

## V. Application Review Information

*Selection Criteria:* The selection criteria for evaluating the applications for this program are from 34 CFR 75.210 of EDGAR and are listed in the application package.

## VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notice (GAN). We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section in this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section in this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

4. *Performance Measures:* Under the Government Performance and Results Act (GPRA), the Department will use the following measures to assess the performance of the program:

(a) The percentage of FIPSE grantees reporting project dissemination to others.

(b) The percentage of FIPSE projects reporting institutionalization on their home campuses.

If funded, you will be asked to collect and report data on these measures in your project's annual performance report (EDGAR, 34 CFR 75.590).

Applicants are also advised to consider these two measures in conceptualizing the design, implementation, and evaluation of the proposed project because of their importance in the application review process. Collection of data on these measures should be part

of the project evaluation plan, along with any measures of progress on goals and objectives that are specific to your project.

## VII. Agency Contacts

### FOR FURTHER INFORMATION CONTACT:

Krish Mathur, FIPSE—Fund for the Improvement of Postsecondary Education, 1990 K Street NW., Room 6155, Washington, DC 20006–8544. Telephone: (202) 502–7512 or by e-mail: [krish.mathur@ed.gov](mailto:krish.mathur@ed.gov).

If you use a TDD, call the FRS, toll free, at 1–800–877–8339.

## VIII. Other Information

*Alternative Format:* Individuals with disabilities can obtain this document and a copy of the application package in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in Section VII in this notice.

*Electronic Access to This Document:* You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF, you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: July 17, 2008.

**Sara Martinez Tucker,**

*Under Secretary of Education.*

[FR Doc. E8–16840 Filed 7–22–08; 8:45 am]

**BILLING CODE 4000–01–P**

## DEPARTMENT OF EDUCATION

### Migrant Education Coordination Program—Migrant Student Information Exchange (MSIX) State Data Quality Grants

**AGENCY:** Office of Elementary and Secondary Education, Department of Education.

**ACTION:** Notice of final requirements.

**SUMMARY:** The Assistant Secretary for Elementary and Secondary Education

establishes the final requirements for Migrant Student Information Exchange (MSIX) State Data Quality grants funded under section 1308(b) of Title I, Part C of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001. Subject to the availability of funds in any fiscal year, the Department will use the requirements to make annual grant awards by formula, beginning in FY 2008, to provide additional resources to State educational agencies (SEAs) in order to assist them and their local operating agencies (LOAs) in implementing the interstate electronic exchange of migrant children's records through the Migrant Student Information Exchange (MSIX).

**DATES:** *Effective Date:* These requirements are effective August 22, 2008.

### FOR FURTHER INFORMATION CONTACT:

Alejandra Vélez-Paschke, U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, room 3E249, Washington, DC 20202–6135. Telephone: (202) 260–2834 or via Internet: [MsixTeam@ed.gov](mailto:MsixTeam@ed.gov).

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1–800–877–8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

### SUPPLEMENTARY INFORMATION:

*Background:* The Migrant Education Program (MEP), authorized in Title I, Part C, of the ESEA, is a State-operated, formula grant program under which SEAs receive funds to help improve the academic achievement of migratory children who reside in their States. Under section 1304(b)(3) of the ESEA, SEAs receiving MEP funds have a responsibility to carry out activities that promote the interstate and intrastate coordination of services for migratory children. This responsibility includes carrying out activities that provide for educational continuity through the timely transfer of pertinent school records, including health information, for migratory children whether or not they move during the regular school year.

Section 1308(b) of the ESEA requires, among other things, that the Department (1) Assist States in developing methods for the electronic transfer of migrant student records, (2) ensure the linkage of State electronic records-exchange systems, and (3) establish the minimum

data elements (MDEs) that States must collect and maintain in their migrant student databases for the purpose of electronically exchanging health and educational records on migrant children. To meet these statutory responsibilities, on September 28, 2007, the Department established the MSIX. When fully operational, the MSIX will allow all States participating in the MEP (and all LOAs in those States) to share an established set of MDEs on their migrant children with any State and LOA in which a migrant child enrolls by electronically linking the States' existing migrant student databases. On November 27, 2007, the Office of Management and Budget (OMB) approved an information collection package (1810-0683) that establishes 66 MDEs.

We published a notice of proposed requirements for this program in the **Federal Register** on April 1, 2008 (73 FR 17341). The notice proposed that the Department establish a grant program under which, subject to the availability of funds in any fiscal year, the Department would make annual grant awards by formula beginning in FY 2008 to SEAs in order to provide additional resources to assist them and their LOAs in implementing the interstate exchange of migrant children's records electronically through MSIX. The notice of proposed requirements included a discussion of how SEAs could use these supplemental funds and a proposed formula for distributing available money to the SEAs that requested this assistance.

