

of the project and will produce quantitative and qualitative data to the extent possible.

(3) The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.

(4) The extent to which the evaluation will provide guidance about effective strategies suitable for replication or testing in other settings.

**Note for (e) Quality of the project**

**evaluation:** Grantees will be expected to report on the progress of their evaluation through the required annual performance report as discussed in section VI.4 of this notice. In addressing this criterion, applicants may want to consider using the evaluation plan to shape the development of the project from the beginning of the grant period. Applicants also may want to include benchmarks to monitor progress toward specific project objectives, including ambitious student foreign language proficiency objectives, and outcome measures to assess the impact on teaching and learning or other important outcomes for project participants.

## 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. *Grant Administration:* Applicants should budget for a two-day meeting for project directors in Washington, DC, and a FLAP meeting at the American Council on the Teaching of Foreign Languages (ACTFL) Conference in Boston, MA, November 19–21, 2010. Funding for the meeting and conference should be budgeted for each subsequent year of the grant.

4. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. You must also submit an annual performance report that provides

the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c).

5. *Performance Measures:* In response to the Government Performance and Results Act (GPRA), the Department developed three objectives for evaluating the overall effectiveness of the Foreign Language Assistance Program (FLAP) LEA program. Grantees funded under this competition will be expected to collect and report to the Department data related to these measures. Applicants should discuss in the application narrative how they propose to collect these data.

Grantees under this competition are not expected to report on Objective 1, Measures 1.1 of 2 and 1.2 of 2.

Objective 1: To expand foreign language study in non-critical languages for students served by FLAP.

Measure 1.1 of 2: The number of students participating in foreign language instruction in the non-critical languages(s) in the schools funded by FLAP.

Measure 1.2 of 2: The average number of minutes per week of foreign language instruction in the non-critical languages(s) in the schools funded by FLAP.

Objective 2: To expand foreign language study in critical languages for students served by FLAP.

Measure 2.1 of 2: The number of students participating in foreign language instruction in the critical language(s) in the schools funded by FLAP.

Measure 2.2 of 2: The average number of minutes per week of foreign language instruction in the critical languages(s) provided in the schools funded by FLAP.

Objective 3: To improve the foreign language proficiency of students served by FLAP.

Measure 3.1 of 1: The number of students in FLAP projects who meet ambitious project objectives for foreign language proficiency.

We expect each LEA funded under this competition to document how its project is helping the Department meet these performance measures. Grantees will be expected to report on progress in meeting these performance measures in their Annual Performance Report and in their Final Performance Report.

## VII. Agency Contacts

*For Further Information Contact:*  
Rebecca Richey, U.S. Department of Education, 400 Maryland Avenue, SW., room 5C141, Washington, DC 20202–

6510. Telephone: (202) 401–1443 or by e-mail: [rebecca.richey@ed.gov](mailto:rebecca.richey@ed.gov) or Cynthia Ryan, U.S. Department of Education, 400 Maryland Avenue, SW., room 5C140, Washington, DC 20202–6510. Telephone: (202) 401–1436 or by e-mail: [cynthia.ryan@ed.gov](mailto:cynthia.ryan@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, audiotape, or computer diskette) on request to the program contact persons 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.

**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: [www.gpoaccess.gov/nara/index.html](http://www.gpoaccess.gov/nara/index.html).

Dated: March 10, 2010.

**Richard Smith,**

*Acting Assistant Deputy Secretary and Director, Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students.*

[FR Doc. 2010–5616 Filed 3–12–10; 8:45 am]

**BILLING CODE 4000–01–P**

## DEPARTMENT OF EDUCATION

### Privacy Act of 1974; Computer Matching Program

**AGENCY:** Department of Education.

**ACTION:** Notice—Computer Matching between the Department of Education and the Department of Homeland Security, United States Citizenship and Immigration Services, formerly the Immigration and Naturalization Service.

**SUMMARY:** Pursuant to the Office of Management and Budget (OMB) *Final Guidance Interpreting the Provisions of Public Law 100–503, the Computer Matching and Privacy Protection Act of 1988* (54 FR 25818 (June 19, 1989)) and OMB Circular A–130, Appendix I (65 FR 77677 (December 12, 2000)) notice is

hereby given of the computer matching program between the Department of Education (ED) (the recipient agency), and the Department of Homeland Security, United States Citizenship and Immigration Services (USCIS) (the source agency).

In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988, and OMB Circular A-130, the following information is provided:

1. *Names of Participating Agencies.*

The U.S. Department of Education and the U.S. Department of Homeland Security, USCIS.

