

(3) *Need for project* (15 Points). The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers of the following factors:

(a) The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project.

(b) The extent to which the proposed project will focus on serving or otherwise addressing the needs of disadvantaged individuals.

(c) The extent to which the proposed project will prepare personnel for fields in which shortages have been demonstrated.

**Note:** The Secretary encourages applicants to provide information on the district's history program, including the number of teachers, the teachers' qualifications and certifications, the history professional development currently being offered in the district, and student performance in American history class. The applicant is also encouraged to address how its proposed professional development strategy will significantly improve both history teachers' ability to teach traditional American history content and student performance in history.

(4) *Quality of the management plan* (15 points). The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(a) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(b) The extent to which the time commitments of the project director and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.

**Note:** Section 75.112 of EDGAR requires that an applicant (a) propose a project period for the project and (b) include a narrative that describes how and when, in each budget period of the project, the applicant plans to meet each project objective. The Secretary encourages each applicant to address this criterion by including in this narrative a clear implementation plan that includes annual timelines, key project milestones, and a schedule of activities, as well as a description of the personnel who would be responsible for each activity and the level of effort each activity entails.

2. *Applicant's Past Performance and Compliance History:* In accordance with 34 CFR 75.217(d)(3)(ii) and (iii), the Secretary may consider an applicant's past performance and compliance

history when evaluating applications and in making funding decisions.

## 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 of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of 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:* We have established two performance measures for the Teaching American History Grant Program. The measures are: (1) The average percentage change in the scores (on a pre-post assessment of American history) of participants who complete at least 75% of the professional development hours offered by the project. The assessment will be aligned with the content provided by the Teaching American History project, and at least 50% of its questions will come from a validated test of American history, and (2) The percentage of Teaching American History participants who complete 75% or more of the total hours of professional development offered. Grantees will be expected to provide data on the two measures.

## VII. Agency Contacts

**FOR FURTHER INFORMATION CONTACT:** Alex Stein or Mia Howerton, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W206, Washington, DC 20202-5960. Telephone: (202) 205-9085

or (202) 205-0147 or by e-mail: [TeachingAmericanHistory@ed.gov](mailto:TeachingAmericanHistory@ed.gov).

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

## VIII. Other Information

*Accessible Format:* Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on request to the program contact persons listed under **FOR FURTHER INFORMATION CONTACT** in section VII of 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: December 18, 2008.

**Amanda L. Farris,**

*Assistant Deputy Secretary for Innovation and Improvement.*

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**BILLING CODE 4000-01-P**

## ELECTION ASSISTANCE COMMISSION

**Agency Information Collection Activities: Proposed Collection, Comment Request; Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments**

**AGENCY:** U.S. Election Assistance Commission (EAC).

**ACTION:** Notice and request for comments.

**SUMMARY:** The EAC, as part of its continuing effort to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to take this opportunity to comment on proposed information collections; and recordkeeping requirements. Comments are invited on: (a) Whether the proposed

collections of information and/or recordkeeping requirements are necessary for the proper performance of the agency's functions, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collections and/or recordkeeping requirements, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected or records to be kept; and (d) ways to minimize the burden of the information collections and/or recordkeeping requirements on respondents. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval.

**DATES:** You must submit comments on or before 5 PM Eastern Standard Time on February 23, 2009.

**ADDRESSES:** You may submit comments on the proposed information collections and/or recordkeeping requirements by any of the following methods. Please submit your comments via only one of the methods described.

- *E-mail:* Send comments to [havainfo@eac.gov](mailto:havainfo@eac.gov) with "Comments for [Title of Regulation]" in the subject line.

- *Fax:* Send to "EAC Regulations" at (202) 566-3128. Comments sent by fax must be limited to 6 pages.

- *Mail:* Send to "EAC Regulations" at U.S. Election Assistance Commission, 1225 New York Avenue, Suite 1100, Washington, DC 20005. Comments sent by mail must be unbound, be on paper no larger than 8.5" by 11"; and be submitted in duplicate. Mailed comments will not be accepted in electronic form (floppy disk, CD, etc.).

- *Hand Delivery/Courier:* Deliver to Suite 1100, 1225 New York Avenue, Washington, DC 20005 between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. Comments submitted by hand delivery must be unbound, be on paper no larger than 8.5" by 11"; and be submitted in duplicate. Comments sent by courier or hand delivery will not be accepted in electronic form (floppy disk, CD, etc.).

*Instructions:* All submissions must include the agency name and regulation title (i.e. "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments") for this information collection/recordkeeping requirement. Please also identify comments on regulatory text by subpart and section. Note that all comments received will be publicly posted, including any personal information provided. The EAC will post comments

without change unless the comment contains profanity or material that is prohibited from disclosure by law.

