

interest existed with this employment arrangement, the Chairman of the Board approved a waiver of this potential conflict and published a Notice in the **Federal Register**. Upon the expiration of the two year appointment on September 30, 1994, Dr. Pearlstein returned to BNL and entered a gradual retirement program which allows employees to work on a part-time basis until they decide to end their association with the Laboratory completely.

Based on a continued need for his unique expertise, the Board has decided to establish a contract directly with Dr. Pearlstein. Specifically, Dr. Pearlstein will be asked to provide technical assistance in criticality safety and other related fields including nuclear and reactor physics, and accelerator production of tritium. The proposed effort, which will require his support on an intermittent basis, will include his participation in the review of safety analysis reports, DOE facility visits, presentation of lectures on criticality and related technical subjects to the staff, the development of specialized nuclear information or data bases for Board applications, and assisting the staff in monitoring DOE performance on specific issues or Board Recommendations. The Board has also recognized that the proposed contractual relationship with Dr. Pearlstein will result in a potential conflict of interest situation due to his simultaneous relationship with BNL, a DOE National Laboratory, and the Board. However, while the Board avoids these situations wherever possible, it believes that the need for Dr. Pearlstein's services coupled with the low probability that a direct conflict of interest or biased work product will result from this engagement, justifies this proposed acquisition and waiver based on the following.

First, Dr. Pearlstein possesses outstanding credentials in this technical area and has extensive direct experience through his numerous years at BNL. There is presently no one else on the Board's technical staff who has a broad and extensive background in evaluating nuclear physics data, particularly in the area of nuclear applications as Dr. Pearlstein possesses. He has extensive experience with examining physics data and evaluating its integrity, and has the ability to synthesize scientific data from multiple sources to find solutions to complex and novel problems. Dr. Pearlstein's expertise is important in facilitating the accomplishment of the Board's mission, particularly in the area of nuclear physics. Additionally, during his two year appointment with the Board, Dr. Pearlstein developed a

unique and intimate understanding of the Board's mission, internal operations, and the major technical issues being addressed by the staff. Consequently, while there are other individuals with similar technical backgrounds, Dr. Pearlstein's blend of experience gained through his long association with BNL, and most recent work as a member of the Board's staff, makes him a unique source of technical support to the Board. Through this combination of experience, Dr. Pearlstein can provide immediate support to the Board on a variety of complex technical issues which require prompt resolution, without the need for the extensive and time consuming preparatory efforts others would require.

Second, the Board does not believe that a direct conflict between Dr. Pearlstein's technical work for the Board and BNL will develop for the following reasons. BNL is a multi-program, DOE Laboratory whose missions include scientific and medical research, energy technology development, and associated support functions. These activities are mostly related to DOE's non-defense mission and have little relationship with the defense nuclear facilities or oversight responsibilities of the Board. Further, Dr. Pearlstein has advised the Board that he will be assigned to BNL's Engineering Research and Applications Division in the Department of Advanced Technology which is involved in work ranging from structural analysis to radiological engineering. Therefore, based on the significant differences in technical efforts and missions between the Board and BNL, no direct conflict with the proposed effort is anticipated or with Dr. Pearlstein's ability to provide the Board with impartial, objective work products.

Finally, as the Board is required under its OCI Regulations, where reasonably possible, to initiate measures which attempt to mitigate an OCI, the Board will stay abreast of Dr. Pearlstein's technical work at BNL to insure no problems arise during contract performance. Also, the efforts of Dr. Pearlstein will be overseen by experienced technical staff of the Board to ensure that all of his resultant work products are impartial and contain full support for any findings and recommendations issued thereunder.

Accordingly, on the basis of the determination described above and pursuant to the applicable provisions of 10 CFR 1706, the Chairman of the Board granted a waiver of any conflicts of interests (and the pertinent provisions of the OCI Regulations) with the Board's contract with Dr. Sol Pearlstein that

might arise out of his existing relationship with BNL.

Dated: January 9, 1995.

Kenneth M. Pusateri,
General Manager.

[FR Doc. 95-804 Filed 1-11-95; 8:45 am]

BILLING CODE 6820-KD-M

Privacy Act; Systems of Records

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Annual notice of systems of records.

SUMMARY: Each Federal agency is required by the Privacy Act of 1974, 5 U.S.C. 552a, to publish annually a description of the systems of records it maintains containing personal information. In this notice the Board provides the required information on five previously-noticed systems of records.

FOR FURTHER INFORMATION CONTACT: Robert M. Andersen, General Counsel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901, (202) 208-6387.

