

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: June 2, 1998.

Hazel Fiers,

*Acting Deputy Chief Information Officer,
Office of the Chief Information Officer.*

Office of Elementary and Secondary Education

Type of Review: New.

Title: Annual Report of Title I Allocation to Local Educational Agencies (LEAs).

Frequency: Annually.

Affected Public: State, local or Tribal Gov't; SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 52.

Burden Hours: 416.

Abstract: An annual survey will be conducted to collect data on Title I allocations to local educational agencies in order for the Department of Education to establish a prior year base on which to determine "hold-harmless" guarantees for each LEA when computing Title I, Part A allocations in accordance with the authorizing statute.

[FR Doc. 98-15121 Filed 6-5-98; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Office of Elementary and Secondary Education; Intent To Repay to the State of New Mexico Department of Education Funds Recovered as a Result of Two Final Audit Determinations

AGENCY: Department of Education.

ACTION: Notice of intent to award grantback funds.

SUMMARY: Under section 459 of the General Education Provisions Act (GEPA), 20 U.S.C. 1234h, the U.S. Department of Education (Department) intends to repay to the State of New Mexico Department of Education, the State educational agency (SEA), an amount equal to 75 percent of the principal amount of funds returned to the Department as the result of final audit determinations. The Department's recovery of funds followed the SEA's issuance of a final letter of determination dated April 10, 1996 to Roswell Independent School District (RISD) requiring the return of \$62,957.83, which was subsequently sent to the Department on June 11, 1996.

This notice describes the SEA's plan, submitted on behalf of RISD, the local educational agency (LEA), for the use of the repaid funds and the terms and conditions under which the Department intends to make those funds available. The notice invites comments on the proposed grantback.

DATES: All Comments must be received on or before July 8, 1998.

ADDRESSES: All written comments should be addressed to Mary Jean LeTendre, Director, Compensatory Education Programs, Office of Elementary and Secondary Education, U.S. Department of Education, 600 Independence Avenue, SW, Portals Building, Room 4400, Washington, D.C. 20202-6132. Comments may also be sent through the Internet to: comments@ed.gov.

FOR FURTHER INFORMATION CONTACT: S. Colene Nelson, U.S. Department of Education, 600 Independence Avenue, SW, Portals Building, Room 4400, Washington, D.C. 20202-6132. Telephone: (202) 260-0979. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday. Internet address: Colene_Nelson@ed.gov.

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

SUPPLEMENTARY INFORMATION:

A. Background

The Department has recovered \$62,957.83 from the New Mexico SEA in satisfaction of claims arising from an audit of Roswell Independent School District (LEA) covering fiscal years (FY) 1993 and 1994.

The claims involved the LEA's administration of Chapter 1 of Title I of the Elementary and Secondary Education Act of 1965, as amended in 1988, a program providing financial assistance to State and local educational agencies to address the special educational needs of educationally deprived children in areas with high concentrations of children from low-income families (Chapter 1). Specifically, the audit determinations, made by an independent auditor acting under the Single Audit Act of 1984 and upheld by the SEA, found that for FY 1993, \$30,769.72 representing partial salaries of six associates at Washington Avenue Elementary was allocated to the Chapter 1 program. However, the LEA

did not maintain appropriate time distribution records to support the allocation. Also, for the following FY 1994, \$32,188.11 representing partial salaries of six associates at Washington Avenue Elementary was allocated to the Chapter 1 program. In this instance, only the August and September time distribution reports were available. The auditors found that no additional time and attendance reports were maintained during the year demonstrating the actual time that staff spent on Chapter 1 activities. In the absence of appropriate support documentation to substantiate the salaries and wages chargeable to the Chapter 1 program, as required by Office of Management and Budget Circular A-87, "Cost Principles for State and Local Governments," the SEA required the LEA to reimburse the Federal Government in the amount of \$62,957.83 for both audited years.

B. Authority for Awarding a Grantback

Section 459(a) of GEPA, 20 U.S.C. 1234h, provides that whenever the Secretary has recovered program funds following a final audit determination, the Secretary may consider those funds to be additional funds available for the program and may arrange to repay to the SEA or LEA affected by that determination an amount not to exceed 75 percent of the recovered funds. The Secretary may enter into this grantback arrangement if the Secretary determines that the—

(1) Practices or procedures of the SEA or LEA that resulted in the audit determination have been corrected, and the SEA or LEA is, in all other respects, in compliance with the requirements of the applicable program, provided that the SEA or LEA was notified of any noncompliance with such requirements and given a reasonable period of time to remedy that noncompliance;

(2) SEA has submitted to the Secretary a plan for the use of the funds to be awarded under the grantback arrangement that meets the requirements of the program, and, to the extent possible, benefits the population that was affected by the failure to comply or by the misexpenditures that resulted in the audit exception; and

(3) Use of funds to be awarded under the grantback arrangement in accordance with the SEA's plan would serve to achieve the purposes of the program under which the funds were originally granted.