**FOR FURTHER INFORMATION CONTACT:** Tamar Nedzar, Attorney, U.S. Election Assistance Commission, 1225 New York Avenue NW., Suite 1100, Washington, DC 20005. Telephone (202) 566-3100.

**SUPPLEMENTARY INFORMATION:**

*Title:* Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;

*OMB Number:* Pending.

*Type of Review:* Regular submission.

*Summary of Information Collections and Recordkeeping Requirements:* (Full text of regulation at [www.eac.gov](http://www.eac.gov); and available upon written request).

*11 CFR 9423.12(c)—Written notice to grantee or subgrantee.* This section requires the awarding official to provide each of its grantees and subgrantees with written notice of any special conditions and/or restrictions on the grantee or subgrantee because it is considered "high risk" and the reasons for imposing the conditions or restrictions. The notice will also include any corrective actions to the grantees' management systems to meet required management standards that must be taken before the grantee or subgrantee will be removed from being high risk, the time allowed for completing these corrective actions, and the method of requesting reconsideration of the conditions/restrictions imposed.

*11 CFR 9423.20(a)—Financial management systems.* This section requires a State to create financial management systems for itself as well as its subgrantees and cost-type contractors. These systems must allow for States to prepare reports and permit the tracing of funds adequately enough to establish that such funds have not been used inappropriately.

*11 CFR 9423.20(b)—Financial management systems.* This section requires grantees and subgrantees to maintain financial management systems to support financial reporting; maintain accounting records; control and account for all cash, real and personal property, and other assets and assure that they are used for authorized purposes; show budget control; follow applicable regulations in determining allowable costs; maintain source documentation; and establish procedures to ensure the receipt of reports on cash balances and cash disbursements from subgrantees to prepare cash transactions reports to the awarding agency.

*11 CFR 9423.20(c)—Awarding agency review.* This section provides that the awarding agency may review the

adequacy of the financial management system of any applicant for financial assistance as part of a pre-award review or at any time subsequent to the award.

*11 CFR 9423.24(g)—Appraisal of real property.* This section provides that an independent appraiser set the market value or fair rental value of real property held by the grantee and that the value or rate be certified by the grantee. This requirement will also be imposed by the grantee on subgrantees.

*11 CFR 9423.30—Prior written approval of post-award budget/project changes.* Section 9423.30(a) requires certain types of post-award changes in budget and projects specified in paragraphs (c) and (d) of this section to have prior written approval of EAC. The format for the request is specified in paragraph (f).

*11 CFR 9423.30(f)(3)—Prior approval decision.* This section provides that the grantee promptly review budget/program change requests from subgrantees and approve or disapprove the request in writing. If applicable, EAC would need to approve the grantee's request for changes to its project before the grantee could approve the subgrantee's request.

*11 CFR 9423.32(b)—Equipment.* This section requires that each grantee establish proper sales procedures to sell property and adequate maintenance procedures to keep the property in good condition.

*11 CFR 9423.32(f)—Inventory list.* This section requires a grantee to submit to EAC an annual inventory of all federally owned property for which it is accountable.

*11 CFR 9423.36(g)(1)—Awarding agency review.* This section provides that the awarding agency review technical specifications on proposed procurements to ensure that the item/service specified is the one being proposed for purchase.

*11 CFR 9423.40(b)—Nonconstruction performance reports.* This section provides that EAC may require grantees to submit performance reports annually or more frequently, as necessary. For the 55 HAVA grantees and 5 election data grantees, this report is due annually. The 20 college mock election grantees report twice a year.

*11 CFR 9423.40(d)—Significant developments.* This section requires grantees to inform EAC of any problems, delays, or adverse conditions which would inhibit the grantee's ability to meet the objective of the award. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation. Grantees must also inform EAC of any favorable developments that

would allow time schedules and objectives to be met sooner and/or at less cost than was anticipated.

**11 CFR 9423.41(d)—Request for advance or reimbursement.** This section requires that grantee requests for Treasury check advance payments and for reimbursement under nonconstruction grants be submitted on SF-270.

**11 CFR 9423.42—Recordkeeping.** This section requires grantees and subgrantees to retain all required records for three years from the starting date.

**11 CFR 9423.42(b)(3)—Transfer of records.** This section provides that the awarding agency may request transfer of records to its custody when it determines that the records possess long-term retention value.

**11 CFR 9423.50—Closeout.** This section requires the grantee to submit all financial, performance, and other reports required as a condition of the grant. This includes the final performance or progress report (SF-PPR), the Federal Financial Report (SF-425) or Outlay Report and Request for Reimbursement for Construction Programs (SF 271), the final request for payment (SF 270), invention disclosure, and Federally-owned property report.

