

understanding of criteria related to success. The information collected will be used to determine by peer review which schools receive the award and information on their exemplary practices and policies will be made available to other schools.

#### **Office of Special Education and Rehabilitative Services**

*Type of Review:* Reinstatement.

*Title:* Annual Program Cost Report.

*Frequency:* Annually.

*Affected Public:* State, local or Tribal Gov't; SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

Responses: 82.

Burden Hours: 385.

*Abstract:* Collected data submitted on the Annual Vocational Rehabilitation Program/Cost Report (RSA-2) by State vocational agencies for each fiscal year is used by the Rehabilitation Services Administration (RSA) to administer and manage the Title I Program, to analyze expenditures, evaluate program accomplishments, and to examine data for indication of problem areas.

#### **Office of Educational Research and Improvement**

*Type of Review:* Revision.

*Title:* Eisenhower National Clearinghouse for Mathematics and Science Education, Evaluation.

*Frequency:* On occasion.

*Affected Public:* Individuals or households; not-for-profit institutions; Federal Government; State, local or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

Responses: 80,125.

Burden Hours: 3,159.

*Abstract:* This submission contains a suite of nine instruments to be used in general data collection for the Eisenhower National Clearinghouse (ENC). All responses are voluntary. Subjects will be obtained as a sample of convenience at ENC workshops, demonstrations and presentations, and from recipients of ENC publications and products. Instruments are designed to provide general information for planning and evaluation purposes.

[FR Doc. 98-19068 Filed 7-16-98; 8:45 am]

BILLING CODE 4000-01-U

## **DEPARTMENT OF ENERGY**

### **Energy Information Administration**

#### **Agency Information Collection and Dissemination Activities: Comment Request**

**AGENCY:** Energy Information Administration, DOE.

**ACTION:** Agency electric power information collection and dissemination activities: Proposed confidentiality comment request.

**SUMMARY:** The Energy Information Administration (EIA) is soliciting comments concerning the proposed revision to the EIA procedure of confidentiality treatment given to electric power data collected and disseminated by the EIA through a series of primarily mandatory surveys (Form EIA-411 is voluntary). This notice lists the electric power data elements the EIA considers could cause substantial competitive harm if made available to the public and EIA is proposing that these elements will be considered confidential if the provider documents substantial harm due to unrestricted disclosure.

**DATES:** Written comments must be submitted by August 31, 1998. The urgency to review and implement this policy requires close adherence to the scheduled comment period. If unusual circumstances arise during the comment period which could cause a delay in meeting the scheduled response date, please notify the contact person listed below at once. Effort will be made to accommodate all interested responders to this notice.

**ADDRESSES:** Send comments to John G. Colligan, EI-53; Energy Information Administration, U.S. Department of Energy, 1000 Independence Avenue, S.W.; Washington, D.C. 20585-0650; (202) 426-1174; e-mail jcolliga@eia.doe.gov; and fax (202) 426-1311.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the electric power forms and instructions should be directed to John Colligan at the address listed above. Please note, the EIA is not seeking comments on the survey forms per se, but rather on the level of confidentiality of specific data elements. A separate notice regarding forms design is being published and distributed.

#### **SUPPLEMENTARY INFORMATION:**

- I. Background
- II. Current Actions
- III. Request for Comments

## **I. Background**

In order to fulfill its responsibilities under the Federal Energy Administration Act of 1974 (FEAA) (Pub. L. 93-275) and the Department of Energy Organization Act (Pub. L. 95-91), the Energy Information Administration (EIA) is obliged to carry out a central, comprehensive, and unified energy data and information program. As part of this program, EIA collects, evaluates, assembles, analyzes, and disseminates data and information related to energy resource reserves, production, demand, and technology, and related economic and statistical information relevant to the adequacy of energy resources to meet demands in the near and longer term future for the Nation's economic and social needs.

