

Dated: March 10, 2005.

**I.C. Le Moyne Jr.,**

*Lieutenant, Judge Advocate General's Corps,  
U.S. Navy, Alternate Federal Register Liaison  
Officer.*

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Intent To Grant Partially Exclusive License; Baltimore Shipping Technologies, L.L.C.

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy gives notice of its intent to grant Baltimore Shipping Technologies, L.L.C., a revocable, nonassignable, partially exclusive license, with exclusive fields of use in intermodal containerized transportation, in the United States to practice the Government-owned invention, U.S. Patent Application Serial Number 10/826,791 entitled "Container, and Related Methods."

**DATES:** Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than March 31, 2005.

**ADDRESSES:** Written objections are to be filed with Indian Head Division, Naval Surface Warfare Center, Code CAB, 101 Strauss Avenue, Indian Head, MD 20640-5035.

**FOR FURTHER INFORMATION CONTACT:** Dr. J. Scott Deiter, Head, Technology Transfer Office, Naval Surface Warfare Center, Indian Head Division, Code CAB, 101 Strauss Avenue, Indian Head, MD 20640-5035, telephone 301-744-6111.

Dated: March 9, 2005.

**I.C. Le Moyne, Jr.,**

*Lieutenant, Judge Advocate General's Corps,  
U.S. Navy, Alternate Federal Register Liaison  
Officer.*

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## 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, Citizenship and Immigration

Services, formerly the Immigration and Naturalization Service.

**SUMMARY:** Pursuant to the Computer Matching and Privacy Protection Act of 1988, Public Law 100-503, and the Office of Management and Budget (OMB) Guidelines on the Conduct of Matching Programs, a notice is hereby given of the computer matching program between the Department of Education (ED) (the recipient agency), and the Department of Homeland Security, Citizenship and Immigration Service (CIS), (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, CIS.

2. *Purpose of the Match.* The matching program entitled "Systematic Alien Verification for Entitlement (SAVE) CIS/ED" will permit ED to confirm the immigration status of alien applicants for, or recipients of, assistance as authorized by section 484(g) of the Higher Education Act of 1965, as amended (HEA); 20 U.S.C. 1091(g). The Title IV programs include: the Federal Pell 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 CIS 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 Higher Education Act of 1965, as amended, (HEA) 20 U.S.C. 1091(g). CIS is authorized to participate in this immigration status verification under section 103 of the Immigration and Nationality Act, 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 CIS. The data will include the alien registration number and date of birth of the alien applicant for, or recipient of, Title IV assistance. This action will initiate a search for corresponding data elements in a CIS Privacy Act system of records entitled "Verification Information System (JUSTICE/INS-035)." Where there is a match of records, the system will provide to ED the immigration status code of the alien applicant or recipient. 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 sent 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 Inquires.* Ms. Marya Dennis, 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) 377-3385. 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, audiotope or computer diskette) on request to the contact person listed in the preceding paragraph.

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**Authority:** 5 U.S.C. 552a; Pub. L. 100-503.

Dated: March 11, 2005.

**Theresa S. Shaw,**

*Chief Operating Officer, Federal Student Aid.*  
[FR Doc. 05-5233 Filed 3-15-05; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Office of Special Education and Rehabilitative Services; List of Correspondence

**AGENCY:** Department of Education.

**ACTION:** List of Correspondence from October 1, 2004 through December 31, 2004.

**SUMMARY:** The Secretary is publishing the following list pursuant to section 607(d) of the Individuals with Disabilities Education Act, as amended (IDEA). Under section 607(d) of the IDEA, the Secretary is required, on a quarterly basis, to publish in the **Federal Register** a list of correspondence from the Department of Education received by individuals during the previous quarter that describes the interpretations of the Department of Education (Department) of the IDEA or the regulations that implement the IDEA.

**FOR FURTHER INFORMATION CONTACT:** Melisande Lee or JoLeta Reynolds. Telephone: (202) 245-7459 (press 3).

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

Individuals with disabilities may obtain a copy of this notice in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the contact persons listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** The following list identifies correspondence from the Department issued from October 1, 2004 through December 31, 2004.

Included on the list are those letters that contain interpretations of the requirements of the IDEA and its implementing regulations, as well as letters and other documents that the Department believes will assist the public in understanding the requirements of the law and its regulations. The date of and topic addressed by a letter are identified, and summary information is also provided, as appropriate. To protect the privacy interests of the individual or individuals involved, personally identifiable information has been deleted, as appropriate. Pursuant to the effective dates set forth in section 302 of the Individuals with Disabilities Education Improvement Act of 2004 (the Act), which amended and reauthorized the IDEA, the changes in IDEA that were made by the Act, with certain enumerated exceptions, will take effect on July 1, 2005. Accordingly, statutory citations in this list, as well as those contained in the letters referenced in this list, refer to the provisions of the IDEA that were in effect at the time the letters were issued.

#### Part A, General Provision

*Section 605—Acquisition of Equipment; Construction or Alteration of Facilities*

*Topic Addressed:* Construction or alteration of facilities.

○ Letter dated October 25, 2004 to Commonwealth of the Northern Mariana Islands Commissioner of Education Rita Hocog Inos, regarding the general principles for determining whether expenditures for construction of new facilities or alteration of existing facilities are allowable under the IDEA.

#### Part B—Assistance for Education of All Children With Disabilities

*Section 611—Authorization; Allotment; Use of Funds; Authorization of Appropriations*

*Topic Addressed:* Use of funds.

○ Letter dated November 10, 2004 to New Hampshire Disabilities Rights

Center Executive Director Richard A. Cohen, regarding the use of grants to local educational agencies (LEAs) for capacity building and improvement and funds retained by the State for State level activities to pay for expenses related to statewide assessments for grades three, six, and ten.

*Topic Addressed:* Part B Grant Awards.

○ OSEP memorandum 05-01 dated October 1, 2004 to Chief State School Officers and State Directors of Special Education, transmitting additional Part B Grant Awards under Section 611 of IDEA that became available on October 1, 2004 and clarifying that any special conditions that applied to Part B funds that became available on July 1, 2004 also apply to these additional funds.

#### Section 612—State Eligibility

*Topic Addressed:* Free appropriate public education.

○ Letter dated November 3, 2004 to Advocate Louis H. Geigerman, regarding the provision of physical therapy and occupational therapy as a related service for students with disabilities under Part B of IDEA.

*Topic Addressed:* Local educational agency compliance.

○ Letter dated October 28, 2004 to Interim Illinois State Superintendent of Education Randy J. Dunn, regarding (1) procedures that a State educational agency (SEA) must follow in withholding funds under Part B of IDEA from an LEA or State agency that is not in compliance with a requirement of Part B of IDEA, including the right of the affected LEA or State agency to a hearing before the SEA terminates funds, and (2) how an SEA can satisfy its obligation to provide direct services to students with disabilities under Part B of IDEA.

*Topic Addressed:* State educational agency general supervisory authority.

○ Letter dated December 20, 2004 to New Jersey Commissioner of Education William L. Librera, reiterating the Department's position that the New Jersey Department of Education must afford parents of children with disabilities living in New Jersey and attending school in New York under a contract between New Jersey and New York school districts access to New Jersey's due process procedures and clarifying applicable procedures if parents request changes to educational programs for children with disabilities who live in New Jersey and attend school in New York.