2. *Purpose of the Match.*

The matching program entitled "Verification Division USCIS/ED" will permit ED to confirm the immigration status of alien applicants for, or recipients of, financial assistance under Title IV of the Higher Education Act of 1965, as amended (HEA), as authorized by section 484(g) of the HEA (20 U.S.C. 1091(g)). The Title IV programs include: the Federal Pell Grant Program; the Academic Competitiveness Grant Program; the National Science and Mathematics Access to Retain Talent Grant Program; the Iraq and Afghanistan Service Grant Program; the Federal Perkins Loan Program; the Federal Work-Study Program; the Federal Supplemental Educational Opportunity Grant Program; the Federal Family Education Loan Program; the William D. Ford Federal Direct Loan Program; the Leveraging Educational Assistance Partnership Program; and the Gaining Early Awareness and Readiness for Undergraduate Programs.

3. *Authority for Conducting the Matching Program.*

The information contained in the USCIS data base is referred to as the Verification Information System (VIS), and is authorized under the Immigration Reform and Control Act of 1986 (IRCA), Public Law 99-603. ED seeks access to the VIS database for the purpose of confirming the immigration status of applicants for assistance, as authorized by section 484(g) of the HEA, 20 U.S.C. 1091(g), and consistent with the Title IV student eligibility requirements of section 484(a)(5) of the HEA, 20 U.S.C. 1091(a)(5). USCIS is authorized to participate in this immigration status verification under section 103 of the Immigration and Nationality Act, as amended, 8 U.S.C. 1103.

4. *Categories of Records and Individuals Covered.*

The records to be used in the match and the roles of the matching participants are described as follows: Through the use of user identification

codes and passwords, authorized persons from ED will transmit electronically data from its Privacy Act system of records entitled, "Federal Student Aid Application File (18-11-01)" to USCIS. The data will include the alien registration number, the first and last name, date of birth, current social security number and gender of the alien applicant for, or recipient of, Title IV assistance. This action will initiate a search for corresponding data elements in a USCIS Privacy Act system of records entitled "Verification Information System Records Notice (DHS-2007-0010)." Where there is a match of records, the system will add the following data to the record and return the file to ED: the primary or secondary verification number, the date of entry into the U.S., the country of birth, and the USCIS status code of the alien applicant or recipient, and a code indicating that the alien applicant or recipient was confirmed to be an eligible non-citizen or that this determination could not be made. In accordance with 5 U.S.C. 552a(p), ED will not suspend, terminate, reduce, or make a final denial of any Title IV assistance to such individual, or take other adverse action against such individual, as a result of information produced by such a match, until (1)(a) ED has independently verified the information; or (b) the Data Integrity Board of ED determines in accordance with guidance issued by the Director of the OMB that (i) the information is limited to identification and amount of benefits paid by ED under a Federal benefit program; and (ii) there is a high degree of confidence that the information provided to ED is accurate; (2) the individual receives a notice from ED containing a statement of its findings and informing the individual of the opportunity to contest such findings by submitting documentation demonstrating a satisfactory immigration status within 30 days of receipt of the notice; and (3) 30 days from the date of the individual's receipt of such notice has expired.

5. *Effective Dates of the Matching Program.*

The matching program will become effective 40 days after a copy of the computer matching agreement, as approved by the Data Integrity Board of each agency, is transmitted to Congress and OMB, unless the requested ten day waiver is approved by OMB or unless OMB objects to some or all of the agreement, or 30 days after publication of this notice in the **Federal Register**, whichever date is later. The matching program will continue for 18 months after the effective date and may be

extended for an additional 12 months thereafter, if the conditions specified in 5 U.S.C. 552a(o)(2)(D) have been met.

6. *Address for Receipt of Public Comments or Inquiries.*

Mr. Leroy Everett, Management and Program Analyst, U.S. Department of Education, Federal Student Aid, Union Center Plaza, 830 First Street, NE., Washington, DC 20002-5345. Telephone: (202) 377-3265. If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape or computer diskette) on request to the contact person listed in the preceding paragraph.

**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 the 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://www.gpoaccess.gov/nara/index.html>.\*

**Authority:** 5 U.S.C. 552a; Pub. L. No. 100-503.

Dated: March 10, 2010.

**William J. Taggart,**  
*Chief Operating Officer Federal Student Aid.*

[FR Doc. 2010-5613 Filed 3-12-10; 8:45 am]

**BILLING CODE 4000-01-P**

**DEPARTMENT OF ENERGY**

**Energy Information Administration**

**Agency Information Collection Activities: Proposed Collection; Comment Request**

**AGENCY:** Energy Information Administration (EIA), Department of Energy (DOE).

**ACTION:** Agency Information Collection Activities: Proposed Collection; Comment Request.

**SUMMARY:** The EIA is soliciting comments on the proposed three-year extension to the Form EIA-846, "Manufacturing Energy Consumption Survey."