

meeting, if possible, so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff, its consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting the cognizant ACRS staff engineer, Mr. Michael T. Markley (telephone 301/415-6885) between 7:30 a.m. and 4:15 p.m. (EST). Persons planning to attend this meeting are urged to contact the above named individual one or two working days prior to the meeting to be advised of any potential changes to the agenda, etc., that may have occurred.

Dated: March 23, 1998.

Medhat M. El-Zeftawy,

Acting Chief, Nuclear Reactors Branch.

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OFFICE OF MANAGEMENT AND BUDGET

DEPARTMENT OF COMMERCE

Bureau of the Census

Procedures for Reconciling and Appealing Address List Information for the 2000 Census

AGENCY: Office of Information and Regulatory Affairs, Office of Management and Budget, and Bureau of the Census, Department of Commerce.

ACTION: Notice and request for comments.

SUMMARY: As part of their implementation of the Census Address List Improvement Act of 1994, the Office of Management and Budget (OMB) and the Bureau of the Census (Bureau) request public comment on proposed processes for developing the address information that will be used in conducting the 2000 Census. The Bureau is proposing a Reconciliation process that would seek to resolve disagreements between the Bureau and participating local or tribal governments, or their designated representatives, regarding specific

addresses or groups of addresses. For any disagreements that are not resolved, OMB is proposing an Appeal process that would be available to local and tribal governments, or their designated representatives, that wish to appeal the decisions made by the Bureau of the Census with respect to their suggestions for the Census 2000 address list.

In conducting the Census 2000 enumeration the Bureau will include all addresses added to or corrected in the census address list as a result of the Reconciliation and/or Appeal processes, using the same procedures used for all other addresses on the list. Inclusion of an address on the list does not mean that a housing unit or its inhabitants are actually at the address, or that the address will be included in the final Census 2000 data summaries. The census-taking process will determine the inclusion status of the address—whether or not it is actually a housing unit—and the final population and housing unit status for each address.

DATES: Comments must be received on or before May 26, 1998.

ADDRESSES: *Comments:* Please send comments concerning these proposed procedures to: Katherine K. Wallman, Chief Statistician, Office of Information and Regulatory Affairs, Office of Management and Budget, NEOB, Room 10201, 725 17th Street NW, Washington DC 20503; fax: (202) 395-7245.

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FOR FURTHER INFORMATION CONTACT: Nancy Kirkendall, Office of Management and Budget, NEOB, Room 10201, 725 17th Street NW, Washington, DC 20503; telephone: (202) 395-7313; fax (202) 395-7245.

SUPPLEMENTARY INFORMATION:

The Census Address List Improvement Act of 1994

The Census Address List Improvement Act of 1994 (P.L. 103-430)

changed the Bureau's decennial census address list development procedures to improve the accuracy of, and resolve disagreements concerning, address information. In addition to requiring that the United States Postal Service provide address information to the Bureau (Section 4), the Act also increased the role of local and tribal governments in the development of Bureau address information. Section 2 of the Act requires the Bureau to develop a process under which it would receive, review, and respond to recommendations by these governments regarding address information. To resolve any disagreements that may remain after this process, Section 3 of the Act requires the Administrator of OMB's Office of Information and Regulatory Affairs (OIRA), acting through the Chief Statistician and in consultation with the Bureau, to develop an appeal process through which local and tribal governments, or their designated representatives, may administratively appeal the decisions by the Bureau under 13 U.S.C. 16.

The Bureau's LUCA Process

The Bureau is attempting to develop the most accurate and comprehensive address information practicable for all jurisdictions in the country in cooperation with the United States Postal Service and local and tribal governments, as required by the Census Address List Improvement Act of 1994. The Bureau's address list partnerships with these governments will be undertaken via the program entitled the "Local Update of Census Addresses" (LUCA), during which the Bureau will provide portions of its census address list to participating local and tribal governments for their review. For those areas that do not have city-style addresses (i.e., rural route, post office box number, or general delivery addresses), the Bureau will provide the most recent address and location information available from field activities.

