Headquarters Services, 1155 Defense Pentagon, Washington, DC 20301–1155.

On September 13, 2010, DoD published a notice announcing its intent to delete a Privacy Act system of records: OSD Military Personnel Files (October 6, 2006; 71 FR 59092). Subsequent to the publication of that notice, DoD discovered that the system ID number and title listed for an Air Force system of records is incorrect. In one instance, the September 13 notice also contained a typographical error regarding the system ID number for the proposed deletion. This notice corrects that information.

Corrections

In the notice published on September 13, 2010, in FR Doc. 2010–22755:

1. On page 55576 in the second column, under the heading "REASON", in line 2, correct the parenthetical system ID number to read "DWHS P47".

2. On page 55576 in the third column, in lines 6, 7, and 8, remove the following system ID number and title "Air Force F036 AFPC C, Indebtedness, Nonsupport Paternity" and add in its place "Air Force F 036 AF PC C, Applications for Appointment and Extended Active Duty Files".

Dated: September 20, 2010.

Mitchell S. Bryman,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2010–23791 Filed 9–22–10; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

Meeting of the Secretary of the Navy Advisory Panel

AGENCY: Department of the Navy, DoD.

ACTION: Notice of partially closed meeting.

SUMMARY: The Secretary of the Navy Advisory Panel (SECNAV Advisory Panel) will deliberate the findings and recommendations for the Department of the Navy's Energy program and Asia/Pacific Engagement topic.

DATES: The meeting will be held on October 13, 2010, from 8 a.m. to 4:30 p.m.

With the exception of the Chairman's, Designated Federal Officer, Energy briefings, Public Comment, and the Energy Study deliberation (8 a.m.–12 p.m.), all other meeting sessions will be closed.

ADDRESSES: The meeting will be held at the Pentagon in the N89 Conference Room, located in room 4D447.

Access: Public access is limited due to the Pentagon security requirements. Members of the public wishing to attend will need to contact Commander Cary Knox at 703–693–0463 or Commander Marc Gage at 703–695–3042 no later than October 6, 2010, and provide their name, date of birth and Social Security number. Public transportation is recommended as public parking is not available. Members of the public wishing to attend this event must enter through the Pentagon's Metro Entrance between 7 a.m. and 7:30 a.m. where they will need two forms of identification in order to receive a visitors badge and meet their escort.

Members will then be escorted to the N89 Conference Room to attend the open sessions of the SECNAV Advisory Panel. Members of the public shall remain with their designated escorts at all times while on the Pentagon Reservation. Members of the public will be escorted back to the Pentagon Metro Entrance at 12 p.m. unless prior coordination is made to leave earlier.

FOR FURTHER INFORMATION CONTACT: Captain Jon Kaufmann, Designated Federal Officer, SECNAV Advisory Panel, Office of Program Appraisal, 1000 Navy Pentagon, Washington, DC 20350, 703–695–3032.

SUPPLEMENTARY INFORMATION: Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 2), these matters constitute classified information that is specifically authorized by Executive Order to be kept secret in the interest of national defense and are, in fact, properly classified pursuant to such Executive Order. Accordingly, the SECNAV has determined in writing that the public interest requires that portions of this meeting be closed to the public because they will be concerned with matters listed in section 552b(c)(1), of title 5, United States Code.

Individuals or interested groups may submit written statements for consideration by the SECNAV Advisory Panel at any time or in response to the agenda of a scheduled meeting. All requests must be submitted to the Designated Federal Officer at the address detailed below.

If the written statement is in response to the agenda mentioned in this meeting notice then the statement, if it is to be considered by the SECNAV Advisory Panel for this meeting, must be received at least five days prior to the meeting in question.

The Designated Federal Officer will review all timely submissions with the SECNAV Advisory Panel Chairperson, and ensure they are provided to members of the SECNAV Advisory Panel before the meeting that is the subject of this notice.

To contact the Designated Federal Officer, write to: Designated Federal Officer, SECNAV Advisory Panel, Office of Program and Process Assessment 1000 Navy Pentagon, Washington, DC 20350, 703–697–9154.

Dated: September 17, 2010.

D. J. Werner,

Lieutenant Commander, Office of the Judge Advocate General, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 2010–23855 Filed 9–22–10; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF EDUCATION

[Docket ID ED–2010–OESE–0016]

RIN 1810–AB08

Teacher Incentive Fund

ACTION: Interim final requirements; request for comments.

SUMMARY: The Secretary of Education (Secretary) amends the final requirements for the Teacher Incentive Fund program to authorize the Department to select more than sixteen high-need schools per local educational agency (LEA) for participation in the Congressionally mandated TIF national evaluation.

