

time, Monday through Friday of each week except Federal holidays.

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On request, we will supply an appropriate aid, such as a reader or print magnifier, to an individual with a disability who needs assistance to review the comments. If you want to schedule an appointment for this type of aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### Background

On December 21, 2006, the Assistant Secretary for Special Education and Rehabilitative Services (Assistant Secretary) issued a final program determination letter (PDL) seeking to recover from Oklahoma \$583,943.29 of Part B of the Individuals with Disabilities Education Act (IDEA-B) funds. These funds, based on a finding in a single audit of Oklahoma (Audit Control Number 06-04-58175), were determined by the Assistant Secretary to have been expended, during fiscal year 2003, in violation of the IDEA-B's maintenance of effort requirement set out in 34 CFR 300.230-300.233 (2003).<sup>1</sup> Specifically, the PDL identified 76 LEAs in Oklahoma that violated the maintenance of effort requirement and the amount of that violation for each of those LEAs.

Oklahoma filed an *Application for Review* of this PDL with the Office of Administrative Law Judges (OALJ) on February 26, 2007. On April 16, 2007, the OALJ granted the parties *Joint Motion to Conduct Voluntary Discovery, Engage in Settlement, Negotiations, and Suspend the Procedural Schedule (Joint Motion)*. Since this *Joint Motion* was granted, Oklahoma has presented the Department with extensive documentation and analysis, not available to the Department at the time the PDL was issued, to support its contention that the total level of the maintenance of effort violation was lower than set out in the PDL. On the basis of that documentation the Assistant Secretary, on November 22, 2010, filed a *Notice of Reduction of Claim* with the OALJ that reduced the claim in this matter from \$583,943.29 to \$289,501.76.

The Department proposes to compromise this remaining claim to \$217,126.32. Based on litigation risks and the costs of proceeding through the administrative and, possibly, court

process for this appeal, the Department has determined that it would not be practical or in the public interest to continue this proceeding. In addition, in light of corrective actions Oklahoma has taken, we do not anticipate recurrence of this maintenance of effort violation. As a result, under the authority in 20 U.S.C. 1234a(j), the Department has determined that compromise of this claim for \$217,126.32 is appropriate. The public is invited to comment on the Department's intent to compromise this claim. Additional information may be obtained by calling or writing to Ronald B. Petracca at the telephone number and address listed at the beginning of this notice.

#### Electronic Access to This Document

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**Program Authority:** 20 U.S.C. 1234a(j).

**Delegation of Authority:** The Secretary of Education has delegated authority to Thomas Skelly, Director, Budget Service, to perform the functions and duties of the Chief Financial Officer of the Department of Education.

Dated: January 26, 2011.

**Thomas Skelly,**

*Director, Budget Service.*

[FR Doc. 2011-2079 Filed 1-28-11; 8:45 am]

**BILLING CODE 4000-01-P**

#### DEPARTMENT OF ENERGY

##### Public Availability of Department of Energy FY 2010 Service Contract Inventory

**AGENCY:** Department of Energy.

**ACTION:** Notice of public availability of FY 2010 Service Contract Inventories.

**SUMMARY:** In accordance with Section 743 of Division C of the Consolidated

Appropriations Act of 2010 (Pub. L. 111-117), Department of Energy is publishing this notice to advise the public of the availability of the FY 2010 Service Contract inventory. This inventory provides information on service contract actions over \$25,000 that were made in FY 2010. The information is organized by function to show how contracted resources are distributed throughout the agency. The inventory has been developed in accordance with guidance issued on November 5, 2010 by the Office of Management and Budget's Office of Federal Procurement Policy (OFPP). OFPP's guidance is available at <http://www.whitehouse.gov/sites/default/files/omb/procurement/memo/service-contract-inventories-guidance-11052010.pdf>. Department of Energy has posted its inventory and a summary of the inventory at the following link: [http://www.management.energy.gov/policy\\_guidance/competitive\\_sourcing.htm](http://www.management.energy.gov/policy_guidance/competitive_sourcing.htm).

#### FOR FURTHER INFORMATION CONTACT:

Questions regarding the service contract inventory should be directed to Jeff Davis in the Strategic Programs Division at 202-287-1877 or [jeff.davis@hq.doe.gov](mailto:jeff.davis@hq.doe.gov).

Dated: January 25, 2011.

**David Boyd,**

*Deputy Director, Office of Procurement and Assistance Management.*

[FR Doc. 2011-2028 Filed 1-28-11; 8:45 am]

**BILLING CODE 6450-01-P**

#### DEPARTMENT OF ENERGY

##### Environmental Management Advisory Board Meeting

**AGENCY:** Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Environmental Management Advisory Board (EMAB). The Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:** Thursday, February 24, 2011, 8:30 a.m.-5 p.m.

**ADDRESSES:** Green Valley Ranch, 2300 Paseo Verde Parkway, Henderson, Nevada 89052.

#### FOR FURTHER INFORMATION CONTACT:

Kristen G. Ellis, Designated Federal Officer, EMAB (EM-42), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585. Phone (202) 586-5810; fax (202) 586-0293 or e-mail: [kristen.ellis@em.doe.gov](mailto:kristen.ellis@em.doe.gov).

<sup>1</sup> When new regulations for the IDEA-B program were issued in 2006, the maintenance of effort requirements were re-codified at 34 CFR 300.203-300.205.