

date, to the Department at the following address: U.S. Department of Education, Application Control Center, *Attention:* (CFDA Number 84.299A), 550 12th Street, SW., Room 7041, Potomac Center Plaza, Washington, DC 20202-4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

**Note for Mail or Hand Delivery of Paper Applications:** If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

#### V. Application Review Information

*Selection Criteria:* The selection criteria for this competition are from 34 CFR 75.210 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 Notification (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:* The Secretary has established the following key performance measures for assessing the effectiveness of the Demonstration Grants for Indian Children program: (1) The percentage of 3- and 4-year-old American Indian and Alaska Native children achieving gains of a predetermined magnitude, at a minimum, on an approved assessment of language and communication development as evidenced by a pre- and post-test each project year; (2) the percentage of 3- and 4-year-old American Indian and Alaska Native children achieving gains of a predetermined magnitude, at a minimum, on an approved assessment of cognitive skills and conceptual knowledge as evidenced by a pre- and post-test each project year; (3) the percentage of 3- and 4-year-old American Indian and Alaska Native children achieving gains of a predetermined magnitude, at a minimum, on an approved assessment of social development as evidenced by a pre- and post-test each project year; (4) the percentage of American Indian and Alaska Native high school students successfully completing (as defined by a passing grade of C or better) at least 3 years of challenging core courses (English, mathematics, science, and social studies) by the end of their fourth year in high school; and (5) the percentage of American Indian and Alaska Native students who graduate with their incoming 9th grade cohort (not counting those who transfer to another school).

We encourage applicants to demonstrate a strong capacity to provide reliable data on these measures in their responses to the selection criteria “Quality of project services” and “Quality of the project evaluation.” All grantees will be expected to submit, as part of their performance report, information with respect to these performance measures.

#### VII. Agency Contact

##### FOR FURTHER INFORMATION CONTACT:

Lana Shaughnessy, U.S. Department of Education, 400 Maryland Avenue, SW., room 3E231, Washington, DC 20202-6335. *Telephone:* (202) 205-2528 or by *e-mail:* [Indian.education@ed.gov](mailto:Indian.education@ed.gov).

If you use a TDD, call the Federal Relay Service (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 person 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: January 14, 2009.

**Kerri L. Briggs,**

*Assistant Secretary for Elementary and Secondary Education.*

[FR Doc. E9-1102 Filed 1-16-09; 8:45 am]

BILLING CODE 4000-01-P

#### DEPARTMENT OF EDUCATION

[CFDA NO. 84.031H]

**Office of Postsecondary Education; Strengthening Institutions Program (SIP), American Indian Tribally Controlled Colleges and Universities (TCCU), Alaska Native and Native Hawaiian-Serving Institutions (ANNH), Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI), Native American Serving Nontribal Institutions (NASNTI), Developing Hispanic-Serving Institutions (HSI), Promoting Postbaccalaureate Opportunities for Hispanic Americans (PPOHA), and Predominantly Black Institutions (PBI) Programs for Fiscal Year (FY) 2009**

*Purpose of Programs:* The SIP, TCCU, and ANNH Programs are authorized under Title III, Part A, of the Higher Education Act of 1965, as amended (HEA). Under these programs, institutions of higher education (IHEs or institutions) are eligible to apply for grants if they meet specific statutory and

regulatory eligibility requirements. Similarly, IHEs are eligible to apply for grants under Title V of the HEA if they meet specific statutory and regulatory requirements. The HSI and PPOHA Programs are authorized under Title V, Parts A and B of the HEA. In addition, under Title III of the HEA, institutions applying for grants under the AANAPISI, NASNTI, and PBI Programs must be eligible institutions as defined in Section 312(b) of the HEA.

An IHE that is designated as an eligible institution may also receive a waiver of certain non-Federal cost-share requirements under the Federal Supplemental Educational Opportunity Grant (FSEOG), the Federal Work Study (FWS), the Student Support Services (SSS), and the Undergraduate International Studies and Foreign Language (UISFL) programs. The FSEOG, FWS, and SSS programs are authorized under Title IV of the HEA. The UISFL Program is authorized under Title VI of the HEA. Qualified institutions may receive these waivers even if they are not recipients of grant funds under the Title III or Title V programs.