Except for some minor editorial and technical changes, there are two differences between the proposed requirements identified in that notice and the final requirements announced in this notice. These changes are explained in the following *Analysis of Comments and Changes*.

#### **Analysis of Comments and Changes**

In response to our invitation in the notice of proposed requirements, one party submitted comments on the proposed requirements. An analysis of the comments follows.

Generally, we do not address technical and other minor changes—and suggested changes we are not authorized to make under the applicable statutory authority.

*Comment:* One commenter recommended that the Department allow States that have already shown that they have met the MDE requirements and implemented MSIX to use the MSIX State Data Quality Grant funds for instructional services for migrant students under Title I, Part C.

*Discussion:* The Department appreciates the commenter's concerns. However, the Department proposed this new program in response to specific concerns expressed by representatives of many SEAs about the costs of connecting their State migrant information systems with MSIX and implementing related records exchange activities, and their strong desire for additional funds to help pay for these costs. Responding to this call for support, the Department proposed the MSIX State Data Quality Grants as a way to supplement SEA efforts to pay for expenses incurred by States in their efforts to link to and use the MSIX. The Department believes that the needs of States for this additional assistance is such that the entire \$2 million that we proposed to set aside for MSIX-related activities should be devoted to this purpose. In this regard, as explained in the notice of proposed requirements (73 FR 17342), SEAs may use these funds for a wide variety of MSIX-related activities, both for the ongoing costs of maintaining records and for one-time costs incurred. Ongoing costs may include such activities as paying for additional data entry personnel hired to enter migrant student data into the State's migrant database, further MSIX training of new staff, and refresher training once live data are entered into the system. One-time costs may include the purchase of equipment, such as computers, to be used for entering migrant student data. The funds that are used for these MSIX-related activities will make MEP Basic Formula Grant funds, which otherwise would have been spent on MSIX-related activities, available for purposes of providing educational services to migrant children under Title I, Part C of the ESEA.

Because the statement of Requirement 1 as proposed may not have clarified that funds may be used for any of a variety of activities only if the activities relate to the use of MSIX for transferring MDEs, we have clarified this point.

*Change:* Requirement 1 is revised to clarify that SEAs may use MSIX State Data Quality grant funds for various activities only to the extent that these activities are related to the transfer of the MDEs to and through MSIX.

*Comment:* None.

*Discussion:* In the course of our internal review of the proposed requirements, we determined that the following sentence, included in the notice of proposed requirements under the heading *Amount of the Grants*, should be included in Requirement 4 because it relates to the formula for determining an SEA's share of grant funds.

If an SEA does not apply for these funds or does not receive a MEP Basic State formula grant in any given year, its share of grant funds would be distributed to the requesting SEAs on the basis of the formula established in the notice of final requirements.

*Change:* We have revised Requirement 4 to include the following sentence:

If an SEA does not apply for these funds or does not receive a MEP Basic State formula grant in any given year, its share of grant funds will be distributed to the requesting SEAs on the basis of the formula established in this notice of final requirements.

**Note:** This notice does not solicit applications. In any year in which we choose to use these requirements, we invite applications through a separate document that will be sent to States directly.

#### *Requirements*

*Requirement 1*—In consultation with the LOAs and the State's parent advisory council, each SEA will determine how these funds will be used in the State. SEAs must use these funds only to help pay for additional costs that their agencies and the LOAs in their States may assume for various activities related to the transfer of the MDEs to and through MSIX. Examples of these activities include:

- (a) Enhancements to the State's migrant or State student database to ensure the inclusion of the MDEs in accordance with MSIX data specifications;
- (b) Staffing or information technology (IT) services needed for the collection, data entry, and maintenance of the MDEs or the connectivity to MSIX;
- (c) Development of manuals, procedures, pamphlets, or other materials that support the implementation of the State's records exchange program; and
- (d) Support for activities directly related to staff training on the use of MSIX, including staff attendance and travel to MSIX meetings and workshops.

*Requirement 2*—Only an SEA that receives an MEP Basic State Formula grant award is eligible to receive an MSIX State Data Quality grant. To receive an MSIX State Data Quality grant, an SEA must submit a letter, signed by the Chief State School Officer or his or her authorized representative, (a) requesting an MSIX State Data Quality grant award, and (b) providing an assurance that these funds will be used only for activities that comport with the requirements in this notice of final requirements. In each fiscal year for which sufficient section 1308 funds are available, the Department will

announce the estimated amount of each grant award and invite SEAs to submit their letters of application on or before a date that the Department specifies.

