

Rules of Practice and Procedure, the Commission is seeking comment on possible priority policy issues for the amendment cycle ending May 1, 2005.

DATES: Public comment should be received on or before August 5, 2004.

ADDRESSES: Send comments to: United States Sentencing Commission, One Columbus Circle, NE., Suite 2-500, South Lobby, Washington, DC 20002-8002, Attention: Public Affairs-Priorities Comment.

FOR FURTHER INFORMATION CONTACT: Michael Courlander, Public Affairs Officer, Telephone: (202) 502-4590.

SUPPLEMENTARY INFORMATION: The United States Sentencing Commission is an independent agency in the judicial branch of the United States Government. The Commission promulgates sentencing guidelines and policy statements for Federal sentencing courts pursuant to 28 U.S.C. 994(a). The Commission also periodically reviews and revises previously promulgated guidelines pursuant to 28 U.S.C. 994(o) and submits guideline amendments to the Congress not later than the first day of May each year pursuant to 28 U.S.C. 994(p).

For the amendment cycle ending May 1, 2005, and possibly continuing into the amendment cycle ending May 1, 2006, the Commission has identified the following tentative priorities:

(1) Implementation of crime legislation enacted during the second session of the 108th Congress warranting a Commission response.

(2) Continuation of its policy work regarding immigration offenses, specifically, offenses under §§ 2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien), and 2L1.2 (Unlawfully Entering or Remaining in the United States), and chapter two, part L, subpart 2 (Naturalization and Passports), which also may involve the formation of an ad hoc advisory group on immigration offenses.

(3) Continuation of its work on the "15 Year Study," which is composed of a number of projects geared toward analyzing the guidelines in light of the goals of sentencing reform described in the Sentencing Reform Act.

(4) Continuation of its multi-year research, policy work, and possible guideline amendments relating to chapter four (Criminal History and Criminal Livelihood), which may include (A) assessment of the calculation of criminal history points for first time offenders and offenders who are in the highest criminal history categories; (B) assessment of the criminal history rules for the inclusion or exclusion of certain prior offenses;

(C) assessment of the criminal history rules for related cases; and (D) consideration of other application issues relating to simplifying the operation of chapter four.

(5) Continued review of data regarding the incidence of downward departures and fast-track programs, in view of the PROTECT Act.

(6) Continuation of its work with Congress and other interested parties on cocaine sentencing policy in view of the Commission's 2002 report to Congress, *Cocaine and Federal Sentencing Policy*.

(7) A general review of the firearms guidelines in chapter two, part K (Offenses Involving Public Safety), including an assessment of non-MANPADS destructive devices.

(8) Consideration of policy statements pertaining to compassionate release programs.

(9) A general review of, and possible amendments pertaining to, hazardous materials, and possibly other environmental offenses under chapter two, part Q (Offenses Involving the Environment).

(10) Continued monitoring of, and/or possible amendments pertaining to, section 5 of the CAN-SPAM Act, Public Law 108-187.

(11) Other miscellaneous and limited issues pertaining to the operation of the sentencing guidelines, including (A) resolution of a number of circuit conflicts, including the circuit conflict regarding the definition of "felony", as incorporated into § 2K2.6 (Possessing, Purchasing, or Owning Body Armor by Violent Felons) effective November 1, 2004; (B) continuation of policy work regarding offenses involving gamma-butyrolactone (GBL), a precursor for gamma-hydroxybutyric acid (GHB), sentenced under § 2D1.11 (Unlawfully Distributing, Importing, Exporting or Possessing a Listed Chemical; Attempt or Conspiracy); (C) simulated controlled substances; (D) structural issues regarding the Sentencing Table in chapter five, part A, particularly "cliff-like" effects occurring between levels 42 and 43, and a possible adjustment to the offense level computation when the offense level exceeds level 43; (E) commentary regarding the appropriate starting point for departures under § 5K1.1 (Substantial Assistance), particularly in cases in which the government has moved for relief from imposition of an otherwise applicable mandatory minimum term of imprisonment; and (F) commentary to § 3C1.1 (Obstructing or Impeding the Administration of Justice) regarding encryption; and

(12) Amendments to the Commission's Rules of Practice and

Procedure regarding retroactivity, public access to Commission materials, and access to nonpublic Commission meetings.