**Special Note:** To qualify as an eligible institution under the Title III or Title V programs, your institution must satisfy several criteria, including one related to needy student enrollment and one related to average educational and general (E&G) expenditures for a specified base year. The most recent data available for E&G expenditures are for base year 2006–2007. In order to award FY 2009 grants in a timely manner, we will use the most recent data available. Therefore, we use E&G expenditure threshold data from the base year 2006–2007. In completing your eligibility application, please use E&G expenditure data from the base year 2006–2007.

If you are designated as an eligible institution and you do not receive a new award under the Title III or Title V programs in FY 2009, your eligibility for the non-Federal cost-share waiver under

the FSEOG, the FWS, the SSS, and the UISFL Programs is valid for five consecutive years. You will not need to reapply for eligibility until 2014, unless you wish to apply for a new Title III or Title V grant. All institutions interested in applying for a new FY 2009 Title III or Title V grant *or* requesting a waiver of the non-Federal cost share, must apply for eligibility designation in FY 2009. Under the HEA, institutions interested in applying for a grant under the AANAPISI, NASNTI, PBI, or PPOHA Programs must first be designated as eligible institutions.

**Eligible Applicants:** To qualify as an eligible institution under the Title III or Title V programs an accredited institution must, among other requirements, have an enrollment of needy students, and its average E&G expenditures per full-time equivalent (FTE) undergraduate student must be low in comparison with the average E&G expenditures per FTE undergraduate student of institutions that offer similar instruction.

The eligibility requirements for the Title III programs are found in 34 CFR 607.2 through 607.5. The regulations may be accessed at the following Web site: [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/34cfr607\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/34cfr607_02.html).

The eligibility requirements for the Title V HSI program are found in 34 CFR 606.2 through 34 CFR 606.5. The regulations may be accessed at the following Web site: [http://www.access.gpo.gov/nara/cfr/waisidx\\_01/34cfr606\\_01.html](http://www.access.gpo.gov/nara/cfr/waisidx_01/34cfr606_01.html).

**Enrollment of Needy Students:** Under 34 CFR 606.3(a) and 607.3(a), an institution is considered to have an enrollment of needy students if (1) at least 50 percent of its degree students received financial assistance under one or more of the following programs: Federal Pell Grant, FSEOG, FWS, or the Federal Perkins Loan Programs; or, (2) the percentage of its undergraduate

degree students who were enrolled on at least a half-time basis and received Federal Pell Grants exceeded the median percentage of undergraduate degree students who were enrolled on at least a half-time basis and received Federal Pell Grants at comparable institutions that offered similar instruction.

To qualify under this latter criterion, an institution's Federal Pell Grant percentage for base year 2006–2007 must be more than the median for its category of comparable institutions provided in the 2006–2007 Median Pell Grant and Average E&G Expenditures per FTE Student Table in this notice.

**Educational and General Expenditures per FTE Student:** An institution should compare its 2006–2007 average E&G expenditures per FTE student to the average E&G expenditure per FTE student for its category of comparable institutions contained in the 2006–2007 Median Pell Grant and Average E&G Expenditures per FTE Student Table in this notice. If the institution's average E&G expenditures for the 2006–2007 base year are less than the average for its category of comparable institutions, the institution meets this eligibility requirement.

An institution's average E&G expenditures are the total amount it expended during the base year for instruction, research, public service, academic support, student services, institutional support including library expenditures, operation and maintenance, scholarships and fellowships, and mandatory transfers.

The following table identifies the relevant median Federal Pell Grant percentages for the base year 2006–2007 and the relevant average E&G expenditures per FTE student for the base year 2006–2007 for the four categories of comparable institutions:

Type of institution	2006–2007 Median Pell Grant percentage	2006–2007 Average E&G expenditures per FTE student
2-year Public Institutions .....	23.8	\$10,606
2-year Non-profit Private Institutions .....	37.2	23,082
4-year Public Institutions .....	24.1	25,339
4-year Non-profit Private Institutions .....	25.3	40,877

**Waiver Information:** IHEs that are unable to meet the needy student enrollment requirement or the average E&G expenditures requirement may apply to the Secretary for waivers of these requirements, as described in 34 CFR 606.3(b), 606.4(c) and (d), 607.3(b),

and 607.4(c) and (d). Institutions requesting a waiver of the needy student enrollment requirement or the average E&G expenditures requirement must include in their application detailed information supporting the waiver

request, as described in the instructions for completing the application.