SUPPLEMENTARY INFORMATION: The Board currently maintains five systems of records under the Privacy Act. Each system is described below.

DNFSG-1

SYSTEM NAME:

Personnel Security Files.

SECURITY CLASSIFICATION:

Unclassified materials.

SYSTEM LOCATION:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Washington, DC 20004-2901.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees and applicants for employment with DNFBSB and DNFBSB contractors; consultants; other individuals requiring access to classified materials and facilities.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personnel security folders and requests for security clearances, Forms SF 86, 86A, 87, 312, and DOE Forms 5631.18, 5631.29, 5631.20, and 5631.21. In addition, records containing the following information:

- (1) Security clearance request information;
- (2) Records of security education and foreign travel lectures;
- (3) Records of any security infractions;

(4) Names of individuals visiting DNFSB;

(5) Employee identification files (including photographs) maintained for access purposes.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

National Defense Authorization Act, Fiscal Year 1989 (amended the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) by adding new Chapter 21—Defense Nuclear Facilities Safety Board).

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

DNFSB—to determine which individuals should have access to classified material and to be able to transfer clearances to other facilities for visitor control purposes.

DOE—to determine eligibility for security clearances.

Other Federal and State agencies—to determine eligibility for security clearances.

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

STORAGE:

Paper records, magnetic disk, and computer printouts.

RETRIEVABILITY:

By name, social security number, and numeric code.

SAFEGUARDS:

Access is limited to employees having a need to know. Records are stored in locked file cabinets in a controlled access area.

RETENTION AND DISPOSAL:

Records retention and disposal authorities are contained in the "General Records Schedules" published by National Archives and Records Administration, Washington, DC. Records within DNFSB are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

SYSTEM MANAGER AND ADDRESS:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901. Attention: Security Management Officer.

NOTIFICATION PROCEDURE:

Requests by an individual to determine if DNFSB-1 contains information about him/her should be directed to the Privacy Act Officer, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901. Required identifying information: Complete

name, social security number, and date of birth.

RECORD ACCESS PROCEDURE:

Same as Notification procedure above, except individual must show official photo identification, such as driver's license, passport, or government identification before viewing records.

CONTESTING RECORD PROCEDURE:

Same as Record Access procedure.

RECORD SOURCE CATEGORIES:

Subject individuals, Questionnaire for Sensitive Positions (SF-86), agency files, official visitor logs, contractors, and DOE Personnel Security Branch.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DNFSB-2

SYSTEM NAME:

Administrative and Travel Files.

SYSTEM CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Defense Nuclear Facilities Safety Board, 625 Indiana Ave., NW, Washington, DC 20004-2901.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees and applicants for employment with DNFSB, including DNFSB contractors and consultants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records containing the following information:

- (1) Time and attendance;
- (2) Payroll actions and deduction information requests;
- (3) Authorizations for overtime and night differential;
- (4) Credit cards and telephone calling cards issued to individuals;
- (5) Destination, itinerary, mode and purpose of travel;
- (6) Date(s) of travel and all expenses;
- (7) Passport number;
- (8) Requests for advance of funds, and voucher with receipts;
- (9) Travel authorizations;
- (10) Name, address, social security number and birth date;
- (11) Employee parking permits;
- (12) Employee public transit subsidy applications and vouchers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

National Defense Authorization Act, Fiscal Year 1989 (amended the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) by adding new Chapter 21—Defense Nuclear Facilities Safety Board).

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

Treasury Department—To collect withheld taxes, print payroll checks, and issue savings bonds.

Internal Revenue Service—To process Federal income tax.

State and Local Governments—To process state and local income tax.

Office of Personnel Management—Retirement records and benefits.

Social Security Administration—Social Security records and benefits.

Department of Labor—To process Workmen's Compensation claims.

Department of Defense—Military Retired Pay Offices—To adjust Military retirement.

Savings Institutions—To credit accounts for savings made through payroll deductions.

Health Insurance Carriers—To process insurance claims.

General Accounting Office—Audit—To verify accuracy and legality of disbursement.

Veterans Administration—To evaluate veteran's benefits to which the individual may be entitled.

States' Department of Employment Security—To determine entitlement to unemployment compensation or other state benefits.

Travel Agencies—To process travel itineraries.

POLICIES AND PRACTICES FOR STRONG, RETRIEVING ACCESSING RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records, magnetic disk, and computer printouts.

RETRIEVABILITY:

By name, social security number, travel dates, and alphanumeric code.

