

Guidance to assist recipient/covered entities in conducting such assessments.

IV. Compliance and Enforcement

A four-factor analysis is recommended for compliance. Elements of an effective language assistance plan to consider are identification of LEP individuals who need language assistance, available language assistance options, training staff, providing notice to LEP persons, and monitoring effectiveness and need for modifications. It should consist of a determination of the number or proportion of eligible individuals with LEP who might be excluded from a program absent efforts to remove language barriers, their frequency of contact with the program, the nature and importance of the program (is it vital to your existence?) and the resources available. Once it is established that a need exists, one or both of two types of language assistance may be appropriate. Oral language interpretation and/or written material translation may be selected as necessary. These factors, plan elements, and their related compliance standards are discussed in detail in related guidance documents issued by other federal agencies. NSF recipients jointly funded by other federal agencies may rely upon guidance issued by those agencies.

Recipient entities have considerable flexibility in determining how to comply with their legal obligation in the LEP setting and are not required to use the suggested methods and options listed. However, recipient entities must establish and implement policies and procedures for providing language assistance sufficient to fulfill their Title VI responsibilities and provide LEP persons with meaningful access to services. NSF's regulations implementing Title VI contain compliance and enforcement provisions to ensure that a recipient's policies and practices overcome barriers resulting from language differences that would deny LEP persons an equal opportunity to participate in and access to programs, services and benefits offered by NSF. See 45 CFR, Part 611. We will ensure that our recipient entities fulfill their responsibilities to LEP persons through the procedures provided for in the Title VI regulations.

Executive Order 13166 requires that each federal department or agency extending federal financial assistance subject to Title VI issue separate guidance implementing uniform Title VI compliance standards with respect to LEP persons. Where recipients of federal financial assistance from NSF also

receive assistance from one or more other federal departments or agencies, there is no obligation to conduct and document separate but identical analyses and language assistance plans for NSF. NSF, in discharging its compliance and enforcement obligations under Title VI, looks to analyses performed and plans developed in response to similar detailed LEP guidance issued by other federal agencies. Recipients may rely upon guidance issued by those agencies.

In determining a recipient entity's compliance with Title VI, NSF's primary concern is to ensure that the entity's policies and procedures overcome barriers resulting from language differences that would deny LEP persons a meaningful opportunity to participate in and access programs, services and benefits. A recipient entity's appropriate use of the methods and options discussed in this policy guidance is viewed by NSF as evidence of that entity's willingness to comply voluntarily with its Title VI obligations.

V. English-Only Provision

State and local laws may provide additional obligations to serve LEP individuals, but such laws cannot compel recipients of federal financial assistance to violate Title VI. For instance, given our constitutional structure, state or local "English-only" laws do not relieve an entity that receives federal funding from its responsibilities under federal anti-discrimination laws. Entities in states and localities with "English-only" laws are certainly not required to accept federal funding—but if they do, they have to comply with Title VI, including its prohibition against national origin discrimination by recipients of federal assistance. Failing to make federally assisted programs and activities accessible to individuals who are LEP, in certain circumstances, violates Title VI.

If you have any questions related to this policy, please contact the NSF Office of Equal Opportunity Programs.

[FR Doc. 02-5616 Filed 3-8-02; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 133rd meeting on March 19–21, 2002, at 11545 Rockville Pike, Rockville, Maryland, Room T-2B3.

The entire meeting will be open to public attendance.

The schedule for this meeting is as follows:

Tuesday, March 19, 2002

A. 8:30–9:40 a.m.: *Opening Statement/Planning and Procedures* (Open)—The Chairman will open the meeting with brief opening remarks. The Committee will then review items under consideration at this meeting and consider topics proposed for future ACNW meetings.

B. 10–12:30 p.m.: *Update on DOE Performance Assessment Program* (Open)—The Committee will hear a presentation from DOE on its recent performance assessment program activities for the proposed repository at Yucca Mountain, NV.

C. 2–3:30 p.m.: *Annual Research Report to the Commission* (Open)—The Committee will finalize its annual research report to the Commission.

D. 3:45–6 p.m.: *Preparation for Meeting with the NRC Commissioners* (Open)—The next meeting with the NRC Commissioners is scheduled to be held at 9:30 a.m. in the Commissioners' Conference Room, One White Flint North on March 20, 2002. The Committee will review its proposed presentations.

Wednesday, March 20, 2002

E. 8:30–8:35 a.m.: *Opening Remarks by the ACNW Chairman* (Open)—The ACNW Chairman will make opening remarks regarding the conduct of the meeting.