The EIA, as part of its continuing effort to reduce paperwork and respondent burden (required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13)), conducts a presurvey consultation program to provide the general public and other Federal agencies with an opportunity to comment on proposed and/or continuing reporting forms. This program helps to prepare data requests in the desired format, minimize reporting burden, develop clearly understandable reporting forms, and assess the impact of collection requirements on respondents. Also, EIA will later seek approval by the Office of Management and Budget (OMB) for the collections under Section 3507(h) of the Paperwork Reduction Act of 1995 (Pub. L. 104-13, Title 44, U.S.C. Chapter 35).

The EIA conducts surveys to collect electric power data from electric utilities, electric power marketers, nonutility electric power producers (cogenerators, small power producers, and other nonutility electric power generators), and the North American Electric Reliability Council regions. The electric power data collected include but are not limited to: ownership; accounting/financial; generation; type and character of fuels consumed; capacity; heat rates; heat rate components; demand; purchases; sales; peak loads; imports/exports; revenues; plants; equipment; distribution systems; reliability; load management; and environmental data. EIA also collects projections of load, capacity, and other related information.

The EIA surveys used to collect this data and other information are:

- EIA-411, "Coordinated Bulk Power Supply Program;"
- EIA-412, "Annual Report of Public Electric Utilities;"

EIA-417R, "Electric Power Systems Emergency Report;"  
 EIA-759, "Monthly Power Plant Report;"  
 EIA-767, "Steam-Electric Plant Operation and Design Report;"  
 EIA-826, "Monthly Electric Utility Sales and Revenue Report with State Distributions;"  
 EIA-860, "Annual Electric Generator Report;"  
 EIA-861, "Annual Electric Utility Report;"  
 EIA-867, "Annual Nonutility Power Producer Report;" and  
 EIA-900, "Monthly Nonutility Sales for Resale Report."

(The surveys currently in use to collect electric power data are subject to change reflecting the transformation of the electric power industry. The EIA is also publishing a notice in the **Federal Register**, at this time outlining proposed individual forms changes.)

## II. Current Actions

With the restructuring of the generation segment of the electric power industry, the question of confidential treatment of the electric power data collected and disseminated by the EIA has become preeminent. Under existing EIA procedure, in accordance with the Freedom of Information Act (FOIA), all electric utility data, except heat rate, are available to the public. Most electric power data collected from the nonutility industry are treated as commercially sensitive and not releasable in disaggregated form. The EIA has followed this procedure since inception of the nonutility form(s) based on the nature of that market.

With the implementation of the Federal Energy Regulatory Commission (FERC) Orders 888 and 889, which facilitated wholesale electricity generation competition, and the initiation of retail competition in some states, the EIA is addressing the concern of data confidentiality, through a series of notices to the public which address the need for a change to the confidentiality of submitted data survey forms. This will result in an amended procedure that will both balance the public's right-to-know, and the proprietary right of the electric power generators to conduct business.

The EIA's initial action was a request for comment(s) from interested parties and those who might be affected by changes in the EIA confidentiality procedure. The call for comments was widely publicized through a **Federal Register** notice (FRn), and announcements on the Internet. (Refer to **Federal Register**: January 13, 1998 (Volume 63, Number 8) [pp 1960-1962].

The EIA extended the comment period of the notice beyond the customary 60 days, to accommodate all potential responders. EIA received 116 responses, (Appendix A) several from organizations representing more than a single entity. Many of the comments discussed the legal requirements related to confidentiality of data submitted to the EIA. The respondents presented cogent arguments on all sides of the issue which is the foundation of the EIA procedure being presented here.