The Commission hereby gives notice that it is seeking comment on these tentative priorities and on any other issues that interested persons believe the Commission should address during the amendment cycle ending May 1, 2005, including short- and long-term research issues. To the extent practicable, comments submitted on such issues should include the following: (1) A statement of the issue, including scope and manner of study, particular problem areas and possible solutions, and any other matters relevant to a proposed priority; (2) citations to applicable sentencing guidelines, statutes, case law, and constitutional provisions; and (3) a direct and concise statement of why the Commission should make the issue a priority.

Authority: 28 U.S.C. 994(a), (o); USSC Rules of Practice and Procedure 5.2.

John R. Steer,
Vice Chair.

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DEPARTMENT OF STATE

[Public Notice 4752]

Bureau of Educational and Cultural Affairs Request for Grant Proposals: Eurasian Undergraduate Exchange Program

SUMMARY: The Office of Academic Exchange Programs of the Bureau of Educational and Cultural Affairs announces an open competition for the Eurasian Undergraduate Exchange Program (formerly the FREEDOM Support Act Undergraduate Program). Public and private non-profit organizations meeting the provisions described in IRS regulation 26 CFR 1.501(c)(3) may submit proposals to administer the recruitment, selection, placement, monitoring, evaluation, follow-on, and alumni activities for the FY 2005 Eurasian Undergraduate Exchange Program. Organizations with less than four years of experience in conducting international exchange programs are not eligible for this competition.

Overview: The Eurasian Undergraduate Exchange Program provides scholarships for one-year, non-degree study at U.S. institutions of higher education to outstanding students from Eurasia (Armenia,

Azerbaijan, Belarus, Georgia, Kazakhstan, Krygyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan). Scholarships are available in the fields of agriculture, American studies, business, computer science, economics, education, environmental management, international relations, journalism and mass communication, political science, and sociology. Applicant organizations should propose other appropriate fields of study. Scholarships are granted to students who have completed at least one year of study at an accredited university in their home countries. Eurasian Undergraduate Exchange Program participants will be enrolled in one-year, non-degree programs at both four-year colleges and universities, and community colleges. Students will enhance their academic education with participation in community service and an internship during the academic year. Interested organizations should read the entire **Federal Register** announcement for all information prior to preparing a proposal.

Budget Guidelines: Awards will begin on or about October 1, 2004, and will be approximately two years in duration.

Applicants must submit a comprehensive budget for the entire program. The level of funding for FY 2005 is uncertain, but is anticipated to be approximately \$5,000,000. Based on this figure, applicant organizations should submit a budget funding approximately 170 participants. The Bureau anticipates awarding one grant under this competition. Applicant organizations are encouraged, through cost sharing and other methods, to provide for as many scholarships as possible based on approximated funding. There must be a summary budget as well as breakdowns reflecting both administrative and program budgets. Applicants may provide separate sub-budgets for each program component, phase, location, or activity to provide clarification. Please refer to the Solicitation Package for complete budget guidelines and formatting instructions. The Bureau grant guidelines state that organizations with less than four years experience in conducting international exchange programs are limited to \$60,000 in Bureau funding. It is anticipated that the grant or grants awarded under this competition will well exceed \$60,000. Therefore, organizations with less than four years experience per above, are not eligible under this competition.

Pending successful implementation of this program and the availability of funds in subsequent fiscal years, it is the Bureau's intent to renew this grant for

two additional fiscal years, before openly competing it again.

Announcement Title and Number: All correspondence with the Bureau concerning this RFGP should reference the above title and number ECA/A/E/EUR-05-04.

FOR FURTHER INFORMATION CONTACT: The Office of Academic Exchange Programs, ECA/A/E/EUR, Room 246, U.S. Department of State, SA-44, 301 4th Street, SW., Washington, DC 20547, phone: 202-205-7494; fax: 202-260-7985, jilkalm@state.gov to request a Solicitation Package. The Solicitation Package contains detailed award criteria, required application forms, specific budget instructions, and standard guidelines for proposal preparation. Please specify Bureau Program Manager Lucy Jilka on all other inquiries and correspondence.

Please read the complete **Federal Register** announcement before sending inquiries or submitting proposals. Once the RFGP deadline has passed, Bureau staff may not discuss this competition with applicants until the proposal review process has been completed.

To Download a Solicitation Package via Internet: The entire Solicitation Package may be downloaded from the Bureau's Web site at <http://exchanges.state.gov/education/RFGPs>. Please read all information before downloading.