Jurisdictions that participate in the LUCA program may respond with address change suggestions including corrections, additions, deletions, and address location information. The Bureau issued its standards for addresses in the **Federal Register**, 60 FR 58326, November 27, 1995. These standards described the components of acceptable city-style addresses, including apartment numbers for each

unit address in a multi-unit building, a current 5-digit ZIP code, and the distinction between residential and commercial addresses.

The LUCA process began in early 1998 with the mailing of invitations to local and tribal governments to participate in the program. As jurisdictions notify the Bureau of their desire to participate in the program, appropriate materials will be generated and delivered. Once a jurisdiction receives its materials, it has 3 months in which to conduct its review and provide suggested changes back to the Bureau. Jurisdictions with city-style mail delivery areas will conduct the review of their portion of the Bureau's address list in 1998. The Bureau will conduct listing activities to prepare the address list for jurisdictions with noncity-style addresses in the last half of 1998. As these listings are completed, they will be delivered to participating jurisdictions for their review. The three month review period for jurisdictions with noncity-style addresses will extend into the second quarter of 1999.

The Bureau will conduct field canvassing operations to verify the existence and accuracy of the address information provided via the LUCA program. The Bureau, as part of its address list development process, will conduct a field canvass of all blocks in the city-style address mail delivery areas. Updates from local and tribal governments will be verified at that time. Since this canvass covers approximately 94 million addresses, the operation will be conducted in three waves, each of six-week duration. The first wave is scheduled to begin in January 1999, and the operation will be completed with the end of the third wave in May 1999. For areas that do not have city-style mail delivery, a separate field verification will be conducted soon after receiving suggestions from local and tribal governments. In all areas, the Bureau will provide timely written feedback to a participating jurisdiction after all their suggested changes have been reviewed and evaluated. For each jurisdiction, the LUCA program will be officially completed at the time the Bureau provides feedback.

The Proposed Reconciliation Process

After receiving the LUCA feedback from the Bureau, a participating local or tribal government may ask the Bureau to reconsider its determination during the Reconciliation process. (The Bureau's proposal for the Reconciliation process follows at Exhibit 1.) The goal of the Reconciliation process is to resolve disagreements regarding specific addresses or groups of addresses, and to

reach concurrence between the Bureau and the participating government. This concurrence relates both to the existence of addresses and to the location of each address. As in the LUCA process, the Reconciliation process will conclude with a written determination by the Bureau regarding the existence of addresses or the location of addresses provided by the participating government. The Census Bureau is using 30 days as a standard for completing the Reconciliation process for a jurisdiction. The standard should be achievable for all jurisdictions but those with a large number of disputed addresses. The wave approach to canvassing in city-style address areas imparts a waved implementation to both the Reconciliation and the Appeal processes. The first wave of canvassing will be completed by late February, 1999. The Bureau will begin accepting requests for Reconciliation from these jurisdictions in March. The final wave of canvassing will be completed by late May. The Bureau will begin accepting requests for Reconciliation from these jurisdictions in June. The Reconciliation process for both city-style and noncity-style address areas will be complete by August 31, 1999.

The Proposed Appeal Process

If, at the end of the Reconciliation process, the participating government disagrees with the Bureau's determination regarding the address information or the location of addresses, it may formally seek an outside review of the Bureau's decision via the Appeal process. During the Appeal process, a participating government will have the opportunity to ask a Federal official, designated by OMB and outside the Bureau and the Department of Commerce, to review the Bureau's determination and issue a final decision. Jurisdictions may file an appeal only upon completion of the Reconciliation process. Thus, those jurisdictions scheduled for the first block canvassing wave will enter the Appeal process before those in the later waves. Appeals for all jurisdictions will be filed during the period April through September 1999. The Appeal process will be concluded by January 14, 2000. (The OIRA Administrator's proposal for the Appeal process follows at Exhibit 2.)