In developing a policy of confidential treatment of electric power data collected by the EIA that is fair and equitable, the EIA weighed the concerns of the industry (as reported in their comments) with the legal implications of any action(s) taken and the laws governing the EIA survey collection series. The laws and regulations considered are:

- a—Trade Secrets Act, (18 U.S.C. 1905)
- b—Freedom of Information Act (FOIA), (5 U.S.C. 552)
- c—Department of Energy, Freedom of Information Act (FOIA) Regulations, (10 C.F.R. 1004)
- d—Clean Air Act (as it applies to emissions data), (42 U.S.C. 85)
- e—Paperwork Reduction Act, (44 U.S.C. 35)

### a—Trade Secrets Act

A trade secret is defined in narrow terms: as a secret commercially valuable plan, formula, process, or device that is used for the making, preparing, compounding or processing of trade commodities and that can be said to be the end product of either innovation or substantial effort. The collection and dissemination, by the EIA of electric power data does not include trade secret information or data. By definition the Trade Secrets Act is not pertinent to the issue of confidentiality of the EIA electric power data collection series.

### b—Freedom of Information Act (FOIA)

The concept of FOIA is an open policy favoring disclosure. There is a presumption that disclosure is appropriate, with some limited exemptions. Exemption 4 of FOIA covers confidential commercial or financial information. However, exemptions to FOIA are narrowly construed. The test, under exemption 4 of FOIA, of whether to disclose or to withhold data at the company/plant level is a two prong examination depending on whether the submission is voluntary or required. FOIA does not contain specific provisions on information sharing.

Where information is submitted voluntarily, disclosure under FOIA is

appropriate only if the data provider and/or industry organizations (in which the data provider holds membership) customarily make the data available to the public. The fact that a custodian of the data makes it available to the public is not considered voluntary submission by the submitter.

All EIA electric power data collections (except Form EIA-411) are mandatory surveys. Where information is required to be submitted, the test for FOIA disclosure is whether disclosure would cause substantial competitive harm. The question of whether substantial competitive harm will in fact occur (by release of data to the public) is a highly fact-specific one. The harm must be substantial, a mere negative effect alone does not meet the standard of substantial harm. Actual competition is a prerequisite if seeking exception from disclosure under FOIA. The entity must be operating in a competitive market, not a non-competitive market. Blanket allegations of harm will not suffice as proof of substantial harm. The burden is on the entity seeking confidential treatment of data. When granting an exemption under FOIA, the question of balance between public interest and the rights of the submitter are always at issue.

### c—Department of Energy (DOE), FOIA Regulations

The DOE complies with the FOIA regulations both in letter and in spirit. The fact that the EIA has considered specific data elements nonconfidential or confidential in the past does not preclude a reevaluation of its position on confidentiality of individual data elements at any time. The electric power industry changes as do the circumstances of data reporting. The change in circumstances could affect disclosure of data collected in prior years by the EIA. For example, if data are relatively unchanged but the disclosure rule is now different, the new rule might prevail for disclosure of all such data collected in prior years. The final EIA procedure will clarify this point. If underlying data are confidential it is usually acceptable to disclose the data at an aggregated level without revealing the data submitter. DOE also complies with the Paperwork Reduction Act of 1995 which provides that a Federal agency may make confidential information available to another Federal agency if the disclosure is not inconsistent with applicable law. The EIA may make confidential information available to another Federal Agency if it will be used for statistical purposes only. In accordance with section 12(f) of the FEAA, the

Comptroller General or the Secretary shall disclose information in a manner designed to protect its confidentiality to (1) other Federal government departments, agencies, and officials for official use upon request; (2) committees of Congress upon request; and (3) a court in any judicial proceeding under court order.

#### d—Clean Air Act

The Clean Air Act prohibits confidential treatment of emissions data. The Environmental Protection Agency's (EPA) FOIA implementing regulations has determined that emissions data are defined broadly and includes "information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source \* \* \*". (EPA is one of the sponsors of Form EIA-767.)

#### Proposed Procedure

The EIA is proposing an update to its procedure on the confidential treatment

of electric power data collected through the survey series listed above. The proposed changes are based on the review of the comments received from all sectors of the industry, and consideration of the laws and regulations discussed above.

