

**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 September 10, 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: July 6, 2010.

**Darrin A. King,**

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

**Federal Student Aid**

*Type of Review:* New.

*Title:* Student Assistance General Provisions—Subpart A—General.

*OMB #:* Pending.

*Frequency:* On Occasion.

*Affected Public:* Businesses or other for-profit; Not-for-profit institutions; State, Local, or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 600,892.

*Burden Hours:* 105,376.

*Abstract:* The proposed regulations require an institution to report annually for each student who completes a program that leads to gainful employment in a recognized occupation identifier information about student completers, the Classification of Instructional Programs (CIP) code for each occupational training program, the completion date, and information about the amount of private education loans and institutional financing incurred by each graduate. In addition, the proposed regulations would require the following disclosures on the institution's Web site: the name of each occupational training program and links to the Department of Labor's O-Net site to obtain occupation profile data using a Standard Occupational Classification (SOC) code, information about on-time graduation rates for students entering the program, cost information (including tuition fees, room and board, and other institutional costs incurred for enrolling in the program), placement rate information for students who completed the program, and the median debt incurred by students who completed the program during the preceding three years. The institution must identify separately the median Title IV, Higher Education Act of 1965, as amended (HEA) loan debt from the private education loan debt and institutional financing plans.

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 4317. 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.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov); Tel. 202-401-0526. 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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**BILLING CODE 4000-01-P**

**DEPARTMENT OF EDUCATION****Privacy Act of 1974; System of Records**

**AGENCY:** Office of the Inspector General, U.S. Department of Education.

**ACTION:** Notice of an altered system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended (Privacy Act), the Department of Education (Department) publishes this notice proposing to revise the system of records notice for the Hotline Complaint Files of the Inspector General (18-10-04), 64 FR 30157-59 (June 4, 1999). The Department proposes to amend this system of records notice by: (1) Adding that a purpose of the system is to report on complaints and allegations related to American Recovery and Reinvestment Act of 2009 (ARRA) funds to the Recovery Accountability and Transparency Board (RATB) as established by the ARRA (Pub. L. 111-5); (2) adding a new routine use to allow the disclosure of ARRA-related complaints and allegations to the RATB; (3) adding a new routine use to allow for disclosure of information in connection with response and remedial efforts in the event of a data breach in accordance with Office of Management and Budget (OMB) requirements in M-07-16 (May 22, 2007); (4) revising the routine use "Disclosure to Public and Private Sources in Connection with the Higher Education Act of 1965, as amended (HEA)" to allow the disclosure of information to an educational institution or a school that is or was a party to an agreement with the Secretary of Education pursuant to the HEA; and (5) updating the address of the System Manager.

**DATES:** The Department seeks comments on the proposed, new routine uses of the information in the altered system of records described in this notice, in accordance with the requirements of the

Privacy Act. We must receive your comments on or before August 11, 2010.

The Department filed a report describing the altered system of records covered by this notice with the Chair of the Senate Committee on Homeland Security and Governmental Affairs, the Chair of the House Committee on Oversight and Government Reform, and the Administrator of the Office of Information and Regulatory Affairs, OMB on July 7, 2010. This altered system of records will become effective at the later date of—(1) The expiration of the 40-day period for OMB review on August 16, 2010 unless OMB waives 10 days of its 40-day review period in which case on August 6, 2010, or (2) August 11, 2010, unless the system of records needs to be changed as a result of public comment or OMB review. The Department will publish any changes to the routine uses that result from public comment or OMB review of this notice.

**ADDRESSES:** Address all comments about the proposed routine uses to this altered system of records to William Hamel, Assistant Inspector General for Investigations, Office of Inspector General, U.S. Department of Education, 400 Maryland Avenue, SW., room 8093, PCP building, Washington, DC 20202–1510. If you prefer to send comments by e-mail, use the following address: [comments@ed.gov](mailto:comments@ed.gov).

You must include the term “Hotline Complaint Files” in the subject line of your electronic message.

During and after the comment period, you may inspect all public comments about this notice at the U.S. Department of Education, PCP Building, room 8166, 500 12th Street, SW., Washington, DC 20202–0028, between the hours of 8:00 a.m. and 4:30 p.m., Eastern time, Monday through Friday of each week except Federal holidays.

#### **Assistance to Individuals With Disabilities in Reviewing the Rulemaking Record**

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

**FOR FURTHER INFORMATION CONTACT:** Shelley Shepherd, Assistant Counsel to the Inspector General, 400 Maryland Avenue, SW., room 8166, PCP building, Washington, DC 20202–1510.

Telephone: (202) 245–7077. If you use a telecommunications device for the deaf (TDD), you can call the Federal Relay Service (FRS) at 1–800–877–8339.

#### **SUPPLEMENTARY INFORMATION:**

##### **Introduction**

The Privacy Act (5 U.S.C. 552a) requires the Department to publish in the **Federal Register** this notice of an altered system of records (5 U.S.C. 552a(e)(4) and (11)). The Department’s regulations implementing the Privacy Act are contained in the Code of Federal Regulations (CFR) in 34 CFR part 5b.

The Privacy Act applies to information about an individual that contains individually identifiable information that is retrieved by a unique identifier associated with each individual, such as a name or social security number. The information about each individual is called a “record,” and the system, whether manual or computer-based, is called a “system of records.”

The Privacy Act requires each agency to publish a notice of a system of records in the **Federal Register** and to prepare a report to OMB, whenever the agency publishes a new system of records or makes a significant change to an established system of records. Each agency is also required to send copies of the report to the Chair of the Senate Committee on Homeland Security and Governmental Affairs and the Chair of the House Committee on Oversight and Government Reform. The report is intended to permit an evaluation of the probable or potential effect of the proposal on the privacy rights of individuals.