**Requirement 3**—These grant awards are subject to the financial reporting requirements in section 80.41 of the Education Department General Administrative Regulations (EDGAR) (34 CFR 80.41). With regard to performance reporting, the Department does not apply the provisions contained in section 80.40(b) of EDGAR. Instead, the Department will use program monitoring conducted in conjunction with the overall MEP Basic State Formula Grant program as a means of obtaining information, including supporting documentation, on how the SEA and LOAs in the State used MSIX State Data Quality grant funds to support MSIX-related activities. Monitoring activities will examine progress relative to the MSIX efficiency measure, which assesses the percentage of migrant student records that are consolidated when school enrollment has occurred in more than one State.

**Requirement 4**—Beginning in FY 2008 and in any subsequent fiscal year in which sufficient funds are available under section 1308, the Department will award these MSIX State Data Quality grants using the following formula:

- 75 percent of the total amount available will be awarded in equal amounts to each SEA with a MEP Basic State Formula grant award; and
- The remaining 25 percent of the funds will be awarded proportionally relative to the amount of each State's Basic MEP State Formula grant award amount made on July 1 of the fiscal year; except that
- No SEA may receive an MSIX State Data Quality grant award that exceeds 20 percent of its MEP Basic State Formula grant award.

If an SEA does not apply for these funds or does not receive a MEP Basic State formula grant in any given year, its share of grant funds will be distributed to the requesting SEAs on the basis of the formula established in this notice of final requirements.

**Amount of the Grants**

For FY 2008, the Department expects to award approximately \$2 million for the MSIX State Data Quality grant awards. An appendix to this notice contains a table presenting the size of each State's FY 2008 award assuming that all eligible SEAs apply and that \$2 million are available for FY 2008 awards. In subsequent fiscal years, the Department will inform the States of the total amount of funds available, if any, under this grant program.

**Executive Order 12866**

This notice of final requirements has been reviewed in accordance with Executive Order 12866. Under the terms of the order, we have assessed the potential costs and benefits of this regulatory action.

The potential costs associated with the notice of final requirements are those resulting from statutory requirements and those we have determined as necessary for administering this program effectively and efficiently.

In assessing the potential costs and benefits—both quantitative and qualitative—of this notice of final requirements, we have determined that the benefits of the final requirements justify the costs.

We have also determined that this regulatory action does not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

We fully discussed the costs and benefits in the notice of proposed requirements.

**Paperwork Reduction Act of 1995 (PRA)**

The application procedure has been approved under OMB control number 1810-0683.

**Intergovernmental Review**

This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

**Applicable Statutory and Regulatory Requirements**

This grant program is subject to the requirements established in this notice of final requirements and to the definitions used to determine the eligibility of a "migrant child" found in section 1309(2) of the ESEA and 34 CFR § 200.81. Consistent with the "Tydings Amendment" (section 421(b) of the General Education Provisions Act, and restated in section 76.709 of EDGAR), funds awarded under this program are available for obligation until September 30 of the fiscal year following the fiscal year in which they are awarded. Because it is a formula grant program, receipt of funds also is subject to the

requirements of parts 76 and 80 of EDGAR (34 CFR parts 76 and 80).

**Electronic Access to This Document**

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To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

(Catalog of Federal Domestic Assistance Number 84.144, Migrant Education Coordination Program).

**Program Authority:** 20 U.S.C. 6398.

Dated: July 18, 2008.

**Kerri L. Briggs,**

*Assistant Secretary for Elementary and Secondary Education.*

**Appendix**

**Note:** The estimated size of awards is based on the amount of FY 2008 MEP Basic State Grant awards issued on July 1, 2008, and assumes that (1) exactly \$2 million will be available for FY 2008 MSIX State Data quality grant awards, and (2) each SEA with a Migrant Education Program Basic Formula Grant requests an award.

NATIONAL TOTALS .....	\$2,000,000
ALABAMA .....	33,039.00
ALASKA .....	40,025.00
ARIZONA .....	39,449.00
ARKANSAS .....	37,580.00
CALIFORNIA .....	216,509.00
COLORADO .....	40,577.00
CONNECTICUT .....	31,475.00
DELAWARE .....	30,437.00
DIST. COLUMBIA .....	0.00

**Appendix**

**ESTIMATED PROPOSED AWARD AMOUNTS FOR THE FY 2008 MSIX STATE DATA QUALITY GRANTS**

FLORIDA .....	\$63,523.00
GEORGIA .....	41,851.00
HAWAII .....	31,089.00
IDAHO .....	35,360.00
ILLINOIS .....	32,819.00
INDIANA .....	37,616.00
IOWA .....	32,460.00

