

accomplish any of the purposes of the Act.

The proposed order is intended to vacate the registration of the ICC, in order to allow the Options Clearing Corporation to merge with the ICC. The Commission has considered the costs and benefits of the order in light of the specific provisions of section 15(a) of the Act.

1. Protection of Market Participants and the Public

The ICC does not provide any clearing services to any designated contract markets. Accordingly, the proposed order should have no effect on the Commission's ability to protect market participation and the public.

2. Efficiency and Competition

The proposed order is not expected to have an effect on efficiency or competition.

3. Financial Integrity of Futures Markets and Price Discovery

The proposed order should have no effect, from the standpoint of imposing costs or creating benefits, on the financial integrity or price discovery function of the commodity futures and options markets.

4. Sound Risk Management Practices

The proposed order should have no effect on sound risk management practices.

5. Other Public Interest Considerations

The proposed order will have the positive effect of allowing the OCC to streamline its operations.

V. Proposed Order

Upon due consideration, and pursuant to its authority under section 7 of the Act to vacate the designation of a registered entity and pursuant to its authority under section 4(c) of the Act to exempt ICC from the requirement that notice be served within 90 days of vacation, the Commission finds that:

(1) The Intermarket Clearing Corporation ("ICC") is currently registered with the Commission as a derivatives clearing organization ("DOC") under section 5b(d) of the Commodity Exchange Act (the "Act");

(2) ICC has not engaged in activity as a DCO for several years;

(3) ICC proposes to merge into The Options Clearing Corporation, which is also registered as a DCO;

(4) Upon the effectiveness of that merger, ICC will cease to exist as a corporate entity;

(5) ICC has requested that the Commission terminate ICC's registration

as a DCO upon the effectiveness of that merger;

(6) The merger of ICC and OCC will take place before the expiration of the ninety day requirement of section 7 of the Act; and

(7) Exempting ICC from the 90-day requirement of section 7 of the Act will have no adverse effect on any of the regulatory or self-regulatory responsibilities imposed by the Act and will be consistent with the public interest.

Therefore, the Commission hereby orders that ICC's designation as a DCO be and hereby is vacated upon the effectiveness of that merger.

Issued in Washington, DC, on December 12, 2003, by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 03-31220 Filed 12-17-03; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, DoD.

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Title, Form Number, and OMB

Number: Application for Establishment of Air Force Junior ROTC Unit; AFOATS Form 59; OMB Number 0701-0114.

Type of Request: Extension.

Number of Respondents: 1.

Responses per Respondent: 1.

Annual Responses: 40.

Average Burden per Response: 30 minutes.

Annual Burden Hours: 20.

Needs and Uses: The information collection requirement is necessary to obtain information about schools that would like to host an Air Force Junior ROTC unit. Respondents are high school officials who provide information about their school. The completed form is used to determine the eligibility of the school to host an Air Force JROTC unit.

Affected Public: Not-For-Profit Institutions; State, Local or Tribal Government.

Frequency: On Occasion.

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: Mr. Edward C. Springer.

Written comments and recommendations on the proposed information collection should be sent to Mr. Springer at Office of Management and Budget, Desk Officer for DoD, Room 10236, new Executive Office Building, Washington DC 20503.

Pamela Fitzgerald,

Air Force Federal Register Liaison Officer.

[FR Doc. 03-31169 Filed 12-17-03; 8:45 am]

BILLING CODE 5001-01-P

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before January 20, 2004.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Melanie Kadlic, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503, or should be electronically mailed to the Internet address Melanie_Kadlic@omb.eop.gov.

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 Leader, Regulatory Information Management Group, Office of the Chief Information Officer, 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.

Dated: December 15, 2003.
Angela C. Arrington,
Leader, Regulatory Information Management Group, Office of the Chief Information Officer.
Office of Innovation and Improvement
Type of Review: New.

Title: Application for Grants under the State Charter School Facilities Incentive Grant Program.
Frequency: Annually.
Affected Public: State, local, or tribal gov't, SEAs or LEAs.