New OMB Requirement

AN OMB policy directive published in the **Federal Register** on Friday, June 27, 2003, requires that all organizations applying for Federal grants or cooperative agreements must provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for all Federal grants or cooperative agreements on or after October 1, 2003. The complete OMB policy directive can be referenced at http://www.whitehouse.gov/omb/fedreg/062703_grant_identifier.pdf. Please also visit the Bureau Web site at <http://exchanges.state.gov/education/rfgps/menu.htm> for additional information on how to comply with this new directive.

Shipment and Deadline for Proposals: Important note: The deadline for this competition is July 30, 2004. In light of recent events and heightened security measures, proposal submissions must be sent via a nationally recognized overnight delivery service (*i.e.*, DHL, Federal Express, UPS, Airborne Express, or U.S. Postal Service Express Overnight Mail, etc.) and be shipped no later than the above deadline. The delivery services used by applicants must have in-place, centralized shipping identification and tracking systems that

may be accessed via the Internet and delivery people who are identifiable by commonly recognized uniforms and delivery vehicles. Proposals shipped on or before the above deadline but received at the Bureau more than seven days after the deadline will be ineligible for further consideration under this competition. Proposals shipped after the established deadlines are ineligible for consideration under this competition. It is each applicant's responsibility to ensure that each package is marked with a legible tracking number and to monitor/confirm delivery to the Bureau via the Internet. Delivery of proposal packages *may not* be made via local courier service or in person for this competition. Faxed documents will not be accepted at any time. Only proposals submitted as stated above will be considered.

Applicants must follow all instructions in the Solicitation Package. The original and eight (8) copies of the application should be sent to: U.S. Department of State, SA-44, Bureau of Educational and Cultural Affairs, Ref.: ECA/A/E/EUR-05-04, Program Management, ECA/EX/PM, Room 534, 301 4th Street, SW., Washington, DC 20547.

Along with the Project Title, all applicants must also enter the above Reference Number in Box 11 on the SF-424 contained in the mandatory Proposal Submission Instruction (PSI) document.

Applicants must also submit the "Executive Summary" and "Proposal Narrative" sections of the proposal in text (.txt) format on a PC-formatted disk. The Bureau will provide these files electronically to the Public Affairs Sections at the U.S. Embassies for review.

Diversity, Freedom and Democracy Guidelines

Pursuant to the Bureau's authorizing legislation, programs must maintain a non-political character and should be balanced and representative of the diversity of American political, social, and cultural life. "Diversity" should be interpreted in the broadest sense and encompass differences including, but not limited to ethnicity, race, gender, religion, geographic location, socio-economic status, and physical challenges. Applicants are strongly encouraged to adhere to the advancement of this principle both in program administration and in program content. Please refer to the review criteria under the "Support for Diversity" section for specific suggestions on incorporating diversity into the total

proposal. Public Law 104-319 provides that "in carrying out programs of educational and cultural exchange in countries whose people do not fully enjoy freedom and democracy," the Bureau "shall take appropriate steps to provide opportunities for participation in such programs to human rights and democracy leaders of such countries." Public Law 106-113 requires that the governments of the countries described above do not have inappropriate influence in the selection process. Proposals should reflect advancement of these goals in their program contents, to the full extent deemed feasible.

Adherence to All Regulations Governing the J Visa

The Bureau of Educational and Cultural Affairs is placing renewed emphasis on the secure and proper administration of Exchange Visitor (J visa) Programs and adherence by grantees and sponsors to all regulations governing the J visa. Therefore, proposals should demonstrate the applicant's capacity to meet all requirements governing the administration of Exchange Visitor Programs as set forth in 22 CFR part 62, including the oversight of Responsible Officers and Alternate Responsible Officers, screening and selection of program participants, provision of pre-arrival information and orientation to participants, monitoring of participants, proper maintenance and security of forms, record-keeping, reporting and other requirements.

The Grantee will be responsible for issuing DS-2019 forms to participants in this program.

A copy of the complete regulations governing the administration of Exchange Visitor (J) programs is available at <http://exchanges.state.gov> or from: United States Department of State, Office of Exchange Coordination and Designation, ECA/EC/ECD-SA-44, Room 734, 301 4th Street, SW., Washington, DC 20547. Telephone: (202) 401-9810. Fax: (202) 401-9809.

