

Eligible applicants for fiscal year (FY) 2005 funds under the CRN program are the entities designated by the Governor and the eligible agency under Title I of the Perkins Act for each of the 50 States, the Virgin Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau. The designated entities in the Republic of the Marshall Islands and the Federated States of Micronesia are no longer eligible to receive funds under the CRN program and therefore cannot receive continuation grants from funds appropriated for FY 2005 or subsequent fiscal years, pursuant to 48 U.S.C. 1921d(f)(1)(B)(iii).

The nature of the CRN program, in which the universe of eligible applicants is defined in the law and all eligible entities are funded, allowed us to provide actual notice in lieu of publishing a notice of proposed rulemaking, consistent with section 553(b) of the APA. Pursuant to the requirements of section 553(b) of the APA, and in order to make timely grant awards in FY 2005, on July 14, 2005, we contacted CRN grantees directly and provided them actual notice of, and requested their comments on, our proposal to waive 34 CFR 75.250 and fund continuation grants.

To avoid a lapse in the availability of career resources and related services and activities provided by the CRN grantees, the Secretary waives the requirements in 34 CFR 75.250, which prohibit project periods exceeding five years. With this waiver we can continue the CRN grants of all current, eligible grantees for as long as Congress continues to appropriate funds for the existing statutory program authority and during a transition to any new statutory program authority. It would be contrary to the public interest to have a lapse in CRN projects, especially as they are preparing for a new school year. This waiver of 34 CFR 75.250 means that: (1) current CRN grants will be continued at least through FY 2005 and possibly beyond, if Congress continues to appropriate funds for the CRN program under the current statutory authority or provides for a transition to any new statutory authority, and (2) we will not announce a new competition or make new awards in FY 2005.

We waived the requirements of 34 CFR 75.261(c)(2), which prohibit project period extensions involving the obligation of additional Federal funds, in a notice published in the **Federal Register** on July 31, 2002 (67 FR 49852). The waiver of 34 CFR 75.261(c)(2) is

still in effect; therefore, we are not waiving this requirement in this notice.

The waivers of 34 CFR 75.250 and 75.261(c)(2) do not exempt current CRN grantees from the account closing provisions of 31 U.S.C. 1552(a), nor do they extend the availability of funds previously awarded to current CRN grantees. As a result of 31 U.S.C. 1552(a), appropriations available for a limited period may be used for payment of valid obligations for only five years after the expiration of their period of availability for Federal obligation. After that time, the unexpended balance of those funds is canceled and returned to the Treasury Department and is unavailable for restoration for any purpose.

#### **Regulatory Flexibility Act Certification**

The Secretary certifies that this notice of funding of continuation grants and waiver will not have a significant economic impact on a substantial number of small entities. The only entities that would be affected are the 57 current, eligible CRN grantees.

#### **Paperwork Reduction Act of 1995**

This notice of funding of continuation grants and waiver does not contain any information collection requirements.

#### **Intergovernmental Review**

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR part 79. The objective of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, we intend this document to provide early notification of the Department's specific plans and actions for this program.

#### **Assessment of Educational Impact**

Based on our own review, we have determined that this notice of funding of continuation grants and waiver does not require transmission of information that any other agency or authority of the United States gathers or makes available.

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(Catalog of Federal Domestic Assistance Number: 84.346 Career Resource Network State Grants)

*Program Authority:* 20 U.S.C. 2328.

Dated: July 22, 2005.

**Susan Sclafani,**

*Assistant Secretary for Vocational and Adult Education.*

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## **UNITED STATES ELECTION ASSISTANCE COMMISSION**

### **Sunshine Act; Meeting**

**ACTION:** Notice of public meeting for EAC Standards Board.

**DATE & TIME:** Wednesday, August 24, 2005, 8:30 a.m.–5 p.m. and Thursday, August 25, 2005, 8:30 a.m.–5 p.m.

**PLACE:** Adam's Mark Hotel, 1550 Court Place, Denver, CO 80202.

**TOPICS:** The U.S. Election Assistance Commission (EAC) Standards Board, as required by the Help America Vote Act of 2002, will meet to consider and adopt bylaws, to consider and receive presentations on the Voluntary Voting System Guidelines proposed by EAC, to formulate recommendations to EAC, and to handle other administrative matters.

**PERSON TO CONTACT FOR INFORMATION:** Bryan Whitener, telephone: (202) 566-3100.

**Gracia M. Hillman,**

*Chair, U.S. Election Assistance Commission.*

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## **DEPARTMENT OF ENERGY**

[Docket No. EA-283-A]

### **Application to Export Electric Energy; Public Service Company of Colorado**

**AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.

**ACTION:** Notice of application.