It is the intent of the EIA to establish a procedure of equal public disclosure treatment for all market participants. The data elements designated in this document (Table 1) have a potential to be harmful to the submitter, if released without restriction. Such harm, if it exists, could qualify the individual submitter's data for exemption from unrestricted release under the provision(s) of FOIA. Circumstances vary from reporting entity to reporting entity. It is the responsibility of the respondent(s) seeking protection under FOIA to declare the fact-specific occasions that will cause damages, and explain how their company is directly affected. The burden is on the respondent to authenticate and document the likelihood of substantial harm, and the need for nondisclosure of specific data. To show substantial

competitive harm, the respondent must document the existence of actual competition, how a competitor would use the data to gain a substantial competitive advantage, and that the data are not available from another source. Even if the respondent appears to meet the burden of proof, the EIA is required to balance the harm to the respondent against the public interest severed by disclosure.

It should be understood that the EIA's identification of these elements is based on the comments received from the January 1998 solicitation and a thorough review of the laws and regulations. Each respondent seeking nondisclosure protection, for individually-identifiable data, should establish that prerogative when submitting that entity's data to the EIA on the applicable survey(s).

All other data collected by the EIA on the surveys listed in Section I, Background, will be treated as nonconfidential. Listed in Appendix B are most of the major data elements (by Form) that will not be treated as confidential.

TABLE 1.—CONFIDENTIAL DATA ELEMENTS

Data elements	Forms affected
Future—generating capacity: 1—retirement dates 2—changes to existing units 3—planned generating unit data	EIA-411 generator(s) planning data for: (a) existing (changes to); (b) retirement date(s) (c) new generators (all in formation) EIA-767 planning data for: (a) new plants/equip.; (b) equipment updates; (c) retirement date(s) EIA-860 planning data for: (a) generator updates; (b) retirement date(s); (c) new generator(s) EIA-867 planning data for equipment
Heat rates:	EIA-411 (a) heat rate data EIA-767 (a) boiler efficiency EIA-860 (a) heat rate data
1—Sales for resale	EIA-412 name(s), quantities, demand charges, energy/other charges, revenue/settlements 2—Contracts EIA-867 names, maximum contract amount, amount delivered
Wholesale purchases/contracts with sellers	EIA-412 name(s), quantities, demand charges, purchased/exchanged, energy/other charges, total costs EIA-867 name(s), maximum contract amount, amount delivered
Fuel inventory—stocks	EIA-759
Financial data—environmental equipment	EIA-767
Sales end user(s) name(s)	EIA-867 name(s), maximum contract, amount delivered

### III. Request for Comments

Prospective respondents and other interested parties should comment on the actions discussed in Section II, Current Actions. We are seeking comments on the issue of confidentiality only at this time. General comments on the forms themselves will be solicited under another FRn soon to be published. The EIA is taking this approach in order not to confuse form(s) design and survey coverage(s) with the issue of confidentiality of the electric power data. The following guidelines

are provided to assist in the preparation of responses.

#### General Issues

The general issue of this notice is to advise and seek comments on the EIA's proposed revised procedure of confidentiality treatment of data elements collected on its several electric power survey form(s), from all interested parties. Table 1 lists the electric power data elements the EIA considers could cause substantial competitive harm if made available to

the public. The EIA is proposing that these elements will be considered confidential if the provider documents substantial harm due to unrestricted disclosure. Please comment on this proposal.

#### As a Potential Respondent

While the general rule under FOIA is full disclosure there are limited

exemptions. The question of whether data collected by the EIA's electric power survey(s) series will qualify for an exemption is not exact. The critical test is: will the release of the data element (at the plant identifiable unit level) cause or is likely to cause substantial competitive harm? The presumption of the FOIA favors disclosure, placing the burden on the data provider to document the likelihood of such harm.