**Accessible Format:** 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 under **FOR FURTHER INFORMATION CONTACT**.

##### **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: <http://www.gpoaccess.gov/nara/index.html>.

Dated: July 7, 2010.

**Kathleen S. Tighe,**  
*Inspector General.*

For the reasons discussed in the preamble, the Inspector General of the U.S. Department of Education publishes a notice of an altered system of records. The following amendments are made to the Notice of an Altered System of Records published in the **Federal Register** on June 4, 1999 (64 FR 30157–30159):

1. On page 30157, 3rd column, under the heading “PURPOSES”, the paragraph is revised to read as follows:

##### **PURPOSES:**

Pursuant to the Inspector General Act, this system is maintained for purposes of: (1) Maintaining a record of complaints and allegations received concerning Department of Education programs and operations and a record concerning the disposition of those complaints and allegations; and (2) reporting on American Recovery and Reinvestment Act of 2009 related complaints and allegations to the Recovery Accountability and Transparency Board.

2. On page 30158, 1st and 2nd columns, the paragraph labeled “(4) *Disclosure to Public and Private Sources in Connection with the Higher Education Act of 1965, as amended (HEA)*”, is revised to read as follows:

“(4) *Disclosure to Public and Private Sources in Connection with the Higher Education Act of 1965, as amended (HEA)*. The Department may disclose information from this system of records as a routine use to facilitate compliance with program requirements to any accrediting agency that is or was recognized by the Secretary of Education pursuant to the HEA; to any educational institution or school that is or was a party to any agreement with the Secretary of Education pursuant to the HEA; to any guaranty agency that is or was a party to an agreement with the Secretary of Education pursuant to the HEA; or to any agency that is or was charged with licensing or legally authorizing the operation of any educational institution or school that was eligible, is currently eligible, or may become eligible to participate in any program of Federal student assistance authorized by the HEA.

3. On page 30158, 2nd column, after the paragraph labeled “(6) *Congressional Disclosure*”, add two new paragraphs that read as follows:

(7) *Disclosure to the Recovery Accountability and Transparency Board (RATB)*. The Department may disclose records as a routine use to the RATB for

purposes of coordinating and conducting oversight of American Recovery and Reinvestment Act of 2009 funds to prevent fraud, waste, and abuse.

(8) *Disclosure in the Course of Responding to Breach of Data.* The Department may disclose records from this system to appropriate agencies, entities, and persons when (a) The Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

4. On page 30158, 3rd column, under the heading "SYSTEM MANAGER AND ADDRESS", the paragraph is revised to read as follows:

**SYSTEM MANAGER AND ADDRESS:**

Assistant Inspector General for Investigations, Office of Inspector General, U.S. Department of Education, 400 Maryland Avenue, SW., room 8093, PCP building, Washington, DC 20202-1510.

[FR Doc. 2010-16926 Filed 7-9-10; 8:45 am]

**BILLING CODE 4000-01-P**

**ELECTION ASSISTANCE COMMISSION**

**Publication of State Plan Pursuant to the Help America Vote Act**

**AGENCY:** U.S. Election Assistance Commission (EAC).

**ACTION:** Notice.

**SUMMARY:** Pursuant to Sections 254(a)(11)(A) and 255(b) of the Help America Vote Act (HAVA), Public Law 107-252, the U.S. Election Assistance Commission (EAC) hereby causes to be published in the **Federal Register** changes to the HAVA state plan previously submitted by South Dakota.

**DATES:** This notice is effective upon publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Bryan Whitener, Telephone 202-566-3100 or 1-866-747-1471 (toll-free).

*Submit Comments:* Any comments regarding the plans published herewith should be made in writing to the chief election official of the individual state at the address listed below.

**SUPPLEMENTARY INFORMATION:** On March 24, 2004, the U.S. Election Assistance Commission published in the **Federal Register** the original HAVA state plans filed by the fifty states, the District of Columbia and the territories of American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands. 69 FR 14002. HAVA anticipated that states, territories and the District of Columbia would change or update their plans from time to time pursuant to HAVA Section 254(a)(11) through (13). HAVA Sections 254(a)(11)(A) and 255 require EAC to publish such updates. This is the fifth revision to the state plan for South Dakota.

The amendments to South Dakota's state plan provide for compliance with

the Military and Overseas Voter Empowerment Act (MOVE Act); include additional information regarding the state's utilization of HAVA funds for additional personnel working on HAVA related projects and for requirements of HAVA Section 301(a)(4); and reflect how the state intends to use its FY 2010 Requirements Payments. In accordance with HAVA Section 254(a)(12), all the state plans submitted for publication provide information on how the respective state succeeded in carrying out its previous state plan. South Dakota confirms that its amendments to the state plan were developed and submitted to public comment in accordance with HAVA Sections 254(a)(11), 255, and 256.

Upon the expiration of thirty days from July 12, 2010, the state is eligible to implement the changes addressed in the plan that is published herein, in accordance with HAVA Section 254(a)(11)(C). EAC wishes to acknowledge the effort that went into revising this state plan and encourages further public comment, in writing, to the state election official listed below.

**Chief State Election Official**

Secretary Chris Nelson, Secretary of State, State Capitol, Suite 204, 500 East Capitol, Pierre, SD 57501-5070, Phone: (605) 773-5003, Fax: (605) 773-6580.

Thank you for your interest in improving the voting process in America.

Dated: July 6, 2010.

**Thomas R. Wilkey,**

*Executive Director, U.S. Election Assistance Commission.*

**BILLING CODE 6820-KF-C**