SAFEGUARDS:

Access is limited to employees having a need to know. Records are stored in locked file cabinets in a controlled access area in accordance with Board directives and Federal guidelines.

RETENTION AND DISPOSAL:

Records retention and disposal authorities are contained in the "General Records Schedules" published by National Archives and Records Administration, Washington, D.C. Records within DNFSB are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

SYSTEM MANAGER AND ADDRESS:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901, Attention: Chief Administrative Officer.

NOTIFICATION PROCEDURE:

Requests by an individual to determine if DNFSB-2 contains information about him/her should be directed to the Privacy Act Officer, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW., Suite 700, Washington, DC 20004-2901. Required identifying information: Complete name, social security number, and date of birth.

RECORDS ACCESS PROCEDURE:

Same as Notification procedures above, except individual must show official photo identification, such as driver's license, passport, or government identification before viewing records.

CONTESTING RECORD PROCEDURE:

Same as Record Access procedure.

RECORD SOURCE CATEGORIES:

Subject individuals, timekeepers, official personnel records, GSA for accounting and payroll, OPM for official personnel records, IRS and State officials for withholding and tax information, and travel agency contract.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DNFSB-3**SYSTEM NAME:**

Drug Testing Program Records—DNFSB.

SYSTEM CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Primary System: Division of Personnel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Washington, DC 20004-2901. Duplicate Systems: Duplicate systems may exist, in whole or in part, as contractor testing laboratories and collection/evaluation facilities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

DNFSB employees and applicants for employment with the DNFSB.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records contain information regarding results of the drug testing program; requests for and results of initial, confirmatory and follow-up testing, if appropriate; additional information supplied by DNFSB employees or employment applicants in challenge to positive test results; information supplied by individuals concerning alleged drug abuse by Board employees or contractors; and written statements or medical evaluations of

attending physicians and/or information regarding prescription or nonprescription drugs.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

- (1) Executive Order 12564; September 15, 1986.
- (2) Section 503 of the Supplemental Appropriations Act of 1987, Pub. L. 100-71, 101 Stat. 391, 468-471, codified at 5 U.S.C. section 7301 note (1987).

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

Information in these records may be used by the DNFSB management:

- (1) To identify substance abusers within the agency;
- (2) To initiate counselling and rehabilitation programs;
- (3) To take personnel actions;
- (4) To take personnel security actions; and
- (5) For statistical purposes.

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

Records are maintained on paper in file folders. Additionally, records used for initiating a random drug test are maintained on the Random Employee Selection Automation System. This is a stand-alone system resident on an IBM PS/2 computer and is password-protected.

RETRIEVABILITY:

Records maintained in file folders are indexed and accessed by name and social security number. Records maintained for random drug testing are accessed by using a computer data base which contains employees' names, social security numbers, and job titles. Employees are then selected from the available pool by the computer, and a list is given to the Drug Program Coordinator of employees and alternates selected for drug testing.

SAFEGUARDS:

Access to and use of these records is limited to those persons whose official duties require such access, with records maintained and used with the highest regard for personal privacy. Records in the Division of Personnel are stored in an approved security container under the immediate control of the Director, Division of Personnel, or designee. Records in laboratory/collection/evaluation facilities will be stored under appropriate security measures so that access is limited and controlled.

RETENTION AND DISPOSAL:

- (1) Test results, whether negative or positive, and other drug screening

records filed in the Division of Personnel will be retained and retrieved as indicated under the Retrievability category. When an individual terminates employment with the DNFSB, negative test results will be destroyed by shredding, or by other approved disposal methods. Positive test results will be maintained through the conclusion of any administrative or judicial proceedings, at which time they will be destroyed by shredding, or by other approved disposal methods.

(2) Test results, whether negative or positive, on file in contractor testing laboratories, ordinarily will be maintained for a minimum of two years in the laboratories. Upon instructions provided by the Division of Personnel, the results will be transferred to the Division of Personnel when the contract is terminated or whenever an individual, previously subjected to urinalysis by the laboratory, terminates employment with the DNFSB. Records received from the laboratories by the Division of Personnel will be incorporated into other records in the system, or if the individual has terminated, those records reflecting negative test results will be destroyed by shredding, or by other approved disposal methods. Positive test results will be maintained through the conclusion of any administrative or judicial proceedings, at which time they will be destroyed by shredding, or by other approved disposal methods.

(3) Negative specimens will be destroyed according to laboratory/contractor procedures.

(4) Positive specimens will be maintained through the conclusion of administrative or judicial proceedings.