**ESTIMATED PROPOSED AWARD AMOUNTS FOR THE FY 2008 MSIX STATE DATA QUALITY GRANTS—Continued**

KANSAS .....	47,023.00
KENTUCKY .....	40,555.00
LOUISIANA .....	33,549.00
MAINE .....	31,557.00
MARYLAND .....	30,773.00
MASSACHUSETTS .....	32,384.00
MICHIGAN .....	42,597.00
MINNESOTA .....	32,471.00
MISSISSIPPI .....	30,875.00
MISSOURI .....	32,241.00
MONTANA .....	31,404.00
NEBRASKA .....	37,541.00
NEVADA .....	30,331.00
NEW HAMPSHIRE .....	28,094.00
NEW JERSEY .....	32,998.00
NEW MEXICO .....	31,275.00
NEW YORK .....	43,935.00
NORTH CAROLINA .....	38,454.00
NORTH DAKOTA .....	30,326.00
OHIO .....	33,635.00
OKLAHOMA .....	31,519.00
OREGON .....	44,086.00
PENNSYLVANIA .....	43,389.00
RHODE ISLAND .....	13,374.00
SOUTH CAROLINA .....	30,790.00
SOUTH DAKOTA .....	31,202.00
TENNESSEE .....	30,782.00
TEXAS .....	114,584.00
UTAH .....	32,558.00
VERMONT .....	30,896.00
VIRGINIA .....	31,169.00
WASHINGTON .....	52,452.00
WEST VIRGINIA .....	16,147.00
WISCONSIN .....	30,905.00
WYOMING .....	30,320.00
PUERTO RICO .....	0.00

[FR Doc. E8-16857 Filed 7-22-08; 8:45 am]

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**Combined Notice of Filings**

July 17, 2008.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

*Docket Numbers:* RP00-70-019.

*Applicants:* Algonquin Gas Transmission Company.

*Description:* Algonquin Gas Transmission, LLC submits its FERC Gas Tariff, Fifth Revised Volume 1 effective 5/1/08.

*Filed Date:* 07/15/2008.

*Accession Number:* 20080716-0139.

*Comment Date:* 5 p.m. Eastern Time on Monday, July 28, 2008.

*Docket Numbers:* RP05-422-028.

*Applicants:* El Paso Natural Gas Company.

*Description:* El Paso Natural Gas Company submits Second Revised Volume 1A *et al.* effective 5/1/08.

*Filed Date:* 07/15/2008.

*Accession Number:* 20080716-0138.

*Comment Date:* 5 p.m. Eastern Time on Monday, July 28, 2008.

*Docket Numbers:* RP96-272-078.

*Applicants:* Northern Natural Gas Company.

*Description:* Northern Natural Gas Co submits Third Revised Sheet 66B.07 to its FERC Gas Tariff, Fifth Revised Volume 1.

*Filed Date:* 07/15/2008.

*Accession Number:* 20080716-0140.

*Comment Date:* 5 p.m. Eastern Time on Monday, July 28, 2008.

*Docket Numbers:* RP08-444-000.

*Applicants:* MGI Supply Ltd.

*Description:* Petition of MGI Supply Ltd for Clarification or Waiver pursuant to Rule 207 of the Commission's Rules of Practice and Procedure 18 CFR Section 207 etc.

*Filed Date:* 07/14/2008.

*Accession Number:* 20080715-0199.

*Comment Date:* 5 p.m. Eastern Time on Monday, July 28, 2008.

*Docket Numbers:* RP08-445-000.

*Applicants:* Dauphin Island Gathering Partners.

*Description:* Cash Out Activity Report.

*Filed Date:* 07/16/2008.

*Accession Number:* 20080716-5022.

*Comment Date:* 5 p.m. Eastern Time on Monday, July 28, 2008.

*Docket Numbers:* CP08-406-002.

*Applicants:* Columbia Gulf Transmission Company.

*Description:* Columbia Gulf Transmission Company submits a compliance filing to cancel Rate Schedules X-53, X-82, X-87, X-92 and X-101.

*Filed Date:* 07/11/2008.

*Accession Number:* 20080715-0005.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, July 22, 2008.

*Docket Numbers:* CP07-32-006.

*Applicants:* Gulf South Pipeline Company, LP.

*Description:* Gulf South Pipeline Company, LP submits Substitute Fourteenth Revised Sheet No. 20 *et al.* to FERC Gas Tariff, Sixth Revised Volume No. 1, to be effective 6/1/08.

*Filed Date:* 07/15/2008.

*Accession Number:* 20080716-0137.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, July 22, 2008.

*Docket Numbers:* CP00-6-015.

*Applicants:* Gulfstream Natural Gas Company, LLC.

*Description:* Gulfstream Natural Gas Company, LLC submits Second Revised Sheets 5 and 6 to their FERC Gas Tariff, Original Volume 1.

*Filed Date:* 07/15/2008.

*Accession Number:* 20080716-0141.

*Comment Date:* 5 p.m. Eastern Time Tuesday, July 22, 2008.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Nathaniel J. Davis, Sr.**

*Deputy Secretary.*

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