The regulations governing the Secretary's authority to waive the needy student requirement, 34 CFR 606.3(b)(2) and (3) and 607.3(b)(2) and (3), refer to "low-income" students or families. The

regulations define “low-income” as an amount that does not exceed 150 percent of the amount equal to the poverty level, as established by the U.S.

Bureau of the Census, 34 CFR 606.3(c) and 607.3(c).  
For the purposes of this waiver provision, the following table sets forth

the low-income levels for the various sizes of families:

2006 ANNUAL LOW-INCOME LEVELS

Size of family unit	Family income for the 48 contiguous states, D.C., and outlying jurisdictions	Family income for Alaska	Family income for Hawaii
1 .....	\$14,700	\$18,375	\$16,905
2 .....	19,800	24,750	22,770
3 .....	24,900	31,125	28,635
4 .....	30,000	37,500	34,500
5 .....	35,100	43,875	40,365
6 .....	40,200	50,250	46,230
7 .....	45,300	56,625	52,095
8 .....	50,400	63,000	57,960

**Note:** The 2006 annual low-income levels are being used because those are the amounts that apply to the family income reported by students enrolled for the fall 2006 semester. For family units with more than eight members, add the following amount for each additional family member: \$5,100 for the contiguous 48 States, the District of Columbia and outlying jurisdictions; \$6,375 for Alaska; and \$5,865 for Hawaii.

The figures shown under family income represent amounts equal to 150 percent of the family income levels established by the U.S. Bureau of the Census for determining poverty status. The poverty guidelines were published by the U.S. Department of Health and Human Services in the **Federal Register** on January 24, 2006 (71 FR 3848–3849).

The information about “metropolitan statistical areas” referenced in 34 CFR 606.3(b)(4) and 607.3(b)(4) may be obtained by requesting the Metropolitan Statistical Areas, 1999 Publication, Order Number PB99–501538, from the National Technical Information Service, Document Sales, 5285 Port Royal Road, Springfield, VA 22161, *telephone number:* 1–800–553–6847. There is a charge for this publication.

*Applications Available:* January 21, 2009.

*Deadline for Transmittal of Applications:* February 20, 2009 for an applicant institution that wishes to be designated as eligible to apply for a FY 2009 new grant under the Title III or Title V Programs and April 6, 2009 for an applicant institution that wishes to apply only for cost-sharing waivers under the FSEOG, FWS, SSS, or UISFL Programs.

*Electronic Submission of Applications:* Applications for designation of eligibility must be submitted electronically using the

following Web site: <http://opeweb.ed.gov/title3and5>.

To enter the Web site, you must use your institution’s unique 8-digit identifier, i.e., your Office of Postsecondary Education Identification Number (OPE ID Number). Your business office or student financial aid office should have the OPE ID Number. If they do not, contact the Department using the e-mail addresses of the contact persons listed in this notice under **FOR APPLICATIONS AND FURTHER INFORMATION CONTACT**.

You will find detailed instructions for completing the application form electronically under the “eligibility 2009” link at either of the following Web sites: <http://www.ed.gov/programs/duetitle3a/index.html> or <http://www.ed.gov/hsi>.

If your institution is unable to meet the needy student enrollment requirement or the average E&G expenditure requirement and wishes to request a waiver of one or both of these requirements, you must complete your designation application form electronically and transmit your waiver request narrative document from the following Web site: <https://opeweb.ed.gov/title3and5>.

**EXCEPTION TO ELECTRONIC SUBMISSION REQUIREMENT:** You may qualify for an exception to the electronic submission requirement and may submit your application in paper format if you are unable to submit an application electronically because—

- You do not have access to the Internet; or
- You do not have the capacity to upload documents to the Web site; and
- No later than two weeks before the application deadline date (14 calendar days; or, if the fourteenth calendar day before the application deadline date

falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

*Address and mail or fax your statement to:* Mrs. Darlene B. Collins, U.S. Department of Education, 1990 K Street, NW., room 6020, Washington, DC 20006–8513. *Fax:* (202) 502–7861.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

*Submission of Paper Applications by Mail.*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier), your application to the Department. You must mail the application, on or before the application deadline date, to the Department at the following address:

*By mail through the U.S. Postal Service or commercial carrier:* Mrs. Darlene B. Collins, U.S. Department of Education, 1990 K Street, NW., Room 6020, Washington, DC 20006–8513.