The Next Stages in Developing the Reconciliation and Appeal Processes

Comments are sought on all aspects of the Reconciliation and Appeal processes. After these comments are reviewed and considered, the Bureau and the OIRA Administrator plan to

issue a notice, by July 1998, outlining the final Reconciliation and Appeal processes.

Donald R. Arbuckle,

Deputy Administrator, Office of Information and Regulatory Affairs.

James Holmes,

Acting Director, Bureau of the Census.

Exhibit 1

Proposed Reconciliation Process

Reconciliation will be conducted by the Bureau of the Census (Bureau) at the request of the participating local or tribal government, or its designated representative. The process will begin when a participating government formally disagrees with the Bureau's decision regarding the inclusion, exclusion, or geographic placement of specific addresses on the census address list that the participating government recommended during the Local Update of Census Addresses (LUCA) process.

1. When To File a Reconciliation Request

The participating government must file a Request for Reconciliation, in writing, within 21 calendar days of receiving the LUCA feedback (i.e., the information provided by the Bureau in response to materials submitted by the participating government; the feedback may be in the form of a paper listing or a computer file, as requested by the participating government).

"Receipt" as used herein shall be defined as the date the Bureau transmits the document in question to the participating government plus three (3) calendar days. The Bureau may transmit documents via first class mail, via overnight delivery service, via facsimile, or via electronic mail, as appropriate, but must keep an accurate record of the date it transmits documents.

2. What Documentation To File

Requests for Reconciliation must be printed or typed. Documentation must include: (1) the name of the participating government; (2) the name, address, and telephone number of that government's contact person; (3) the list of addresses or groups of addresses that are being questioned; and (4) any supporting evidence.

With respect to the list of questioned addresses (or groups of addresses), separate lists should be provided for addresses (a) which are believed to exist but are not included on the census address list, (b) which are believed to be incorrectly included on the census address list, or (c) which are believed to be correctly included but not correctly located on the census address list.

Specific recommendations should be provided for how addresses and their locations should appear on the Census 2000 address list.

The supporting evidence should establish the validity of the addresses and their locations. Two types of supporting evidence are recommended below. The first specifically reflects the validity of any address or map reference sources; the second describes other useful sources of supporting evidence. The participating government may submit any documentation it deems relevant in support of its claim.

a. Quality of address or map reference sources.

- (1) The date of the address source.
- (2) How often the address source is updated.
- (3) The methods used to update the source.
- (4) Quality assurance procedures that are used in maintaining the address source.
- (5) How the address source is used by the participating government and/or by the originator of the source.

b. Other useful supporting evidence.

- (1) On-site inspection and/or interview of resident.
- (2) Issuance of recent occupancy permit for unit. (Building permits are not acceptable as they do not ensure that the units have been built and/or are occupied.)
- (3) Provision of utilities (electricity, gas, sewer, water, telephone, etc.) to the residence. The utility record should show that this is not service to a commercial unit, or an additional service to an existing residence (such as a second telephone line).
- (4) Provision of other governmental services (housing assistance, welfare, etc.) to residents of the unit.
- (5) Issuance of demolition permits.
- (6) Aerial photography and/or standard photography.
- (7) Land use maps.
- (8) Local 911 emergency lists, with flags distinguishing residential from commercial units.
- (9) Tax assessment records with flags distinguishing residential from commercial units.

3. Where To File the Request for Reconciliation

A Request for Reconciliation must be filed with the Bureau's Regional Census Center for the region in which the participating government is located.

4. Reconciliation Review

Bureau staff will review materials submitted by the participating government and will contact local or tribal participants to provide them an

opportunity to discuss their questions and concerns with Bureau staff. This dialogue with the local or tribal participants may include meetings in person, telephone conversations, written correspondence, site inspections to view addresses, or a combination of these approaches as determined by the Bureau.