DATES: These interim final requirements are effective September 23, 2010. We must receive your comments by October 25, 2010.

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments by fax or by e-mail. Please submit your comments only one time, in order to ensure that we do not receive duplicate copies. In addition, please include the Docket ID at the top of your comments.

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* to submit your comments electronically. Information on using Regulations.gov, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under "How To Use This Site."
- *Postal Mail, Commercial Delivery, or Hand Delivery:* If you mail or deliver your comments about these interim final requirements, address them to Office of Elementary and Secondary Education (Attention: Teacher Incentive Fund Comments), U.S. Department of Education, 400 Maryland Avenue, SW., room 3E120, Washington, DC 20202.

• *Privacy Note:* The Department's policy for comments received from members of the public (including those comments submitted by mail, commercial delivery, or hand delivery) is to make these submissions available for public viewing in their entirety on the Federal eRulemaking Portal at *http://www.regulations.gov.* Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available on the Internet.

FOR FURTHER INFORMATION CONTACT: April Lee. Telephone: (202) 205–5224, or by e-mail: *TIF@ed.gov.* Note that we will not accept comments by e-mail.

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 under **FOR FURTHER INFORMATION CONTACT**.

SUPPLEMENTARY INFORMATION:

Invitation To Comment

We invite you to submit comments regarding these interim final requirements and to assist us in complying with the specific requirements of Executive Order 12866 and its overall requirement of reducing regulatory burden that might result from these interim final requirements.

During and after the comment period you may inspect all public comments about these interim final requirements by accessing *http://www.regulations.gov.* You may also inspect the comments, in person, in room 3W100, 400 Maryland Avenue, SW., Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Washington, DC time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request, we will provide an appropriate accommodation or auxiliary aid 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 accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Background and Summary of Interim Final Requirements: On May 21, 2010, the Secretary published a notice of final priorities, requirements, definitions, and selection criteria (NFP) for the TIF program in the **Federal Register** (75 FR 28713). The purpose of the TIF program is to support projects that develop and implement performance-based compensation systems for teachers, principals, and other personnel in high-need schools in order to increase educator effectiveness and student achievement, measured in significant part by student growth.

The NFP announced priorities, requirements, definitions, and selection criteria that would govern two separate TIF competitions, the Main TIF competition and the TIF Evaluation competition. In the same issue of the **Federal Register**, the Secretary also published a notice inviting applications (NIA) for both TIF competitions for FY 2010 (75 FR 28740).

The TIF Evaluation competition responds to a requirement in the American Recovery and Reinvestment Act of 2009, Division A, Title VIII, Public Law 111–5 (the ARRA), that the Secretary use a portion of the funds appropriated in the ARRA to conduct a national evaluation of the TIF program. Specifically, along with authorizing TIF funds to be used to support projects that implement performance-based compensation systems (PBCSs), the ARRA also requires the Department to use the appropriated funds to conduct a "rigorous national evaluation . . . utilizing randomized controlled methodology to the extent feasible, that assesses the impact of performance-based teacher and principal compensation systems supported by the funds provided in this Act on teacher and principal recruitment and retention in high-need schools and subjects." The ARRA thus requires the Department to conduct a national evaluation that will ensure adequate participation of both a treatment group and a control group.

In response to Congress' mandate, the Department developed a study methodology that relies on a sufficient number of high-need schools—both "treatment schools" in which teachers would be eligible for performance-based compensation that is one element of the LEA's PBCS, and "control schools" in which teachers would be part of the PBCS but would not be eligible to receive performance-based compensation that would be spread across a sufficient number of LEAs to yield sufficiently meaningful and generally applicable results. The Department announced in the NFP that each applicant for the TIF Evaluation competition had to identify eight or more high-need schools to be included in the TIF Evaluation. Based on our projections that 20 applicants would submit sufficiently high-quality applications for the TIF Evaluation competition, and the number of high-need schools that those applicants would propose to be included in the TIF Evaluation competition, the Department announced in the NFP that applicants could select up to 16 high-need schools per LEA to participate in the TIF Evaluation. *See* 75 FR 28735.

As an incentive for applicants to identify high-need schools for inclusion in the TIF Evaluation, the Department also announced in the NFP (75 FR 28734) that applicants whose schools were selected for inclusion in the evaluation would receive additional funding of up to $2 million to be used for TIF-related activities as specified in the NFP—$1 million for inclusion of up to eight high-need schools (four pairs), and an additional $250,000 for each additional pair of high-need schools up to a maximum of 16 schools.

