

**COMMODITY FUTURES TRADING COMMISSION****Sunshine Act Meeting**

**TIME AND DATE:** 11 a.m., Friday, March 26, 2004.

**PLACE:** 1155 21st St., NW., Washington, DC, Room 1012.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.

**FOR FURTHER INFORMATION CONTACT:** Jean A. Webb, 202-418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

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**BILLING CODE 6351-01-M**

U.S.C. 2323(e)(3) to prohibit DoD from granting such a price preference for a 1-year period following a fiscal year in which DoD achieved the 5 percent goal for contract awards established in 10 U.S.C. 2323(a). Since, in fiscal year 2003, DoD exceeded this 5 percent goal, use of this price preference in DoD acquisitions must be suspended for a 1-year period, from February 24, 2004, to February 23, 2005.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

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jurisdiction, as enumerated in the Atomic Energy Act (42 U.S.C. 2286b(d)). In this hearing, the Board will receive testimony that will satisfy the reporting requirement of the letter as well as receive testimony answering questions raised in a previous public hearing held on February 9, 2004.

The public hearing is independently authorized by 42 U.S.C. 2286b. The Board is holding this meeting with less than one week's notice. As provided in the Board's Sunshine Act rule, 10 CFR 1704.6(b), a majority of the Board's members voted that the Board's business requires the meeting to be held with less than one week's notice.

**FOR FURTHER INFORMATION CONTACT:**

Kenneth M. Pusateri, General Manager, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004-2901, (800) 788-4016. This is a toll-free number.

**SUPPLEMENTARY INFORMATION:** Requests to speak at the hearing may be submitted in writing or by telephone to Mr. Pusateri. The Board asks that commentators describe the nature and scope of their oral presentation. Those who contact the Board prior to close of business on February 26, 2004, will be scheduled for time slots, beginning at approximately 11:30 a.m. The Board will post a schedule for those speakers who have contacted the Board before the hearing. The posting will be made at the entrance to the Public Hearing Room at the start of the 9:30 a.m. hearing.

Anyone who wishes to comment or provide technical information or data may do so in writing, either in lieu of, or in addition to, making an oral presentation. The Board Members may question presenters to the extent deemed appropriate. Documents will be accepted at the meeting or may be sent to the Defense Nuclear Facilities Safety Board's Washington, DC, office. The Board will hold the record open until March 27, 2004, for the receipt of additional materials. A transcript of the hearing will be made available by the Board for inspection by the public at the Defense Nuclear Facilities Safety Board's Washington office and at DOE's public reading room at the DOE Federal Building, 1000 Independence Avenue, SW., Washington, DC 20585.

The Board specifically reserves its right to further schedule and otherwise regulate the course of the meeting and hearing, to recess, reconvene, postpone, or adjourn the meeting and hearing, conduct further reviews, and otherwise exercise its power under the Atomic Energy Act of 1954, as amended.

**DEPARTMENT OF DEFENSE****Suspension of the Price Evaluation Adjustment for Small Disadvantaged Businesses**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Notice of 1-year suspension of the price evaluation adjustment for small disadvantaged businesses.

**SUMMARY:** The Director of Defense Procurement and Acquisition Policy has suspended the use of the price evaluation adjustment for small disadvantaged businesses (SDBs) in DoD procurements, as required by 10 U.S.C. 2323(e)(3), because DoD exceeded its 5 percent goal for contract awards to SDBs in fiscal year 2003. The suspension will be in effect for 1 year and will be reevaluated based on the level of DoD contract awards to SDBs achieved in fiscal year 2004.

**DATES:** *Effected Date:* February 24, 2004.

*Applicability Date:* This suspension applies to all solicitations issued during the period from February 24, 2004, to February 23, 2005.

**FOR FURTHER INFORMATION CONTACT:** Ms. Angelena Moy, Defense Acquisition Regulations Council, OUSD(AT&L)DPAP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062, telephone (703) 602-1302; facsimile (703) 602-0350.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 10 U.S.C. 2323(e), DoD has previously granted SDBs a 10 percent price preference in certain acquisitions. This price preference is implemented in Subpart 19.11 of the Federal Acquisition Regulation. Section 801 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261) amended 10

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD****Sunshine Act Meeting**

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given of the Defense Nuclear Facilities Safety Board's (Board) meeting described below. The Board will conduct a public hearing pursuant to 42 U.S.C. 2286b and invites any interested persons or groups to present any comments, technical information, or data concerning safety issues related to the matters to be considered.

**TIME AND DATE OF MEETING:** 9:30 a.m., February 27, 2004.

**PLACE:** Defense Nuclear Facilities Safety Board, Public Hearing Room, 625 Indiana Avenue, NW., Suite 300, Washington, DC 20004-2001. Additionally, as a part of the Board's E-Government initiative, the meeting will be presented live through Internet video streaming. A link to the presentation will be available on the Board's Web site (<http://www.dnfsb.gov>).

**STATUS:** Open. While the Government in the Sunshine Act does not require that the scheduled discussion be conducted in a meeting, the Board has determined that an open meeting in this specific case furthers the public interests underlying both the Sunshine Act and the Board's enabling legislation.

**MATTERS TO BE CONSIDERED:** On December 8, 2003, the Department of Energy (DOE) published in the **Federal Register** a notice of proposed rulemaking regarding worker safety and health. On January 29, 2004, the Board submitted a letter to DOE commenting on the proposed rule. The Board requested that the responsible DOE personnel brief the Board within 30 days to detail how DOE plans to address the Board's comments on the proposed rule, pursuant to the Board's