Following this dialogue, the participating government will be notified in writing of the Bureau's final determination and the basis for it. Accepted addresses will be added to or corrected in the census address list. The participating government also will be informed of its right to an Appeal, and may proceed to the Appeal stage if it is not satisfied with the resolution provided by the Bureau during the Reconciliation phase.

In conducting the Census 2000 enumeration the Bureau will include all addresses added to or corrected in the census address list as a result of the Reconciliation and/or Appeal process, using the same procedures used for all other addresses on the list. Inclusion of an address on the list does not mean that a housing unit or its inhabitants are actually at the address, or that the address will be included in the final Census 2000 data summaries. The census-taking process will determine the inclusion status of the address—whether or not it is actually a housing unit—and the final population and housing unit status for each address.

5. Time for Completion of Reconciliation Process

The Census Bureau is using 30 days as a standard for completing the Reconciliation process for a jurisdiction. The standard should be achievable for all jurisdictions but those with a large number of disputed addresses. The Reconciliation review shall be completed and a participating government shall be notified in writing of the Bureau's determination no later than August 31, 1999. From the date a participating government receives the Bureau's final determination, it will have 30 calendar days in which it may file an Appeal on any or all of the addresses (see the proposed Appeal Process issued by the Administrator of the Office of Information and Regulatory Affairs).

Exhibit 2

Proposed Appeal Process

Following receipt of the Bureau's determination from the Reconciliation process, the participating local or tribal government, or its designated agent, may file an Appeal if it disagrees with

the Bureau's Reconciliation determination. The Appeal process will be based solely on a review of written documentation provided by the participating government and the Bureau.

1. When May a Participating Government File an Appeal

An Appeal must be filed by the participating government within 30 calendar days of that government's receipt of the Bureau's final determination from the Reconciliation process (see 3, below, regarding what the participating government must file within 30 days). An appeal may be filed only with respect to addresses for which the participating government had previously sought Bureau review during the LUCA program and its Reconciliation process.

"Receipt" as used herein shall be defined as the date the Bureau transmits the document in question to the participating government plus three (3) calendar days. The Bureau may transmit documents via first class mail, via overnight delivery service, via facsimile, or via electronic mail, as appropriate, but must keep an accurate record of the date it transmits documents.

2. Who Will Review and Decide the Appeal

The Appeal process will be administered by a Consortium of Federal agencies outside the Department of Commerce. Appeal Officers will be selected from a roster of Federal employees who have been trained in the procedures for an appeal and in the examination and analysis of address information, locations of addresses, supporting documentary evidence, and written position statements. Appeal Officers also will be trained in the preparation of a written determination. The addresses and telephone numbers of Consortium offices participating in the Appeal process will be made public when they are selected.

3. What Documentation Shall the Participating Government File With an Appeal

Each Appeal must be submitted to the Consortium, and must be printed or typed. The appeal documentation must include: (1) the name of the participating government; (2) the name, address, and telephone number of that government's contact person; (3) the list of addresses or groups of addresses that are being appealed; (4) a copy of the Bureau's Reconciliation determination regarding those addresses; (5) the date on which the participating government received the Bureau's determination;

and (6) any supporting evidence for the position taken by the participating government in its Appeal.

In its Appeal documentation, the participating government should specifically respond to the explanation that accompanied the Bureau's Reconciliation determination. With respect to the list of questioned addresses (or groups of addresses), separate lists should be provided for addresses (a) which are believed to exist but are not included on the census address list, (b) which are believed to be incorrectly included on the census address list, or (c) which are believed to be correctly included but not correctly located on the census address list. Specific recommendations should be provided for how addresses and locations should appear on the census address list.

The supporting evidence should demonstrate the basis for the participating government's position concerning the disputed addresses. Supporting evidence may include the material submitted in support of the Reconciliation review for the disputed addresses and any additional information. Two types of supporting evidence were recommended by the Bureau in its issuance regarding the Reconciliation process; the first specifically reflects the validity of any address or map reference sources; the second describes other useful sources of supporting evidence:

a. Quality of address or map reference sources.