After non-Federal readers reviewed and scored applications for the TIF Evaluation competition, the Department determined that the number of applicants that submitted high-quality applications for the TIF Evaluation competition, and the number of high-need schools those applicants identified for inclusion in the evaluation, were lower than the Department wanted for a study that has the desired statistical power. Even after extending an opportunity to applicants that had submitted high-quality applications for the TIF Evaluation competition to identify additional schools, up to 16 per LEA, for inclusion in the national TIF Evaluation, the number of high-need schools identified for inclusion was still lower than the Department desired for its study sample size.

The Department's decision to cap at 16 the number of an LEA's high-need schools that could be included in the evaluation (and the number of high-need schools for which the Department would provide successful applicants with incentive funding under the TIF Evaluation competition) was intended to enable the evaluation to look at the impact of performance-based compensation in a substantial number of geographically diverse LEAs. And, at the time it adopted the requirement, the Department had every reason to believe that it would receive a sufficient number of high-quality applications such that a 16-school cap would not limit the effectiveness of the evaluation. However, based on the number of applications deemed of sufficiently high quality to warrant funding, the Department has determined that including more than 16 high-need schools per LEA in the evaluation is

necessary if the Department is to use a strong design to conduct the Congressionally mandated study. Accordingly, the Secretary has decided to revise the requirements announced in the NFP by removing the cap of 16 high-need schools per LEA that may be included in the TIF Evaluation, and by removing the cap of $2,000,000 on the incentive payments that may be provided to grantees identifying additional pairs of schools, beyond the minimum required four pairs of such schools.

We recognize that implementation of this new requirement has budgetary implications for applicants that choose to offer more than 16 schools per LEA for inclusion in the evaluation. In addition to the additional incentive payments and funding for the other costs of implementing the PBCS, as stated in the NFP, the Department will provide to grantees with schools participating in the evaluation: (a) A one-percent across-the-board supplemental bonus payment for teachers, principals, and other personnel (at those sites in which the grantee has chosen to expand its PBCS to include these additional staff) in all control schools, and (b) funds necessary to meet the costs of implementing the supplemental differentiated effectiveness incentive component of the PBCS in all treatment schools. However, the Department has determined that, given the amount of available TIF funding and the limited number of high-quality applications, inclusion of additional schools beyond 16 per LEA and the award of the additional funds for inclusion of such schools will have no adverse impact on the number of grantees or the size of the TIF award that any grantee—under either the Main TIF competition or the TIF Evaluation competition—would otherwise receive.

Waiver of Rulemaking and Delayed Effective Date

Under the Administrative Procedure Act (APA) (5 U.S.C. 553), the Department is generally required to publish a notice of proposed rulemaking and provide the public with an opportunity to comment on proposed regulations prior to establishing a final rule. However, we are waiving the notice-and-comment rulemaking requirements under the APA. Section 553(b) of the APA provides that an agency is not required to conduct notice-and-comment rulemaking when the agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest. Although these requirements are subject to the APA's notice-and-comment requirements, the Secretary has determined that it would be impracticable and contrary to the public interest to conduct notice-and-comment rulemaking.

As noted above, these interim final requirements are needed to permit the Department to include in the Congressionally mandated evaluation of the TIF program a sufficient number of high-need schools to yield study results in which one may have great confidence. The prior requirements, which limited the number of high-need schools to be included in the TIF Evaluation and the Department's award of an incentive for inclusion of such schools, to 16 per LEA and $2,000,000 in incentive payments, respectively, were based on our assumptions about numbers of high-quality applications the Department would receive, assumptions that were not correct. Additionally, we have determined that imposition of those prior requirements may prevent the TIF Evaluation from achieving its intended purpose.

As also noted in the discussion in the preceding section, this change in the TIF Evaluation competition requirements will have no financial impact on any applicant. No applicant will be denied or receive decreased TIF funding because of a decision to permit other applicants to increase the number of high-need schools participating in the evaluation and to provide greater incentive payments to them for doing so. Moreover, the Department's authority to make TIF awards under both the Main TIF competition and the TIF Evaluation competition expires on October 1, 2010. Waiver of rulemaking and the delayed effective date are needed to permit these requirements to become effective, and to make TIF awards by September 30, 2010. Even on the most expedited timeline, it would be impossible for the Department to conduct notice-and-comment rulemaking and then promulgate final requirements before the October 1, 2010 deadline as this process normally takes six months. With the Department's ability to conduct the required evaluation at stake, and with so much interest in the results of the study as they apply to performance-based compensation systems, it would be impracticable and contrary to the public interest for the Department to take this risk of not obligating funds available under the TIF Evaluation competition by September 30, 2010.