Review Process

The Bureau will acknowledge receipt of all proposals and will review them for technical eligibility. Proposals will be deemed ineligible if they do not fully adhere to the guidelines stated herein and in the Solicitation Package. All eligible proposals will be reviewed by the program office, as well as the Public Affairs Sections overseas, where appropriate. Eligible proposals will be subject to compliance with Federal and Bureau regulations and guidelines and forwarded to Bureau grant panels for advisory review. Proposals may also be

reviewed by the Office of the Legal Adviser or by other Department elements. Final funding decisions are at the discretion of the Department of State's Assistant Secretary for Educational and Cultural Affairs. Final technical authority for assistance awards cooperative agreements resides with the Bureau's Grants Officer.

Review Criteria

Technically eligible applications will be competitively reviewed according to the criteria stated below. These criteria are not rank ordered and all carry equal weight in the proposal evaluation:

1. *Quality of the program idea:* Proposals should exhibit originality, substance, precision, and relevance to the Bureau's mission.
2. *Program planning:* Detailed agenda and relevant work plan should demonstrate substantive undertakings and logistical capacity. Agenda and plan should adhere to the program overview and guidelines described above.
3. *Ability to achieve program objectives:* Objectives should be reasonable, feasible, and flexible. Proposals should clearly demonstrate how the institution will meet the program's objectives and plan.
4. *Multiplier effect/impact:* Proposed programs should strengthen long-term mutual understanding, including maximum sharing of information and establishment of long-term institutional and individual linkages.
5. *Support of diversity:* Proposals should demonstrate substantive support of the Bureau's policy on diversity. Achievable and relevant features should be cited in both program administration (selection of participants, program venue and program evaluation) and program content (orientation and wrap-up sessions, program meetings, resource materials and follow-up activities).
6. *Institutional capacity:* Proposed personnel and institutional resources should be adequate and appropriate to achieve the program or project's goals.
7. *Institution's record/ability:* Proposals should demonstrate an institutional record of successful exchange programs, including responsible fiscal management and full compliance with all reporting requirements for past Bureau grants as determined by Bureau Grant Staff. The Bureau will consider the past performance of prior recipients and the demonstrated potential of new applicants.
8. *Follow-on activities:* Proposals should provide a plan for continued follow-on activity ensuring that Bureau supported programs are not isolated events.

9. *Project evaluation:* Proposals should include a plan to evaluate the activity's success, both as the activities unfold and at the end of the program. A draft survey questionnaire or other technique plus description of a methodology to use to link outcomes to original project objectives is recommended. Successful applicants will be expected to submit intermediate reports after each project component is concluded or quarterly, whichever is less frequent.

10. *Cost-effectiveness:* The overhead and administrative components of the proposal, including salaries and honoraria, should be kept as low as possible. All other items should be necessary and appropriate.

11. *Cost-sharing:* Proposals should maximize cost-sharing through other private sector support as well as institutional direct funding contributions.

Authority: Overall grant making authority for this program is contained in the Mutual Educational and Cultural Exchange Act of 1961, Public Law 87-256, as amended, also known as the Fulbright-Hays Act. The purpose of the Act is "to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries * * *; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations * * * and thus to assist in the development of friendly, sympathetic and peaceful relations between the United States and the other countries of the world." The funding authority for the program above is provided through FREEDOM Support Act legislation.

Notice

The terms and conditions published in this RFGP are binding and may not be modified by any Bureau representative. Explanatory information provided by the Bureau that contradicts published language will not be binding. Issuance of the RFGP does not constitute an award commitment on the part of the Government. The Bureau reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the program and the availability of funds. Awards made will be subject to periodic reporting and evaluation requirements.

Notification

Final awards cannot be made until funds have been appropriated by

Congress, allocated and committed through internal Bureau procedures.

Dated: June 22, 2004.

