

1973, as amended, to be used by other grantees, thus eliminating the reversion of Federal funds to the U.S. Treasury.

Grantees in six of RSA's formula grant programs are subject to a reallocation process. These programs include the Vocational Rehabilitation State Grants, the Supported Employment State Grants, the Independent Living Part B, the Independent Living for Older Individuals Who Are Blind, the Client Assistance, and the Protection and Advocacy of Individual Rights programs. Specifically, for the Vocational Rehabilitation State Grants Program, RSA's largest formula grant program, 34 CFR 361.65(b) requires that: (1) "The Secretary determines no later than 45 days before the end of the fiscal year which States, if any, will not use their full allotment. (2) As soon as possible, but not later than the end of the fiscal year, the Secretary reallocates these funds to other States that can use those additional funds during the current or subsequent year, provided the State can meet the matching requirement by obligating the non-Federal share of any reallocated funds in the fiscal year for which the funds were appropriated."

ED is requesting that the Office of Management and Budget (OMB) clear the application on an emergency basis because many States are experiencing challenging economic circumstances. We anticipate that they may not be able to match funds received under the Rehabilitation Act and that the reallocation process will be more critical this year than in years past. The online process we have developed is less burdensome to grantees, since the electronic system automatically generates much of the information that is required in the reallocation process.

As stated in the aforementioned citation, this reallocation process is required by regulation to be completed before September 30 of this year in order for States to obligate the reallocated funds and meet the matching requirements. Therefore, ED is requesting OMB approval of this online process by July 15, 2010. This timeframe will allow us sufficient time to: (1) Notify States about the new system for online submission of grant relinquishments or requests; (2) receive all necessary information from the State agencies by August 15, which meets the minimum 45 day requirement in 34 CFR 361.65(b)(1); and (3) to process the requests received no later than September 30, 2010, per 34 CFR 361.65(b)(2).

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>,

by selecting the "Browse Pending Collections" link and by clicking on link number 4342. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to the Internet address [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**SUMMARY:** The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before August 23, 2010.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested,

e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

*The Department of Education is especially interested in public comment addressing the following issues:* (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: June 18, 2010.

**Darrin A. King,**

*Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.*

### Office of Elementary and Secondary Education

*Type of Review:* New.

*Title:* State Fiscal Stabilization Fund (SFSF) Annual Report Form.

*OMB#* Pending.

*Frequency:* Annually.

*Affected Public:* State, Local, or Tribal Government, State Educational Agencies (SEAs) or Local Educational Agencies (LEAs).

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 52.

*Burden Hours:* 11,648.

*Abstract:* The State Fiscal Stabilization Fund (SFSF) program is authorized in Title XIV of Division A of the American Recovery and Reinvestment Act of 2009 (ARRA) (Pub. L. 111-5), which President Barack Obama signed into law on February 17, 2009.

Under the SFSF program, the U.S. Department of Education awards funds to Governors to help stabilize State and local budgets in order to minimize and avoid reductions in education and other essential services, in exchange for a State's commitment to advance essential education reform in four areas: (1) Making improvements in teacher effectiveness and in the equitable distribution of qualified teachers for all students, particularly students who are most in need; (2) establishing pre-K-to-college-and-career data systems that track progress and foster continuous improvement; (3) making progress

toward rigorous college- and career-ready standards and high-quality assessments that are valid and reliable for all students, including limited English proficient students and students with disabilities; and (4) providing targeted, intensive support and effective interventions for the lowest-performing schools.

*Section 14008 of ARRA requires each State receiving funds to submit an annual report to the Secretary, at such time and in such manner as the Secretary may require, that describes:*

(1) The uses of funds provided under this title within the State;

(2) How the State distributed the funds it received under this title;

(3) The number of jobs that the Governor estimates were saved or created with funds the State received under this title;

(4) Tax increases that the Governor estimates were averted because of the availability of funds from this title;

(5) The State's progress in reducing inequities in the distribution of highly qualified teachers, in implementing a State longitudinal data system, and in developing and implementing valid and reliable assessments for limited English proficient students and children with disabilities;

(6) The tuition and fee increases for in-State students imposed by public institutions of higher education in the State during the period of availability of funds under this title, and a description of any actions taken by the State to limit those increases;

(7) The extent to which public institutions of higher education maintained, increased, or decreased enrollment of in-State students, including students eligible for Pell Grants or other need-based financial assistance; and

(8) A description of each modernization, renovation and repair project funded, which shall include the amounts awarded and project costs.

Each State will submit to the Department two SFSF annual reports. The initial report will be due to the Department by January 7, 2011. This report will cover the period from the State's receipt of SFSF funds through September 30, 2010. Each State must submit its final SFSF report by January 6, 2012. The final report will provide data for the period extending through September 30, 2011, the deadline for obligation of SFSF funds.

The Department will, with the assistance of a contractor, evaluate the information in each report and use the data to prepare for the Congress the Secretary's Report required under Section 14110 of the ARRA. In addition,

the data will inform the Department's administration and oversight of the program. In particular, it will provide useful information on the uses and impact of SFSF funds.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 4315. When you access the information collection, click on "Download Attachments" to view.

Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

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## DEPARTMENT OF EDUCATION

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*The Department of Education is especially interested in public comment addressing the following issues:* (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: June 17, 2010.

**Darrin A. King,**

*Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.*

### Office of Elementary and Secondary Education

*Type of Review:* Revision.

*Title:* Migrant High School Equivalency Program Annual Performance Report.

*OMB#:* 1810-0684.

*Frequency:* Annually.

*Affected Public:* Not-for-profit institutions; State, Local, or Tribal Government, State Educational Agencies (SEAs) or Local Educational Agencies (LEAs).

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 42.

*Burden Hours:* 1,344.

*Abstract:* The Office of Migrant Education is collecting information for the High School Equivalency Program Annual Performance Report in compliance with Higher Education Act of 1965, as amended, Title IV, Sec. 418A; 20 U.S.C. 1070d-2 (special programs for students whose families are engaged in migrant and seasonal farm work), the Government Performance Results Act (GPRA) of 1993, Section 4 (1115), and the Education Department General Administrative Regulations (EDGAR), 34 CFR 75.253. EDGAR states that