 2004 and will remain in effect until further notice.

**FOR FURTHER INFORMATION CONTACT:** Samuel Johnson, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Forrestal Building, Mail Station EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-0854, [sam.johnson@ee.doe.gov](mailto:sam.johnson@ee.doe.gov).

Francine Pinto, Esq., U.S. Department of Energy, Office of General Counsel, Forrestal Building, Mail Station GC-72, 1000 Independence Avenue, SW., Washington, DC 20585-0103, (202) 586-7432, [francine.pinto@hq.doe.gov](mailto:francine.pinto@hq.doe.gov).

Thomas DePriest, Esq., U.S. Department of Energy, Office of General Counsel, Forrestal Building, Mail Station GC-72, 1000 Independence Avenue, SW., Washington, DC 20585-0103, (202) 586-2946, [thomas.depriest@hq.doe.gov](mailto:thomas.depriest@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** Section 323 of the Energy Policy and Conservation Act (Act) (42 U.S.C. 6291-6309) requires that DOE prescribe test procedures for the determination of the estimated annual operating costs or other measures of energy consumption for certain consumer products specified in the Act. (42 U.S.C. 6293(b)(4)) These test procedures are found in 10 CFR part 430, subpart B.

Section 323(b) of the Act requires that the estimated annual operating costs of a covered product be calculated from measurements of energy use in a representative average use cycle or period of use and from representative average unit costs of the energy needed to operate such product during such cycle. (42 U.S.C. 6293(b)) The section further requires that DOE provide information to manufacturers regarding the representative average unit costs of energy. (42 U.S.C. 6293(b)(4)) This cost information should be used by manufacturers to meet their obligations under section 323 of the Act. Most notably, these costs are used to comply with Federal Trade Commission (FTC)

requirements for labeling. Manufacturers are required to use the revised DOE representative average unit costs when the FTC publishes new ranges of comparability for specific covered products, 16 CFR part 305. Interested members of the public can also find information covering the FTC labeling requirements at <http://www.ftc.gov/appliances>.

The Department last published representative average unit costs of residential energy for use in the Energy Conservation Program for Consumer Products Other Than Automobiles on April 9, 2003 (68 FR 17361). Effective February 26, 2004, the cost figures published on April 9, 2003, will be superseded by the cost figures set forth in this notice.

The Department's Energy Information Administration (EIA) developed the representative average unit after-tax costs set forth in this notice. The representative average unit after-tax costs for electricity, natural gas, No. 2 heating oil, and propane are based on simulations used to produce the September 2003, EIA *Short-Term Energy Outlook*, and reflect the mid-price scenario. The representative average unit after-tax costs for kerosene are derived from EIA's prices relative to that of heating oil, based on 1998-2002 averages for these two fuels. The source for these price data is the August 2003, *Monthly Energy Review* DOE/EIA-0035(2003/08). The *Short-Term Energy Outlook* and the *Monthly Energy Review* are available at the National Energy Information Center, Forrestal Building, Room 1F-048, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-8800. These publications also can be found on the EIA Web site at <http://www.eia.doe.gov>.

The 2004 representative average unit costs of energy under section 323(b)(4) of the Act are set forth in Table 1, and will become effective February 26, 2004. They will remain in effect until further notice.

Issued in Washington, DC, on January 22, 2004.

**David K. Garman,**  
Assistant Secretary, Energy Efficiency and Renewable Energy.

TABLE 1.—REPRESENTATIVE AVERAGE UNIT COSTS OF ENERGY FOR FIVE RESIDENTIAL ENERGY SOURCES (2004)

Type of energy	Per million Btu <sup>1</sup>	In commonly used terms	As required by test procedure
Electricity .....	\$25.20	8.60¢/kWh <sup>2,3</sup> .....	\$.0860/kWh
Natural Gas .....	9.10	91.0¢/therm <sup>4</sup> or \$9.35/MCF <sup>5,6</sup> .....	.00000910/Btu
No. 2 Heating Oil .....	9.23	\$1.28/gallon <sup>7</sup> .....	.00000923/Btu
Propane .....	13.46	\$1.23/gallon <sup>8</sup> .....	.00001346/Btu