C. Miller Crouch,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Department of State.

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DEPARTMENT OF STATE

[Public Notice 4751]

Bureau of Educational and Cultural Affairs Request for Grant Proposals: Survey of International Educational Exchange Activity in the United States (Foreign Students and Scholars in the U.S. and U.S. Students Studying Abroad)

Summary: The Educational Information and Resources Branch, Office of Global Educational Programs, Bureau of Educational and Cultural Affairs (the Bureau) announces an open competition for a survey of International Educational Exchange Activity in the United States. Public and private non-profit organizations meeting the provisions described in Internal Revenue Code section 26 U.S.C. 501(c)(3) may submit proposals to conduct a statistical survey (census) of foreign nationals affiliated with institutions of higher learning in the United States. The survey, which should be conducted in the most economical way possible, should identify the number of foreign students and scholars studying, conducting research, or teaching at all accredited universities and colleges in the United States during the 2004/2005 academic year (fall 2004 through spring 2005). It must also provide detailed individual student profile data, country-specific aggregate data that enumerate the numbers of foreign students and scholars from a given country affiliated with individual U.S. institutions. Finally, as an indicator of U.S. institutional support for international educational exchange, the report should also include data about the number of American students studying abroad in credit-bearing programs of all types (year-long, semester, short-term and summer). Proposals should describe the methodology that will be used to collect the data, whether by survey, in collaboration with the Department of Homeland Security or some combination thereof, and how the material will be analyzed and presented to the public. The proposal must also include plans to establish an advisory

board to provide assistance in identifying and framing policy issues that may need to be addressed by policymakers.

Program Information

Overview: The State Department's Bureau of Educational and Cultural Affairs, with its mandate under the Fulbright-Hays Act to promote mutual understanding through international educational exchange, has supported a survey of foreign students in the United States since 1974 in order to gain an accurate and up-to-date picture of international educational exchange activity in the United States. Recent reports have expanded on the original survey's parameters to include foreign scholars and U.S. students studying overseas.

Proposals to conduct this project should describe plans for a statistical survey that would offer a detailed and comprehensive picture of the number and academic characteristics (major fields of study or program, level of study, etc.) of non-immigrant foreign nationals (that is, excluding permanent residents and refugees) affiliated with (*i.e.*, enrolled at, employed by, etc.) American institutions of higher learning, as well the number of U.S. students studying abroad. Topics that should be covered in the survey include the number of foreign students and scholars, their gender and countries of origin. Information about students' academic level (undergraduate, graduate, post-doctorate), fields of study, primary source of financial support, financial contributions they make while in the United States, and location of study should be included.

Proposals may request Bureau funding of a publication, Web site, database, newsletter, or another medium that is presented as a viable vehicle for making this data widely available in a timely manner and in a clear and concise format. The Bureau reserves the right to reproduce, publish or otherwise use any work developed under this grant for U.S. Government purposes.

Pending successful implementation of this program and the availability of funds in subsequent fiscal years, it is ECA's intent to renew this grant for two additional fiscal years before the next competition. Future support will be contingent upon accurate data collection, quality of presentation of that data, and prompt publication of the census.

Guidelines: Proposals should include a precise description of the methodology to be used to obtain the data called for in this solicitation. Applicants are reminded of the need to

find the most economical approach to gathering the data and are encouraged to explore electronic data collection. Applicants should also seek ways of making the information available within the academic year that it is collected.

Data collected should be published annually for public consumption. Applicants are also encouraged to include information about their capacity to carry out electronic surveys and report on findings at the request of the Bureau that would focus on one or more critical issues that may arise during the period in which census data is being gathered.

To provide for a more detailed analysis and cross tabulation of the characteristics of foreign students studying in the United States, individual student profile data should also be collected. This individual student profile data should be provided to the Bureau in a format that is country-specific and should show the number of students from a specific country attending selected institutions of higher education in each state of the U.S.

The Bureau seeks a clear presentation and rigorous analysis of the data collected that will draw conclusions about trends in foreign student enrollments, numbers of foreign scholars on U.S. campuses and American students studying abroad that can be used to guide policy discussions for both government and academia.

The grantee must establish an advisory board on the annual survey to provide assistance in identifying and framing policy issues to be addressed; the board should meet at least once a year. Board members would likely be drawn from a broad range of educational associations and organizations such as NAFSA: Association of International Educators, the American Association of Collegiate Registrars and Admissions Officers and the Council of Graduate Schools, among others, and would be expected to provide perspectives on topics that are related to the internationalization of higher education.

Scholarly analyses of survey data addressing pertinent policy issues should be included in the final report, which will be read by policymakers in government, academia, and business, as well as practitioners in international educational exchange. The report should also include a narrative on the mechanics and uses of data analysis, highlighting how conclusions can be drawn from the data collected, some of the limitations of that analysis, and how the data can benefit the educational institutions supplying it, for example, as a campus advocacy or recruiting tool.