	Responses	Burden hours
Reporting and recordkeeping hour burden:	12	4,800

Abstract: This is a grant application for a program to give States incentive grants to establish new or enhance existing per-pupil facilities aid programs for charter schools.

This information collection is being submitted under the Streamlined Clearance Process for Discretionary Grant Information Collections (1890-0001). Therefore, the 30-day public comment period notice will be the only public comment notice published for this information collection.

Requests for copies of the submission for OMB review; comment request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 2424. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC 20202-4651, or to the e-mail address vivan.reese@ed.gov. Requests may also be electronically mailed to the Internet address OCIO_RIMG@ed.gov or faxed to 202-708-9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Kathy Axt at her e-mail address Kathy.Axt@ed.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. 03-31222 Filed 12-17-03; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Office of Vocational and Adult Education, Department of Education; Notice of Intent to Award Grantback Funds to the Commonwealth of Massachusetts Department of Education

SUMMARY: Under section 459 of the General Education Provisions Act (GEPA), 20 U.S.C. 1234h, the Secretary of Education (Secretary) intends to repay to the Commonwealth of Massachusetts Department of Education (MADOE), under a grantback agreement, an amount equal to 75 percent of the principal amount of funds recovered by the U.S. Department of Education (Department) in resolution of findings 42, 51, 54, 57, and 60 of the State's Single Audit Reports for the years ended June 30, 1997 (ACN: 01-97-88064); June 30, 1998 (ACN: 01-98-08038); and June 30, 1999 (ACN: 01-99-08038), respectively. The Department's recovery of funds followed two settlement agreements executed by the parties under which the MADOE refunded \$2,432,628 to the Department in full resolution of the findings noted above. The MADOE has submitted to the Department a grantback application in accordance with section 459(a) of GEPA. This notice describes the MADOE's plan for use of the repaid funds and the terms and conditions under which the Secretary intends to make those funds available. This notice also invites comments on the proposed grantback.

DATES: We must receive your comments on or before January 20, 2004.

ADDRESSES: All written comments should be addressed to Maurice James, Chief, State Administration Branch, Office of Vocational and Adult Education, U.S. Department of Education, 400 Maryland Avenue, SW., Mary E. Switzer Building, Room 4319, MS 7323, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: Maurice James. Telephone: (202) 205-8781 or via Internet at: maurice.james@ed.gov.

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

SUPPLEMENTARY INFORMATION:

A. Background

Under two settlement agreements between the Department and the MADOE, the Department recovered \$3,841,433 from the MADOE in full resolution of claims arising under the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins III), 20 U.S.C. 2301 *et seq.*, the Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 6301 *et seq.*, and the Individuals with Disabilities Education Act, as amended, 20 U.S.C. 1401, 1411-1419. Of the total amount recovered under the two agreements, \$2,432,628 resolved Perkins III-related findings cited in Massachusetts' Single Audit Reports covering State fiscal years (FYs) 1997 (ACN: 01-97-88064), 1998 (ACN: 01-98-98009) and 1999 (ACN: 01-99-08038). In its grantback application, the MADOE requests repayment of 75 percent of the \$2,432,628 recovered by the Department for Perkins III-related claims.

The Department's claim of \$2,432,628 for Perkins III-related findings was contained in a May 25, 2001 program determination letter (PDL) and accompanying Matrix of Closed Findings (Matrix) issued by the Deputy Assistant Secretary for Vocational and Adult Education and other Department officials. The Matrix noted that the MADOE violated the Federal requirements governing matching and time distribution. Specifically, the MADOE failed to match, from non-Federal sources and on a dollar-for-dollar basis, Federal funds reserved for State administration. In addition, the MADOE failed to keep proper time distribution records for salaries and fringe benefits paid with Perkins III funds. These findings were resolved through the Department's Cooperative Audit Resolution and Oversight Initiative (CAROI).