

not fulfilled the conditions of a prior grant; or is otherwise not responsible.

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:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) 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 of 1993 (GPRA), the Department has developed the following performance measures for measuring the overall effectiveness of the ANE program: (1) The percentage of Alaska Native students in schools served by the program who meet or exceed proficiency standards in reading, mathematics, and science on the Alaska State assessments; (2) the percentage of Alaska Native children participating in early learning and preschool programs who consistently demonstrate school readiness in language and literacy as measured by the Revised Alaska

Development Profile (RADP); and (3) the percentage of Alaska Native students in schools served by the program who graduate from high school with a regular high school diploma in four years.

All grantees will be expected to submit an annual performance report that includes data addressing these performance measures, to the extent that they apply to the grantee's project.

5. *Continuation Awards:* In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made "substantial progress toward meeting the objectives in its approved application." This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT:

Chunee Boston, U.S. Department of Education, 400 Maryland Avenue, SW., room 3E118, Washington, DC 20202-6200. Telephone: (202) 260-7008 or by e-mail: Chunee.Boston@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, audiotope, 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. You can view this document in text of PDF at the following site, also: <http://www.ed.gov/programs/alaskanative/applicant.html>.

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 26, 2011.

Thelma Melendez de Santa Ana,
Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2011-2075 Filed 1-28-11; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Intent To Compromise Claim Against the State of Oklahoma Department of Education

AGENCY: Department of Education.

ACTION: Notice of intent to compromise claim with request for comments.

SUMMARY: The United States Department of Education (Department) intends to compromise a claim against the Oklahoma Department of Education (Oklahoma) now pending before the Office of Administrative Law Judges (OALJ), Docket No. 07-04-R. Before compromising a claim, the Department must publish its intent to do so in the Federal Register and provide the public an opportunity to comment on that action.

DATES: We must receive your comments on the proposed action on or before March 17, 2011.

ADDRESSES: Address all comments concerning the proposed action to Ronald B. Petracca, Office of the General Counsel, U.S. Department of Education, 400 Maryland Avenue, SW., Room 6E111, Washington, DC 20202-2110.

FOR FURTHER INFORMATION CONTACT:

Ronald B. Petracca, *Telephone:* (202) 401-6008. If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339. Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audio tape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

SUPPLEMENTARY INFORMATION:

Invitation To Comment

We invite you to submit comments regarding this proposed action. During and after the comment period, you may inspect all public comments in room 6E312, FB-6, 400 Maryland Avenue, SW., Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Eastern

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

Assistance to Individuals With Disabilities in Reviewing Comments

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).¹ 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

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://frwebgate.access.gpo.gov/cgi-bin/leaving.cgi?from=leavingFR.html&log=linklog&to=http://www.ed.gov/legislation/FedRegister>.

To use PDF, you must have Adobe Acrobat Reader, which is available free at this site.

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://frwebgate.access.gpo.gov/cgi-bin/leaving.cgi?from=leavingFR.html&log=linklog&to=http://www.access.gop.gov/nara/index.html>.

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.

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.

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.

¹ 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.