- (1) The date of the address source.
- (2) How often the address source is updated.
- (3) The methods used to update the source.
- (4) Quality assurance procedures that are used in maintaining the address source.
- (5) How the address source is used by the participating government and/or by the originator of the source.

b. Other useful supporting evidence.

- (1) On-site inspection and/or interview of resident.
- (2) Issuance of recent occupancy permit for unit. (Building permits are not acceptable as they do not ensure that the units have been built and/or are occupied.)
- (3) Provision of utilities (electricity, gas, sewer, water, telephone, etc.) to the residence. The utility record should show that this is not service to a commercial unit, or an additional service to an existing residence (such as a second telephone line).

(4) Provision of other governmental services (housing assistance, welfare, etc.) to residents of the unit.

(5) Issuance of demolition permits.

(6) Aerial photography and/or standard photography.

(7) Land use maps.

(8) Local 911 emergency lists, with flags distinguishing residential from commercial units.

(9) Tax assessment records with flags distinguishing residential from commercial units.

All of the Appeal documentation must be received by the Consortium within 30 calendar days of the participating government's receipt of the Bureau's final Reconciliation determination; at the same time, the participating government shall send a complete copy of the Appeal documentation to the Bureau. Except in response to a written request from the Appeal Officer (see 6, below), the participating government may not submit any materials to the Consortium after the 30-day period.

4. Assignment of an Appeal Officer and Notification of Appeal Status

Upon receipt of an Appeal, the Consortium will assign an Appeal Officer to the case and notify the Bureau, in writing, that the Appeal has been filed; a copy of the notification also will be sent to the participating government. This notification will identify the participating government and provide a list of the disputed addresses.

5. Submission by the Bureau of Written Documentation and Supporting Evidence

Upon receipt of the notification that an Appeal has been filed, the Bureau will have 14 calendar days in which to submit written documentation briefly summarizing its position as well as any supporting evidence concerning the disputed addresses to the Appeal Officer. Except in response to a written request from the Appeal Officer (see 6, below), the Bureau may not submit any materials to the Appeal Officer after the 14-day period. At the same time the Bureau must send to the participating government a complete copy of the Bureau's submission to the Appeal Officer.

6. The Appeal Review and Determination

The Appeal Officer will review the written documentation and supporting evidence submitted by the participating government and the Bureau. No testimony or oral argument will be

received by the Appeal Officer. If the Appeal Officer determines that he or she requires additional information or clarification, the Appeal Officer may request it in writing, with notice to both parties, and the relevant party(ies) shall respond in writing. Appeal Officers will apply the following principles in conducting their review:

(1) The Appeal Officer shall consider the quality of the map or address reference source as the basis for determining the validity of an address or group of addresses and their locations.

(2) For those addresses for which the Appeal Officer determines that the quality of the supporting evidence submitted by both parties is generally of comparable value, the Appeal Officer shall decide in favor of the participating government.

At the conclusion of reviewing a disputed address (or group of addresses), the Appeal Officer will issue a written determination and provide it to both the participating government and the Bureau. The written determination will include a brief summary explanation of the Appeal Officer's decision, and will specify how the disputed addresses and/or block numbers should appear on the Census 2000 address list. Each written determination shall become part of the administrative record of the Appeal process.

An Appeal Officer's decision on a disputed address is final. In conducting the Census 2000 enumeration the Bureau will include all addresses added to or corrected in the census address list as a result of the Appeal process, using the same procedures used for all other addresses on the list. Inclusion of an address on the list does not mean that a housing unit or its inhabitants are actually at the address, or that the address will be included in the final Census 2000 data summaries. The census-taking process will determine the inclusion status of the address—whether or not it is actually a housing unit—and the final population and housing unit status for each address.

7. Time for Completion of Appeal Review

Appeal Reviews shall be completed and written determinations issued to the concerned parties as soon as possible, and in any event no later than January 14, 2000.

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