SYSTEM MANAGER AND ADDRESS:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901, Attention: Director of Personnel.

NOTIFICATION PROCEDURE:

Requests by an individual to determine if DNFSB-3 contains information about him/her should be directed to Director of Personnel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901. Required identifying information: Complete name, social security number.

RECORD ACCESS PROCEDURE:

Same as Notification procedures above, except individual must show official photo identification, such as driver license or government identification before viewing records.

CONTESTING RECORD PROCEDURE:

Same as Notification procedures above.

RECORD SOURCE CATEGORIES:

DNFSB employees and employment applicants who have been identified for drug testing, who have been tested, or who have admitted abusing drugs prior to being tested; physicians making statements regarding medical evaluations and/or authorized prescriptions for drugs; individuals providing information concerning alleged drug abuse by Board employees or contractors; DNFSB contractors for processing, including but not limited to, specimen collection, laboratories for analysis, and medical evaluations; and DNFSB staff administering the drug testing program to ensure the achievement of a drug-free workplace.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.c. 552a(k)(5), the Board has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(C), (H), and (J), and (f). The exemption is invoked for information in the system of records which would disclose the identity of a person who has supplied information on drug abuse by a Board employee or contractor.

DNFSB-4**SYSTEM NAME:**

Personnel Files.

SYSTEM CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Defense Nuclear Facilities Safety board, 625 Indiana Ave., NW, Washington, DC 20004-2901.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees and applicants for employment with the DNFSB, including DNFSB contractors and consultants.

CATEGORIES OF RECORD IN THE SYSTEM:

Records concerning the following information:

- (1) Name, social security number, sex, date of birth, home address, grade level, and occupational code.
- (2) Official Personnel Folders (SF-66), Service Record Cards (SF-7), and SF-171.
- (3) Records on suggestions, awards, and bonuses.
- (4) Training requests, authorization data, and training course evaluations.
- (5) Employee appraisals, appeals, grievances, and complaints.
- (6) Employee disciplinary actions.

- (7) Employee retirement records.
- (8) Records on employment transfer.
- (9) Applications for employment with the DNFSB.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

National Defense Authorization Act, Fiscal Year 1989 (amended the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) by adding new Chapter 21—Defense Nuclear Facilities Safety Board).

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

GSA—Maintains official personnel records for DNFSB.

Office of Personnel Management—Transfer and retirement records and benefits, and collection of anonymous statistical reports.

Social Security Administration—Social Security records and benefits.

Federal, State, or Local government agencies—For the purpose of investigating individuals in connection with, security clearances, and administrative or judicial proceedings.

Private Organizations—For the purpose of verifying employees' employment status with the DNFSB.

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

Paper records, magnetic disk, and computer printouts.

RETRIEVABILITY:

By name and social security number.

SAFEGUARDS:

Access is limited to employees having a need-to-know. Records are stored in locked file cabinets in a controlled access area in accordance with Board directives and Federal guidelines.

RETENTION AND DISPOSAL:

Records retention and disposal authorities are contained in the "General Records Schedules" published by National Archives and Records Administration, Washington, D.C. Records within DNFSB are destroyed by shredding or burning, as appropriate.

SYSTEM MANAGER AND ADDRESS:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901, Attention: Director of Personnel.

NOTIFICATION PROCEDURE:

Requests by an individual to determine if DNFSB-4 contains information about him/her should be directed to Director of Personnel,

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901. Required identifying information: Complete name, social security number, and date of birth.

RECORD ACCESS PROCEDURE:

Same as Notification procedures above, except individual must show official photo identification, such as driver license or government identification before viewing records.

CONTESTING RECORD PROCEDURE:

Same as Notification procedures above.

RECORD SOURCE CATEGORIES:

Subject individuals, official personnel records, GSA, OPM for official personnel records, State employment agencies, educational institutions, and supervisors.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DNFSB-5**SYSTEM NAME:**

Personnel Radiation Exposure Files.

SECURITY CLASSIFICATION:

Unclassified materials.

SYSTEM LOCATION:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Washington, DC 20004-2901.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

DNFSB employees, contractors, and consultants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personnel folders containing radiation exposure and whole body count, including any records of mandatory training associated with site work or visits.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

National Defense Authorization Act, Fiscal Year 1989 (amended the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) by adding new Chapter 21—Defense Nuclear Facilities Safety Board).

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

DNFSB—to monitor radiation exposure of its employees and contractors.

DOE—to monitor radiation exposure of visitors to the various DOE facilities in the United States.

