

(3) Balance the assessments conducted under paragraphs (e)(1) and (2) of this section.

* * * * *

Subpart I—Ex Parte Communications

52. Amend § 28.146 by revising the second sentence of paragraph (a) to read as follows:

§ 28.146 Explanation and definitions.

(a) * * * The only ex parte communications that are prohibited are those that involve the merits of the case or those that violate other rules requiring submissions to be in writing.

* * *

* * * * *

53. Add Subpart K, consisting of §§ 28.160 and 28.161 to read as follows:

Subpart K—Access to Records

Sec.

28.160 Request for records.

28.161 Denial of access to information—
Appeals.

Subpart K—Access to Records

§ 28.160 Request for records.

(a) Individuals may request access to records pertaining to them that are maintained as described in 4 CFR part 83, by addressing an inquiry to the PAB General Counsel either by mail or by appearing in person at the Personnel Appeals Board Office of General Counsel, 820 First Street, NE., Suite 580, Washington, DC 20002, during business hours on a regular business day. Requests in writing should be clearly and prominently marked “Privacy Act Request.” Requests for copies of records shall be subject to duplication fees set forth in 4 CFR 83.17.

(b) Individuals making a request in person shall be required to present satisfactory proof of identity, preferably a document bearing the individual’s photograph. Requests by mail or submitted other than in person should contain sufficient information to enable the General Counsel to determine with reasonable certainty that the requester and the subject of the record are one and the same. To assist in this process, individuals should submit their names and addresses, dates and places of birth, social security number, and any other known identifying information such as an agency file number or identification number and a description of the circumstances under which the records were compiled.

(c) *Exemptions from disclosure.* The Personnel Appeals Board General Counsel and the Personnel Appeals Board, in deciding what records are

exempt from disclosure, will follow the policies set forth in 4 CFR part 83.

§ 28.161 Denial of Access to Information— Appeals.

(a) If a request for access to information under § 28.150 is denied, the General Counsel shall give the requester the following information:

(1) The General Counsel’s name and business mailing address;

(2) The date of the denial;

(3) The reasons for the denial, including citation of appropriate authorities; and

(4) The individual’s right to appeal the denial as set forth in paragraphs (b) and (c) of this section.

(b) Any individual whose request for access to records of the PAB General Counsel has been denied in whole or part by the General Counsel may, within 30 days of receipt of the denial, challenge that decision by filing a written request for review of the decision with the Personnel Appeals Board, 820 First Street, NE., Suite 560, Washington, DC 20002.

(c) The appeal shall describe:

(1) The initial request made by the individual for access to records;

(2) The General Counsel’s decision denying the request; and

(3) The reasons why that decision should be modified by the Board.

(d) The Board, en banc, may in its discretion render a decision based on the record, may request oral argument, or may conduct an evidentiary hearing.

PART 29—[REMOVED AND RESERVED]

54. Remove and reserve Part 29.

Anne M. Wagner,

*Chair, Personnel Appeals Board, General
Accounting Office.*

[FR Doc. 03–17785 Filed 7–14–03; 8:45 am]

BILLING CODE 1610–02–P

DEPARTMENT OF AGRICULTURE

7 CFR Part 2903

Office of Energy; Biodiesel Fuel Education Program—Administrative Provisions

AGENCY: Office of the Chief Economist, Office of Energy Policy and New Uses, USDA.

ACTION: Proposed rule.

SUMMARY: The Office of Energy Policy and New Uses (OEPNU) proposes to add new regulations for the purpose of administering the Biodiesel Fuel Education Program conducted under the authority of section 9004 of the Farm

Security and Rural Investment Act of 2002. This action establishes and codifies the administrative procedures to be followed in the solicitation of competitive proposals, the evaluation of such proposals, and the award and administration of grants under this Program.

DATES: The Agency must receive comments on or before August 14, 2003.

ADDRESSES: Comments should be sent to James Duffield, Economist, OEPNU/USDA, 300 7th Street SW., Reporters Building, Room 361, Washington, DC 20024. Comments may also be sent via electronic mail to jduffield@oce.usda.gov.

FOR FURTHER INFORMATION CONTACT: James Duffield at (202) 401–0523 or via electronic mail at jduffield@oce.usda.gov.

SUPPLEMENTARY INFORMATION:

Purpose

The Office of Energy Policy and New Uses (OEPNU) proposes a new rule to provide administrative provisions for the Biodiesel Fuel Education Program, which was authorized in Sec. 9004 of the Farm Security and Rural Investment Act of 2002 (“2002 Farm Bill”) (7 U.S.C. 8104). The rule describes the policies and procedures OEPNU proposes to apply to this Program. These policies are consistent with those used by other USDA agencies, particularly the Cooperative State Research, Education, and Extension Service (CSREES). The rules are consistent with the basic parameters by which most Federal agencies operate competitive grants programs and will be revised as needed to conform with Federal streamlining efforts.

The goals of the Biodiesel Fuel Education Program are to stimulate biodiesel consumption and to accelerate the development of a biodiesel infrastructure. Increasing biodiesel production will increase the demand for farm commodities, which in turn will raise farm prices and net farm income, and lower government program payments. The development of a biodiesel industry would increase employment and stimulate economic growth in rural areas.

Agencies’ Roles

Section 9004 of the 2002 Farm Bill (7 U.S.C. 8104) requires that the Secretary make competitive grants to eligible entities to educate governmental and private entities that operate vehicle fleets, other interested entities (as determined by the Secretary), and the public about the benefits of biodiesel