You must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark,
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service,

(3) A dated shipping label, invoice, or receipt from a commercial carrier, or

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark, or

(2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

#### *Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the application, on or before the application deadline date, to the Department at the following address: Mrs. Darlene B. Collins, U.S. Department of Education, 1990 K Street, NW., Room 6020, Washington, DC 20006-8513.

Hand delivered applications will be accepted daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

**Applicable Regulations:** (a) The Education Department General Administrative Regulations in 34 CFR parts 74, 75, 77, 79, 82, 84, 85, 86, 97, 98, and 99. (b) The regulations for the Title III Programs in 34 CFR part 607, and for the Title V Program in 34 CFR part 606.

**Note:** There are no program-specific regulations for the AANAPISI, PBI, and the PPHOA Programs. Accordingly, we encourage each potential applicant to read the HEA, the authorizing statute for these programs.

**For Applications and Further Information Contact:** Kelley Harris or Carnisia Proctor, Institutional Development and Undergraduate Education Service, U.S. Department of Education, 1990 K Street, NW., room 6033, Request for Eligibility Designation, Washington, DC 20202-8513.

You may contact these individuals at the following e-mail addresses or phone numbers:

*Kelley.Harris@ed.gov*, 202-219-7083  
*Carnisia.Proctor@ed.gov*, 202-502-7606

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 accessible format (e.g., braille, large print, audio tape, or computer diskette) on request to the contact persons listed in this section.

#### *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>.

**Program Authority:** 20 U.S.C. 1057-1059d, 1101-1103g and amendments to Titles III and V of the HEA by Public Law 110-315.

Dated: January 14, 2009.

**Vickie L. Schray,**

*Acting Deputy Assistant Secretary for Higher Education Programs.*

[FR Doc. E9-1098 Filed 1-16-09; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Proposed Agency Information Collection

**AGENCY:** U.S. Department of Energy.

**ACTION:** Notice and request for OMB review and comment.

**SUMMARY:** The Department of Energy (DOE) has submitted to the Office of Management and Budget (OMB) for clearance, a proposal for collection of information under the provisions of the Paperwork Reduction Act of 1995. The proposed collection will gather data about what constitutes an innovative research environment. It will also contribute to building a dataset for the development of a science of science and innovation policy, as part of the National Science Foundation (NSF) program by that name.

**DATES:** Comments regarding this collection must be received on or before February 20, 2009. If you anticipate that you will be submitting comments, but

find it difficult to do so within the period of time allowed by this notice, please advise the Desk Officer of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at 202-395-4650.

**ADDRESSES:** Written comments should be sent to the:

DOE Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10102, 735 17th Street, NW., Washington, DC 20503; and to: Timothy Fitzsimmons, Materials Science and Engineering Division, SC-22.2, Office of Basic Energy Sciences, Office of Science, US Department of Energy, 1000 Independence Ave., SW., Washington DC 20585-1290,  
*Tim.Fitzsimmons@science.doe.gov.*

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

Requests for additional information or copies of the information collection instrument and instructions should be directed to:

Timothy Fitzsimmons, Materials Science and Engineering Division, SC-22.2, Office of Basic Energy Sciences, Office of Science, US Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585-1290,  
*Tim.Fitzsimmons@science.doe.gov.*

**SUPPLEMENTARY INFORMATION:** This information collection request contains: (1) OMB No. "New"; (2) Information Collection Request Title: Developing the Science of Science and Innovation Policy: Profiles of Innovativeness and Effective Research Communication. (3) Type of Request: New collection. (4) Purpose: This data collection request will bring to conclusion a long-term research effort funded by the Department of Energy's Office of Basic Energy Sciences to develop the best practices in the management of scientific innovation. This data collection request will also help support an effort under a new National Science Foundation program (SciSIP) which is developing a scientific approach to the formulation of science and innovation policy.

Survey data will be collected on researcher attitudes towards their research environment. Research managers will be asked in addition to describe laboratory policies that promote innovation. Hypotheses from the industrial innovation literature about what constitutes an innovative environment will be tested on 72 research projects in six national laboratories chosen to reflect a diversity