F. 8:35–9:10 a.m.: *Discussion of Topics for Meeting with the NRC Commissioners* (Open)—The Committee will finalize preparations and discuss topics scheduled for the ACNW meeting with the NRC Commissioners.

G. 9:30–11:30 a.m.: *Meeting with the NRC Commissioners* (Open)—The Committee will meet with the NRC Commissioners in the Commissioners' Conference Room, One White Flint North, to discuss:

- Sufficiency Review
- Total Systems Performance Assessment for Site Recommendation
- Key Technical Issues
- Review of NRC-Sponsored Research

H. 1:00–2:45 p.m.: *High-Level Waste Performance Assessment Sensitivity Studies* (Open)—The staff will provide an update on its sensitivity studies related to HLW performance assessment analyses for the proposed repository at Yucca Mountain, NV.

I. 3–6 p.m.: *Preparation of ACNW Reports* (Open)—The Committee will discuss proposed reports on the following topics:

- ACNW 2002 Action Plan
- Update on Igenous Activity including PA Analyses
- HLW Performance Assessment Sensitivity Studies
- Annual Research Report to the Commission

Thursday, March 21, 2002

J. 8:30–8:35 a.m.: *Opening Remarks by the ACNW Chairman* (Open)—The ACNW Chairman will make opening remarks regarding the conduct of the meeting.

K. 8:35–12 Noon: *Yucca Mountain Review Plan, Revision 2* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the Yucca Mountain Review Plan, Revision 2.

L. 1–4 p.m.: *Preparation of ACNW Reports* (Open)—The Committee will continue its discussion of proposed ACNW reports.

M. 4–4:15 p.m.: *Miscellaneous* (Open)—The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACNW meetings were published in the **Federal Register** on October 3, 2001 (66 FR 50461). In accordance with these procedures, oral or written statements may be presented by members of the public, electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Mr. Howard J. Larson, ACNW (Telephone 301/415–6805), between 8 a.m. and 4 p.m. EST, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for taking pictures may be obtained by contacting the ACNW office, prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Howard J. Larson as to their particular needs.

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 therefore can be obtained by contacting Mr. Howard J. Larson.

ACNW meeting notices, meeting transcripts, and letter reports are now available for downloading or viewing on the internet at <http://www.nrc.gov/ACRSACNW>.

Videoteleconferencing service is available for observing open sessions of ACNW meetings. Those wishing to use this service for observing ACNW meetings should contact Mr. Theron Brown, ACNW Audiovisual Technician (301/415–8066), between 7:30 a.m. and 3:45 p.m. EST at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

Dated: March 5, 2002.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 02–5764 Filed 3–8–02; 8:45 am]

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RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Railroad Retirement Board (RRB) has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

(1) *Collection title:* Railroad Separation Allowance or Severance Pay Report.

(2) *Form(s) submitted:* BA–9.

(3) *OMB Number:* 3220–0173.

(4) *Expiration date of current OMB clearance:* 4/30/2002.

(5) *Type of request:* Extension of a currently approved collection.

(6) *Respondents:* Business or other for-profit.

(7) *Estimated annual number of respondents:* 18.

(8) *Total annual responses:* 1,009.

(9) *Total annual reporting hours:* 1,262.

(10) *Collection description:* Section 6 of the Railroad Retirement Act provides

for a lump-sum payment to an employee or the employee's survivor equal to the Tier II taxes paid by the employee on a separation allowance or severance payment for which the employee did not receive credits towards retirement. The collection obtains information concerning the separation allowances and severance payments paid from railroad employers.

FOR FURTHER INFORMATION CONTACT:

Copies of the forms and supporting documents can be obtained from Chuck Mierzwa, the agency clearance officer (312–751–3363). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611–2092 and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

Chuck Mierzwa,

Clearance Officer.

[FR Doc. 02–5702 Filed 3–8–02; 8:45 am]

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RAILROAD RETIREMENT BOARD

Sunshine Act Meeting

Notice is hereby given that the Railroad Retirement Board will hold a meeting on March 20, 2002, 10 a.m., at the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, Illinois, 60611. The agenda for this meeting follows:

Portion Open to the Public

(1) Briefing from the Executive Committee on implementation of the Railroad Retirement and Survivors' Improvement Act of 2001

Portion Closed to the Public

(A) Board Members meet with the Executive Committee

The person to contact for more information is Beatrice Ezerski, Secretary to the Board, Phone No. 312–751–4920.

Dated: March 6, 2002.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 02–5838 Filed 3–7–02; 10:02 am]

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