

a strong foundation of support for higher education. Some need to be made more effective in achieving better results. As part of reauthorization, we are interested in hearing how to make the HEA programs work better and complement the President's efforts to ensure that all Federal programs focus on stronger accountability for results. The goal of this hearing is to receive proposals for solutions to the numerous challenges that are currently facing postsecondary education. Therefore, comments are encouraged in the following priority areas:

a. How can we improve access and promote additional educational opportunity for all students, especially students with disabilities, within the framework of the HEA? How can the Federal Government through the HEA encourage postsecondary students to make consistent progress in the completion of their programs of study and to obtain their certificates or degrees?

b. How can existing HEA programs be changed and made to work more efficiently and effectively? In what ways do they need to be adapted or modified to respond to changes in postsecondary education that have occurred since 1998?

c. How can HEA programs be changed to eliminate any unnecessary burdens on students, institutions, or the Federal Government, yet maintain accountability of Federal funds? How can program requirements be simplified, particularly for students?

d. How can we best prioritize the use of funds provided for postsecondary education and the benefits provided under the HEA programs? How can the significant levels of Federal funding already provided for the HEA programs best help to further the goals of improving educational quality, expanding access, and ensuring affordability?

e. Are there innovative and creative ways the Federal Government can integrate tax credits, deductions, and tax-free savings incentives with the Federal student aid programs in the HEA to improve access to and choice in postsecondary education?

f. What results should be measured in each HEA program to determine the effectiveness of that program?

g. Are there other ideas or initiatives that should be considered during reauthorization that would improve the framework in which the Federal Government promotes access to postsecondary education and ensures accountability of taxpayer funds?

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Dated: February 6, 2003.

Sally L. Stroup,

Assistant Secretary for Postsecondary Education.

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DEPARTMENT OF ENERGY

DOE Response to Recommendation 2002-3 of the Defense Nuclear Facilities Safety Board, Requirements for the Design, Implementation, and Maintenance of Administrative Controls

AGENCY: Department of Energy.

ACTION: Notice.

SUMMARY: The Defense Nuclear Facilities Safety Board Recommendation 2002-3, concerning the requirements for the design, implementation, and maintenance of administrative controls at Department of Energy Defense Nuclear Facilities was published in the **Federal Register** on December 20, 2002 (67 FR 77963). In accordance with section 315(b) of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2286d(b), the Secretary transmitted the following response to the Defense Nuclear Facilities Safety Board on January 31, 2003.

DATES: Comments, data, views, or arguments concerning the Secretary's response are due on or before March 3, 2003.

ADDRESSES: Send comments, data, views, or arguments concerning the Secretary's response to: Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT: Beverly Cook, Assistant Secretary.

Office of Environment, Safety, and Health, Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

Issued in Washington, DC on February 3, 2003.

Mark B. Whitaker, Jr.,

Departmental Representative to the Defense Nuclear Facilities Safety Board.

The Secretary of Energy

Washington, DC 20585

January 31, 2003.

The Honorable John T. Conway, Chairman, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004

Dear Mr. Chairman: The Department of Energy (Department) acknowledges receipt of the Defense Nuclear Facilities Safety Board's (Board) Recommendation 2002-3, Requirements for the Design, Implementation, and Maintenance of Administrative Controls. Recommendation 2002-3 was issued on December 11, 2002 and published in the **Federal Register** on December 20, 2002. The Department agrees that we must assure the critical assumptions used in defining and analyzing the basis for safe operations are properly developed, appropriately implemented, and effectively preserved. If the critical assumptions depend on administrative controls, we agree those controls should be treated appropriately. Therefore, the Department accepts the recommendation and will develop an implementation plan to respond to the recommendation.

The Department of Energy's (DOE) implementation plan will address how we will review existing DOE requirements and guidance to determine where further consolidation or clarification is needed to assure proper focus on those administrative controls that perform important safety functions similar to safety-class or safety-significant controls. Additionally, the plan will address how we will evaluate safety basis documents to identify administrative controls critical to preventing or mitigating accident consequences. We will strengthen our processes to ensure those critical administrative controls are properly implemented.

I have asked the Assistant Secretary for Environment, Safety and Health, Beverly Cook, to ensure the successful completion of the implementation plan we will develop in response to your recommendation. Mr. Richard Black, Director of the Office of Nuclear and Facility Safety Policy, is the responsible manager for the preparation of the Department's implementation plan.

Sincerely,

Spencer Abraham.

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