

estimates is not jeopardized by overloading the survey.

11. Some commenters indicated that the CES survey was mandatory, thus there should be no problem in collecting any type of data. Others suggested that because the survey was voluntary, it did not generate a respondent burden, because businesses were free to refuse.

The CES survey is mandatory by State law in five States (California, Oregon, North Carolina, South Carolina, and Washington). In all other States the CES survey is voluntary. It is precisely because of the largely voluntary nature of the survey that BLS must minimize the reporting burden to businesses. If the survey is perceived as too time consuming or burdensome, a high refusal rate may result, which would decrease the accuracy of the published estimates.

**Ira L. Mills,**

*Departmental Clearance Officer.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

April 11, 2005.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the

proposed collection of information, including the validity of the methodology and assumptions used;

- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the 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:* Occupational Safety and Health Administration.

*Type of Review:* Extension of currently approved collection.

*Title:* Powered Industrial Trucks (29 CFR 1910.178).

*OMB Number:* 1218-0242.

*Frequency:* On occasion; Initially; Annually; and Triennially.

*Type of Response:* Recordkeeping and Third party disclosure.

*Affected Public:* Business or other for-profit; Federal Government; and State, local, or tribal government.

*Number of Respondents:* 999,000.

*Number of Annual Responses:* 2,181,839.

*Estimated Time Per Response:* Ranges from 2 minutes to mark an approved truck to 6.50 hours to train new truck operators.

*Total Burden Hours:* 773,205.

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

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$209,790.

*Description:* Paragraph (a)(4) of 1910.178 requires that employers obtain the manufacturer's written approval before modifying a powered industrial truck in a manner that affects its capacity and safe operation; if the manufacturer grants such approval, the employer must revise capacity, operation, and maintenance instruction plates, tags, and decals accordingly. For front-end attachments not installed by the manufacturer, paragraph (a)(5) mandates that employers provide a label (marking) on the truck that identifies the attachment, as well as the weight of both the truck and the attachment when the attachment is at maximum elevation with a laterally centered load. Paragraph (a)(6) specifies that employers must ensure that the markers required by paragraphs (a)(3) through (a)(5) remain affixed to the truck and are legible.

Paragraphs (l)(1) through (l)(6) of the Standard contain the paperwork requirements necessary to certify the training provided to powered industrial truck operators. Accordingly, these

paragraphs specify the following requirements for employers:

Paragraph (l)(1)—Ensure that trainees successfully complete the training and evaluation requirements of paragraph (l) prior to operating a truck without direct supervision.

Paragraph (l)(2)—Allow trainees to operate a truck only under the direct supervision of an individual with the knowledge, training, and experience to train operators and to evaluate their performance, and under conditions that do not endanger other employees. The training program must consist of formal instruction, practical training, and evaluation of the trainee's performance in the workplace.

Paragraph (l)(3)—Provide the trainees with initial training on each of 22 specified topics, except on topics that the employer demonstrates do not apply to the safe operation of the truck(s) in the employer's workplace.

Paragraphs (l)(4)(i) and (l)(4)(ii)—Administer refresher training and evaluation on relevant topics to operators found by observation or formal evaluation to operate a truck unsafely, involved in an accident or near-miss incident, or assigned to operate another type of truck, or if the employer identifies a workplace condition that could affect safe truck operation.

Paragraph (l)(4)(iii)—Evaluate each operator's performance at least once every three years.

Paragraph (l)(5)—Train rehires only in specific topics that they performed unsuccessfully during an evaluation and that are appropriate to the employer's truck(s) and workplace conditions.

Paragraph (l)(6)—Certify that each operator meets the training and evaluation requirements specified by paragraph (l). This certification must include the operator's name, the training date, the evaluation date, and the identity of the individual(s) who performed the training and evaluation.

Requiring markers notifies employees of the conditions under which they can safely operate powered industrial trucks, thereby preventing such hazards as fires and explosions caused by poorly designed electrical systems, rollovers/tipovers that result from exceeding a truck's stability characteristics, and falling loads that occur when loads exceed the lifting capacities of attachments. Certification of training and evaluation provides a means of informing employers that their employees received the training, and demonstrated the performance necessary to operate a truck within its capacity and control limitations. Therefore, by ensuring that employees

operate only trucks that are in proper working order, and do so safely, employers prevent severe injury and death to truck operators and other employees who are in the vicinity of the trucks. Finally, these paperwork requirements are the most efficient means for an OSHA compliance officer to determine that an employer properly notified employees regarding the design and construction of, and modifications made to, the trucks they are operating, and that an employer provided them with the required training.