As a potential respondent to an EIA electric power survey, please discuss what data elements collected on EIA's electric power surveys would cause you substantial competitive harm if your individually-identifiable data were released. Specifically, you should address the following: (1) is your information available from other public sources; and (2) how would release of

your data cause you substantial competitive harm. Your response must be specific; broad statements not addressing specific data elements are not useful in deciding on what data elements, if any, should be considered as confidential.

#### *As a Potential User*

A. As a potential user of data collected in EIA's electric power surveys, please discuss what data you need in company-identifiable form and why aggregate data where individual confidentiality is maintained would not be adequate for your needs. Additionally, please document the harm and the extent of loss you would endure by not having individually-identifiable specific data.

As new data needs on electric power are identified in the future and are

considered for inclusion in EIA's surveys, the confidentiality treatment of any new data element(s) will be subject to the same procedure and considerations discussed above. Before new element(s) are included in surveys, EIA will request comments through its presurvey consultation program and will seek OMB approval.

Comments received in response to this **Federal Register** notice may be included in materials submitted to OMB and will be available to the public.

**Statutory Authority:** Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104-13).

Issued in Washington, D.C. July 14, 1998.

**Jay E. Hakes,**

*Administrator, Energy Information Administration.*

#### **Appendix A**

#### LIST OF COMPANIES RESPONDING TO FEDERAL REGISTER NOTICE OF JANUARY 13, 1998

ID	Company	Type
1	Alaska Electric Light & Power Co	Utility.
2	Allegheny Power	Utility.
3	American Public Power Association	Association.
4	American Corporate Resources, Inc	Consultant.
5	Arizona Corporation Commission	State/Regulator.
6	Association of Electric Cooperatives	Association.
7	Baltimore Gas & Electric Co	Utility.
8	Bernadette K. Geyer	Private Citizen.
9	Bonneville Power Administration	Federal Gov.
10	Brickfield/Burchette-For 3 Texas Coop's	Electric Coop.
11	California Energy Commission	State/Regulator.
12	Carolina Power & Light Co	Utility.
13	Center for Clean Air Policy	Environmental.
14	Central & South West Services, Inc	Utility.
15	Coalition For Local Power	Citizen Group.
16	Colorado/Dept. Public Health/Environment	State/Regulator.
17	Colorado/Dept. Regulatory Agencies	State/Regulator.
18	Commonwealth Edison Co—Environmental	Utility.
19	Commonwealth Edison Co—Attorney For	Utility.
20	Commonwealth Edison Co—Law Dept	Utility.
21	Conservation Consultants, Inc	Citizen Group.
22	CONSOL Inc	Energy Co.
23	Consumers Energy	Utility.
24	Coordinated Energy Ltd	Consultant.
25	Detroit Edison	Utility.
26	Duke Energy Corporation	Utility.
27	Edison Electric Institute	Association.
28	Electric Power Group	Consultant.
29	Electric Power Supply Association	Association.
30	Energy Market & Policy Analysis, Inc	Consultant.
31	Energy	Utility.
32	First Energy	Utility.
33	Friends Of The Earth	Environmental.
34	Groundwork	Environmental.
35	Hawaiian Electric Co. Inc	Utility.
36	Illinois Power	Utility.
37	Indiana Dept. Commerce	State/Regulator.
38	Iowa Dept. Natural Resources	State/Regulator.
39	J.D. McKenzie	Consultant.
40	James Kotcon	Consultant.
41	Kansas City Power & Light Co	Utility.
42	Katherine M. Phillips	Private Citizen.
43	Kenneth D. Hammett	Private Citizen.
44	Komanoff Energy Associates	Consultants.
45	Laclede Gas Co	Energy Co.
46	Land & Water Fund	Environmental.
47	M. Cubed	Consultant.