C. Plan for Use of Funds Awarded Under a Grantback Arrangement

Pursuant to section 459(a)(2) of GEPA, the SEA has applied for a grantback of \$47,218—75 percent of the principal

amount recovered by the Department—and has submitted a plan on behalf of the LEA for use of the grantback funds to meet the special educational needs of educationally deprived children in programs administered under Title I, Part A, of ESEA, successor to Chapter 1.

According to the plan, the LEA will use the grantback funds under Title I to provide summer enrichment programs for educationally deprived children at three sites, in June and July 1998. Program services to be provided are as follows:

(1) *Washington Avenue Elementary*—Approximately 120 students would receive instruction in reading, math, and writing. Students would also receive 30 minutes of computer instruction, fitness activities, and music instruction. Services at this site would run from June 8, 1998 to July 7, 1998 with an estimated budget of \$29,210.

(2) *Berrendo Elementary*—Approximately 60 to 70 students would receive instruction in reading with a focus on phonics instruction as well as literature. Also, math skills would be reinforced and students would receive computer assisted instruction. Services at this site would run from June 22, 1998 to July 17, 1998 with an estimated budget of \$15,678.

(3) *Del Norte Elementary*—Approximately 60 students would receive instruction in reading. Students needing assistance in math would receive help on an as needed basis. Services at this site would run from June 8, 1998 to July 3, 1998 with an estimated budget of \$11,705.

The total estimated cost of the LEA's summer enrichment program is \$56,593. The additional funds (\$9,375) would come from the LEA's current Title I allocation for 1997-98.

D. The Assistant Secretary's Determination

The Assistant Secretary has carefully reviewed the plan submitted by the SEA. Based upon that review, the Assistant Secretary has determined that the conditions under section 459 of GEPA have been met. These determinations are based upon the best information available to the Assistant Secretary at the present time. If this information is not accurate or complete, the Assistant Secretary may take appropriate administrative action. In finding that the conditions of section 459 of GEPA have been met, the Assistant Secretary makes no determination concerning any pending audit recommendations or final audit determinations.

E. Notice of the Assistant Secretary's Intent To Enter Into a Grantback Arrangement

Section 459(d) of GEPA requires that, at least 30 days before entering into an arrangement to award funds under a grantback, the Department must publish in the **Federal Register** a notice of intent to do so, and the terms and conditions under which payment will be made.

In accordance with section 459(d) of GEPA, notice is hereby given that the Assistant Secretary intends to make funds available to the SEA under a grantback arrangement. The grantback award would be in the amount of \$47,218.

F. Terms and Conditions Under Which Payments Under a Grantback Arrangement Would Be Made

The SEA and LEA agree to comply with the following terms and conditions under which payment under a grantback arrangement would be made:

(1) The funds awarded under the grantback must be spent in accordance with—

(a) All applicable statutory and regulatory requirements;

(b) The plan that the SEA submitted and any amendments to that plan that are approved in advance by the Assistant Secretary; and

(c) The budget that was submitted with the plan and any amendments to the budget that are approved in advance by the Assistant Secretary.

(2) All funds received under the grantback arrangement must be obligated in accordance with the SEA's plan but, in no event, after September 30, 1999 as required under 459(c) of GEPA.

(3) The SEA, on behalf of the LEA, will, not later than December 31, 1998, submit a report to the Assistant Secretary that—

(a) Indicates that the funds awarded under the grantback have been spent in accordance with the proposed plan and approved budget; and

(b) Describes the results and effectiveness of the project for which the funds were spent.

(4) Separate accounting records must be maintained documenting the expenditures of funds awarded under the grantback arrangement.

Electronic Access to This Document

Anyone may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or portable document format (pdf) on the World Wide Web at either of the following sites:

<http://ocfo.ed.gov/fedreg.htm>
<http://www.ed.gov/news.html>

To use the pdf you must have the Adobe Acrobat Reader Program with Search, which is available free at either of the previous sites. If you have questions about using the pdf, call the U.S. Government Printing Office toll free at 1-888-293.6498.

(Catalog of Federal Domestic Assistance Number 84.010, Title I, Improving Basic Programs Operated by Local Education Agencies)

Dated: May 21, 1998.

Gerald N. Tirozzi,

Assistant Secretary for Elementary and Secondary Education.

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DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Department of Energy, Los Alamos National Laboratory

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given of the following Advisory Committee meeting: Environmental Management Site-Specific Advisory Board (EM SSAB), Los Alamos National Laboratory.

DATES: Thursday, June 25, 1998: 6:00 p.m.-9:00 p.m., 6:30 p.m. to 7:00 p.m. (public comment session).

ADDRESS: Cities of Gold Casino Hotel, Pojoaque, New Mexico.

FOR FURTHER INFORMATION CONTACT: Ms. Ann DuBois, Northern New Mexico Citizens' Advisory Board, Los Alamos National Laboratory, 528 35th Street, Los Alamos, New Mexico 87544, (505) 665-5048.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Advisory Board is to make recommendations to DOE and its regulators in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda

6:00 p.m. Call to Order by DOE
6:00 p.m. Welcome by Chair, Roll Call, Approval of Agenda and Minutes
6:30 p.m. Public Comments
7:00 p.m. Break
7:15 p.m. Board Business
9:00 p.m. Adjourn

Public Participation: The meeting is open to the public. The public may file