Ira L. Mills,

*Departmental Clearance Officer.*

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## OFFICE OF MANAGEMENT AND BUDGET

### Office of Federal Procurement Policy

#### Publication of the Office of Federal Procurement Policy (OFPP) Policy Letter 05-01, Developing and Managing the Acquisition Workforce

**AGENCY:** Office of Management and Budget, Office of Federal Procurement Policy.

**SUMMARY:** In accordance with section 37(b)(3) of the OFPP Act, as amended (41 U.S.C. 433(b)(3)), the Administrator for Federal Procurement Policy is authorized to issue policies to promote uniform implementation of a program to develop the federal acquisition workforce. OFPP is publishing Policy Letter 05-01, Developing and Managing the Acquisition Workforce, which more broadly defines the acquisition workforce and more closely aligns civilian and defense acquisition workforce requirements. This Policy Letter applies to all executive agencies, except those subject to the Defense Acquisition Workforce Improvement Act (DAWIA) (10 U.S.C. 1741-46).

OFPP Policy Letter 05-01 supersedes and rescinds OFPP Policy Letter 92-3, Procurement Professionalism Program Policy—Training for Contracting Personnel, and Policy Letter 97-01, Procurement System Education, Training and Experience Requirements for Acquisition Personnel.

**DATES:** The effective date of OFPP Policy Letter 05-01 is April 15, 2005.

**FOR FURTHER INFORMATION CONTACT:** Lesley A. Field, Office of Federal Procurement Policy, Office of Management and Budget, New Executive Office Building, Room 9013, 725 17th Street, NW., Washington, DC 20503 (202 395-7579 or 202 395-4761).

**Availability:** OFPP Policy Letter 05-01 and rescinded Policy Letters 92-3 and 97-01 may be obtained on: <http://www.acqnet.gov/AcqNet/Library/OFPP/PolicyLetters>. Paper copies of these documents may be obtained by calling (202) 395-7579.

**SUPPLEMENTARY INFORMATION:** The development and professionalism of the federal acquisition workforce is a priority for OFPP and supports the Office of Management and Budget's focus on human capital and financial management. The acquisition workforce is a federal asset upon which the government depends for mission accomplishment, and OFPP is committed to ensuring that the workforce is trained and developed to meet the government's current and future mission needs.

The principal purposes of Policy Letter 05-01 are: (1) To define the acquisition workforce to include additional acquisition-related functions and create a multi-disciplined acquisition community, (2) to align the civilian (non-Department of Defense) and defense acquisition workforce training requirements, and (3) to emphasize the importance to federal managers and the workforce of continuous learning, to include training on critical subjects such as ethics, performance-based contracting, and other timely and topical areas.

The acquisition function continues to become more integrated into agency core business processes, and the developmental needs of the workforce are changing. This progression is reflected in the Services Acquisition Reform Act of 2003 (SARA) (Pub. L. 108-136), which defines acquisition more broadly to include, among traditional contracting functions, requirements definition, measurement of contract performance, and technical and management direction. Additionally, SARA requires agency Chief Acquisition Officers to develop and maintain an acquisition career management program and ensure the development of an adequate, professional workforce. Policy Letter 05-01 articulates specific responsibilities to implement these SARA requirements.

OFPP Policy Letters 92-3 and 97-01, which are rescinded, established an emphasis on the development of the acquisition workforce but did not prescribe a core, government-wide curriculum. Policy Letter 92-3 established standards for skill-based training in contracting and purchasing functions and articulated core tasks. Policy Letter 97-01, which was

developed in response to the requirements of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401(3)), required senior procurement executives to develop agency career management programs and establish policies and procedures, including training requirements, to ensure that the workforce was trained adequately. While these letters established a strong framework for managing the workforce, training content and delivery were not necessarily consistent across civilian agencies or consistent with the defense acquisition workforce requirements prescribed by DAWIA.

Policy Letter 05-01 aligns core civilian agency acquisition workforce training requirements with those for the defense workforce. The Department of Defense (DOD) curriculum reflects the competencies required to perform the tasks articulated in Policy Letter 92-3, and later referenced in Policy Letter 97-01. This alignment will ensure that our federal acquisition workforce has common, core training, and will promote workforce mobility. Section 1.603-2 of the Federal Acquisition Regulation (48 CFR 1) will be modified to reflect the requirements of the new Letter.

The Letter also emphasizes the importance of continuous learning. For example, employees in the GS-1102 series will now need eighty continuous learning points every two years—twice the current requirement. This emphasis on continuous learning in areas such as ethics, performance-based contracting, and other critical areas, ensures that federal managers and the acquisition workforce adhere to ethical contracting practices, apply sound business judgment, and otherwise engage in responsible stewardship of taxpayer dollars. Many of these continuous learning opportunities are available free of charge on the Federal Acquisition Institute (FAI) Web site on <http://www.fai.gov> and through the Defense Acquisition University on <http://www.dau.mil>.

FAI and DAU are forming a partnership to advance the capabilities of our federal acquisition workforce. To address the changing nature of the acquisition environment, DAU is currently restructuring the contracting curriculum. As new courses are completed, course content will be made available to training providers to obtain equivalencies for the new offerings. Civilian agencies depend on the private training provider community for course delivery, and these providers need time to develop core courses and request equivalencies. Additionally, employees may already be scheduled to take