## LIST OF COMPANIES RESPONDING TO FEDERAL REGISTER NOTICE OF JANUARY 13, 1998—Continued

ID	Company	Type
48	Maryland Energy Administration	State/Regulator.
49	MDU Resources Group	Utility.
50	Michigan State—College of Business	College/Univ.
51	Michigan Municipal Electric Association	Association.
52	Michigan—Dept Consumer & Industry Services	State/Regulator.
53	Mid Atlantic Area Council	Association.
54	Mid American	Utility.
55	Mike Turcotte	Private Citizen.
56	Missouri—Dept. of Natural Resources	State/Regulator.
57	Missouri—Division of Energy	State/Regulator.
58	MSB Energy Associates, Inc	Consultant.
59	N. Carolina Dept. Environment/Natural Resources	State/Regulator.
60	National Mining Association	Association.
61	National Association of State Officials	Association.
62	National Resources Defense Council	Association.
63	National Rural Electric Cooperative Association	Electric Coop.
64	National Assoc. Regulatory Utility Commissioners	Association.
65	National Assoc. State Utility Consumer Advocates	Association.
66	Native Forest Network	Citizen Group.
67	New York Energy Research/Development Authority	State/Regulator.
68	New England Conference PUC Commissioners, Inc	Association.
69	New Century Energies	Utility.
70	New Jersey Dept. Environmental Protection	State/Regulator.
71	North American Electric Reliability Council	Association.
72	Northeast States Coordinated Air Use Management	Association.
73	Nuclear Energy Institute	Association.
74	Pacific Gas & Electric Co	Utility.
75	Paine Webber	Financial.
76	PECO Energy Co	Utility.
77	Pete Salinas, Jr	Private Citizen.
78	Philadelphia Public Health/Services Air/Man	State/Regulator.
79	Potomac Electric Power Co	Utility
80	Public Citizen	Citizen Group
81	Public Service Company of New Mexico	Utility.
82	Public Citizens Critical Mass Energy Project—1	Citizen Group.
83	Public Citizens Critical Mass Energy Project—2	Citizen Group.
84	Public Citizens Critical Mass Energy Project—3	Citizen Group.
85	PUC of Ohio	State/Regulator.
86	Puget Sound Energy, Inc.	Utility.
87	Resource Data International	Consultant.
88	Resources for the Future	Consultant.
89	Right-to-Know Energy Information	Citizen Group.
90	Sigcorp Inc	Utility.
91	Southern California Edison	Utility.
92	Southern Company	Utility.
93	Southern Environmental Law Center	Environmental.
94	Steve Osterday	Private Citizen.
95	Tampa Electric Co	Utility.
96	Terrence Kurtz	Private Citizen.
97	Texas Utilities Electric Co	Utility.
98	Tucson Electric Power Co	Utility.
99	U. of Delaware Energy & Environmental Policy	College/Univ.
100	Union of Concerned Scientists	Environmental.
101	University of Wisconsin-Madison	College/Univ.
102	U.S. Senate James M. Jeffords (Vermont)	Federal Gov.
103	U.S. Environmental Protection Agency	Federal Gov.
104	U.S. Dept Comm. Bureau Economic Analysis	Federal Gov.
105	U.S. Dept. of Agriculture	Federal Gov.
106	Utility Power Group	Consultant.
107	Vanston Shaw	Private Citizen.
108	Virginia Tech Center/Coal & Energy Research	College/Univ.
109	Virginia Power	Utility.
110	Washington-Dept./Community/Trade/Econ-Devel.	State/Regulator.
111	Washington-Utilities/Transport Commission	State/Regulator.
112	Western Resources	Utility.
113	William Kreuter	Consultant.
114	Wisconsin—Dept. of Justice	State/Regulator.
115	Wisconsin Public Service Corporation	Utility.
116	Working Assets	Consultant.