**Needs and Uses:** On March 12, 1987, President Reagan signed a memorandum directing all affected Executive departments and agencies to simultaneously issue a common rule that adopted governmentwide terms and conditions for grants to State and local governments. The departments and agencies followed the guidelines of OMB Circular A-102, and adopted the wording of the Circular verbatim, with their statutory deviations. The common rule was issued on March 11, 1988, and has been updated periodically to reflect new legislation and Executive Orders. EAC, which was created by the Help America Vote Act of 2002, is codifying the common rule at 11 CFR part 9423, and this regulation includes the OMB-required reporting and recordkeeping. The pre-award information, (SF-424, Application for Federal Assistance), is used to qualify and select grant applications. The post-award information, (SF-425, Federal Financial Report; SF-270, Request for Advance or Reimbursement; and SF-271 Outlay Report & Request for Reimbursement for Construction Programs), is used to monitor grantee performance. The after-the-grant information, (SF-425, Federal Financial Report), is used to close out the grant awards. The information is necessary to ensure minimum fiscal control and accountability for Federal funds and deter fraud, waste, and abuse.

#### *Information Collection Associated With Regulations*

**Affected Public:** EAC grant recipients.  
**Estimated Number of Respondents:** 467.

**Total Annual Responses:** 467.  
**Estimated Total Annual Burden Hours:** 347 hours.

#### *Recordkeeping Requirement Associated With Regulations*

**Affected Public:** EAC grant recipients.  
**Estimated Number of Respondents:** 5,087.

**Total Annual Responses:** 5,087.  
**Estimated Total Annual Burden Hours:** 33,913 hours.

**Thomas R. Wilkey,**

*Executive Director, U.S. Election Assistance Commission.*

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## DEPARTMENT OF ENERGY

### Reimbursement for Costs of Remedial Action at Active Uranium and Thorium Processing Sites

**AGENCY:** Department of Energy.

**ACTION:** Notice of the acceptance of Title X claims during fiscal year (FY) 2009.

**SUMMARY:** This Notice announces the Department of Energy (DOE) acceptance of claims in FY 2009 from eligible active uranium and thorium processing sites for reimbursement under Title X of the Energy Policy Act of 1992. For FY 2009, Congress has not completed the appropriation process for DOE, including funds for the reimbursement of certain costs of remedial action at these sites. If no funds are appropriated, the approved amount of claims submitted during FY 2008 and unpaid approved balances for claims submitted in prior years will be carried forward for payment in FY 2010, subject to the availability of funds. If FY 2009 funds are appropriated, and if the available funds are less than the total approved claims, these payments will be prorated based on the amount of available FY 2009 appropriations, unpaid approved claim balances (approximately \$8.6 million), and claims received in May 2008 (approximately \$34 million).

**DATES:** The closing date for the submission of claims in FY 2009 is May 1, 2009. These new claims will be processed for payment by April 30, 2010, together with unpaid approved claim balances from prior years, based on the availability of funds from congressional appropriations.

**ADDRESSES:** Claims should be forwarded by certified or registered mail, return receipt requested, to Mr. David Alan Hicks, Title X Program Manager, U.S. Department of Energy/EMCBC, @ Denver Federal Center, P.O. Box 25547, Denver, Colorado 80225-0547. Two copies of the claim should be included with each submission.

#### **FOR FURTHER INFORMATION CONTACT:**

Contact David Mathes at (301) 903-7222 of the U.S. Department of Energy, Office of Environmental Management, Office of Disposal Operations.

#### **SUPPLEMENTARY INFORMATION:** DOE

published a final rule under 10 CFR Part 765 in the **Federal Register** on May 23, 1994, (59 FR 26714) to carry out the requirements of Title X of the Energy Policy Act of 1992 (sections 1001-1004 of Public Law 102-486, 42 U.S.C. 2296a *et seq.*) and to establish the procedures for eligible licensees to submit claims for reimbursement. DOE amended the final rule on June 3, 2003 (68 FR 32955) to adopt several technical and administrative amendments (e.g., statutory increases in the reimbursement ceilings). Title X requires DOE to reimburse eligible uranium and thorium licensees for certain costs of decontamination, decommissioning, reclamation, and other remedial action incurred by licensees at active uranium and thorium milling sites to remediate byproduct material generated as an incident of sales to the United States Government. To be reimbursable, costs of remedial action must be for work that is necessary to comply with applicable requirements of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7901 *et seq.*) or, where appropriate, with requirements established by a State pursuant to a discontinuance agreement under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021). Claims for reimbursement must be supported by reasonable documentation as determined by DOE in accordance with 10 CFR Part 765. Funds for reimbursement will be provided from the Uranium Enrichment Decontamination and Decommissioning Fund established at the Department of Treasury pursuant to section 1801 of the Atomic Energy Act of 1954 (42 U.S.C. 2297g). Payment or obligation of funds shall be subject to the requirements of the Anti-Deficiency Act (31 U.S.C. 1341).

**Authority:** Section 1001-1004 of Public Law 102-486, 106 Stat. 2776 (42 U.S.C. 2296a *et seq.*).