Other Federal and State Health Institutions—To monitor radiation exposure of DNFSB personnel.

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

STORAGE:

Paper records, magnetic disk, and computer printouts.

RETRIEVABILITY:

By name, social security number, and numeric code.

SAFEGUARDS:

Access is limited to employees having a need to know. Records are stored in locked file cabinets in a controlled access area.

RETENTION AND DISPOSAL:

Records retention and disposal authorities are contained in the "General Records Schedules" published by National Archives and Records Administration, Washington, D.C. Records within DNFSB are destroyed by shredding, burning, or burial in a sanitary landfill, as appropriate.

SYSTEM MANAGER AND ADDRESS:

Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901. Attention: Security Management Officer.

NOTIFICATION PROCEDURE:

Requests by an individual to determine if DNFSB-5 contains information about him/her should be directed to the Privacy Act Officer, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901. Required identifying information: Complete name, social security number, and date of birth.

RECORD ACCESS PROCEDURE:

Same as Notification procedure above, except individual must show official photo identification, such as driver's license, passport, or government identification before viewing records.

CONTESTING RECORD PROCEDURE:

Same as Record Access procedure.

RECORD SOURCE CATEGORIES:

Subject individuals, previous employee records, DOE contractors' film badges, whole body counts, bioassays and dosimetry badges.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Dated: January 9, 1995.

John T. Conway,
Chairman.

[FR Doc. 95-803 Filed 1-11-95; 8:45 am]

BILLING CODE 6820-KD-M

DEPARTMENT OF EDUCATION

Jacob K. Javits Gifted and Talented Education Program—National Research and Development Center

AGENCY: Department of Education.

ACTION: Notice of proposed priority, selection criteria, and post-award requirements.

SUMMARY: The Secretary proposes a priority, selection criteria, and post-award requirements for an award to support a national research and development center to study the education of gifted and talented children and youth. The work of the center is intended to increase knowledge related to improving educational practices so that the nation's most gifted and talented children and youth may better contribute to the national welfare.

DATES: Comments must be received on or before February 27, 1995.

ADDRESSES: All comments concerning this proposed priority should be addressed to Judith Anderson, U.S. Department of Education, 555 New Jersey Avenue NW., Room 611b, Washington, DC 20208-5573. Comments may also be sent through the internet to "Javits-Center@ed.gov."

FOR FURTHER INFORMATION CONTACT: Judith Anderson. Telephone: (202) 219-2079. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The Secretary seeks to improve the education of gifted and talented children and youth and to use the methods and materials developed in gifted and talented education programs to improve education for all children. This is an integral part of advancing the National Education Goals and GOALS 2000, which require that all students must attain high standards of academic excellence. Gifted and talented education programs and methods can contribute to systemic reform, in which schoolwide efforts are used to coordinate high standards, assessments, challenging curricula, and teacher preparation to improve the education of all students. The Secretary also believes

that the educational needs of gifted and talented students from populations historically underserved by gifted education programs deserve particular attention.

Under the Jacob K. Javits Gifted and Talented Students Education Act of 1994 (Javits Act) as authorized by the Elementary and Secondary Education Act of 1965 as amended, the Secretary seeks to provide support for a national research and development center designed to conduct sound and coherent education research programs on methods and techniques for gifted and talented education. A deliberate, sustained, and coordinated initiative must be undertaken to carry out research and development activities related to improving the education of gifted and talented students.

The Secretary plans to make the award under this competition as a cooperative agreement. Applicants for the award must be institutions of higher education, State educational agencies, or a combination of these entities. The Secretary believes that this center can strengthen its capacity to accomplish the work of its mission by involving partners such as historically black colleges and universities, community colleges, or state and local education research organizations. As described in the Javits Act, the purpose of the center is to increase the understanding of how to improve the education of gifted and talented students, including those who may not be identified or served through traditional assessment methods and programs, such as economically disadvantaged individuals, individuals of limited-English proficiency, and individuals with disabilities. Furthermore, the Secretary believes that the experience and knowledge gained in developing and implementing programs for gifted and talented students can and should be used as a basis to develop rich and challenging curricula for all students, and to design instructional strategies and other means to improve all students' education. Finally, the Secretary believes that educators should consider the schoolwide impact of gifted and talented programs.

Proposed Priority

Under 34 CFR 75.105(c)(3) the Secretary proposes to give an absolute preference to applications that meet the following priority. The Secretary proposes to fund only applications that meet this absolute priority:

Each project must propose plans to establish a national research and development center that—

- Conducts research and development activities concerning the