## Appendix B

## LIST OF DATA ELEMENTS THAT WILL NOT BE HELD CONFIDENTIAL

Data elements	Forms affected
Existing generating capacity	EIA-411 all data not listed as confidential on existing generating units such as identifiers, type, capacity, fuel, commercial operation date EIA-767 all data not listed as confidential on steam-electric plant configuration such as existing boiler design parameters (excluding heat rates & retirement date), existing plant configuration, existing generator information EIA-860 all data not listed as confidential on existing generating units such as identifiers, type, capacity, fuel, commercial operation date EIA-867 existing facility QF or EWG status, nameplate rating, existing electric generator identification/nameplate rating/ generating unit type/prime mover type/energy source
Net or Gross Generation	EIA-412 net generation by steam, nuclear, hydro, other EIA-759 net generation by plant & energy source EIA-767 net monthly generation by generator EIA-867 gross generation by generator EIA-900 gross generation by facility
Fuel Consumption	EIA-759 fuel consumption EIA-767 fuel consumed by boiler (quantity and quality) EIA-867 quantity and quality of fuel consumed
Environmental Characteristics	EIA-767 byproduct distribution for the year, air emission standards by boiler, existing cooling system/particulate collector/flue gas desulfurization/stack and flue design parameters and information EIA-867 facility environmental equipment information
Financial Data	EIA-412 public electric utility financial data not listed as confidential: balance sheet, income statement, cash flows, cost of plant in service, taxes, O&M expenses, employee statistics
Emergency Reports	EIA-417R
Retail Sales, Revenue, & Number of Consumers	EIA-826 monthly sales, revenue, number of consumers by customer class by State EIA-861 annual sales, revenue, number of consumers by customer class by State, electric operating revenues EIA-867 sales to end users EIA-900 monthly sales to end users
Sources & Disposition of Energy	EIA-861 EIA-867 EIA-900 monthly sales for resale
Demand Side Management Information	EIA-861
Distribution System Information	EIA-861

[FR Doc. 98-19126 Filed 7-16-98; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

## Office of Energy Research

Energy Research Financial Assistance  
Program Notice 98-18: Outstanding  
Junior Investigator Program**AGENCY:** U.S. Department of Energy  
(DOE).**ACTION:** Notice inviting grant  
applications.

**SUMMARY:** The Division of High Energy Physics of the Office of Energy Research (OER), U.S. Department of Energy, hereby announces its interest in receiving grant applications for support under its Outstanding Junior Investigator (OJI) Program. Applications should be from tenure-track faculty investigators who are currently involved in experimental or theoretical high

energy physics or accelerator physics research, and should be submitted through a U.S. academic institution. The purpose of this program is to support the development of the individual research programs of outstanding scientists early in their careers. Awards made under this program will help to maintain the vitality of university research and assure continued excellence in the teaching of physics. **DATES:** To permit timely consideration for award in fiscal year 1999, formal applications submitted in response to this notice should be received before November 4, 1998.

**ADDRESSES:** Completed formal applications referencing Program Notice 98-18 should be forwarded to: U.S. Department of Energy, Office of Energy Research, Grants and Contracts Division, ER-64, 19901 Germantown Road, Germantown, Maryland 20874-1290, ATTN: Program Notice 98-18. The above address must also be used when submitting applications by U.S.

Postal Service Express, and commercial mail delivery service or when hand carried by the applicant.

**FOR FURTHER INFORMATION CONTACT:** Dr. Jeffrey Mandula, Division of High Energy Physics, ER-221 (GTN), U.S. Department of Energy, 19901 Germantown Road, Germantown, Maryland 20874-1290. Telephone: (301) 903-4829. E-Mail: mandula@hep2.er.doe.gov

**SUPPLEMENTARY INFORMATION:** The Outstanding Junior Investigator program was started in 1978 by the Department of Energy's Office of Energy Research. A principal goal of this program is to identify exceptionally talented new high energy physicists early in their careers and assist and facilitate the development of their research programs. Eligibility for awards under this notice is therefore restricted to non-tenured investigators who are conducting experimental or theoretical high energy physics or accelerator physics research. Since its debut, the program has