Accordingly, and in order to make timely grant awards with ARRA funds, the Secretary is issuing these interim final requirements without first publishing proposed requirements for public comment. These interim final requirements govern only the selection of schools for the TIF Evaluation.

Although the Department is adopting these requirements on an interim final basis, the Department requests public comment on the requirements. After consideration of public comments, the Secretary will publish final requirements.

The APA also requires that a substantive rule be published at least 30 days before its effective date, except as otherwise provided for good cause (5 U.S.C. 553(d)(3)). For the reasons outlined in the preceding paragraphs, the Secretary has determined that a delayed effective date for these interim final requirements would be unnecessary and contrary to the public interest, and that good cause exists to waive the requirement for a delayed effective date. As such, these interim final requirements are effective on the date of publication.

Interim Final Requirements

For the reasons discussed previously, the Secretary amends the final priorities, requirements, definitions, and selection criteria for the TIF program, published in the **Federal Register** on May 21, 2010 (75 FR 28714), by revising—

(a) The Budget Information section (75 FR 28734):

Budget Information

In paragraph one, the last sentence is revised to read as follows: "For each additional pair of schools participating in the evaluation, a successful applicant will receive an additional $250,000."

(b) The *Scope of Schools* section (75 FR 28735–28736):

Scope of Schools

1. In paragraph one, the last sentence, "In addition, no LEA will have more than 16 high-need schools (as defined in this notice) selected for the TIF Evaluation.", is removed.

2. In paragraph two, the last sentence, "The Department will use the number of eligible schools, up to 16 per LEA, that a successful applicant makes available for the TIF Evaluation.", is removed.

Executive Order 12866

Under Executive Order 12866, the Secretary must determine whether a regulatory action is "significant" and therefore subject to the requirements of the Executive order and subject to review by the Office of Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a "significant regulatory action" as an action likely to

result in a rule that may (1) Have an annual effect on the economy of $100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or Tribal governments or communities in a material way (also referred to as an "economically significant" rule); (2) create serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impacts of entitlement grants, user fees, or local programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive order. The Secretary has determined that this regulatory action is significant under section 3(f) of the Executive order.

Potential Costs and Benefits

Under Executive Order 12866, we have assessed the potential costs and benefits of this regulatory action and have determined that these interim final requirements will not impose additional costs to grantees or the Federal government. The Department is regulating only to permit, at the discretion of each applicant that submits an application of sufficient quality, more schools per LEA to be included in the national evaluation. Additionally, the Department has determined that this regulatory action does not unduly interfere with State, local, and Tribal governments in the exercise of their governmental functions.

Regulatory Flexibility Act Certification

The small entities affected by this regulatory action are (1) small LEAs, and (2) nonprofit organizations applying for and receiving funds under this program in partnership with an LEA or a State educational agency (SEA). For the reasons stated in the NFP, 75 FR 28738–28739, the Secretary certifies that this regulatory action will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act of 1995

These interim final requirements contain no new information collection requirements that are subject to review by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Intergovernmental Review

This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism. The Executive Order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides notification of our specific plans regarding the TIF Evaluation competition for this program.

Electronic Access to This Document

You may 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: September 21, 2010.

Thelma Meléndez de Santa Ana,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2010–23922 Filed 9–22–10; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Proposed Agency Information Collection

AGENCY: U.S. Department of Energy.

ACTION: Notice and request for OMB review and comment.

SUMMARY: The Department of Energy (DOE) has submitted to the Office of Management and Budget (OMB) for clearance, a proposal for collection of information under the provisions of the Paperwork Reduction Act of 1995. The proposed collection will collect data on the status of Weatherization Assistance Program (WAP), State Energy Program (SEP) and Energy Efficiency and Conservation Block Grant (EECBG) Program activities under the American Recovery and Reinvestment Act of 2009 to ensure that recipients are compliant with Section 106 of the National Historic Preservation Act (NHPA). Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Comments regarding this collection must be received on or before October 7, 2010. Comments should be specific in nature and indicate as precisely as possible the applicable guidance documents. If you anticipate difficulty in submitting comments within that period, contact the person listed below as soon as possible. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the DOE Desk Officer at OMB of your intention to make a submission as soon as possible. The Desk Officer may be contacted at 202–395–4650.

ADDRESSES: Written comments should be sent to the DOE Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10102, 735 17th Street, NW., Washington, DC 20503; and to Christine Platt Patrick, EE–2K, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585, Fax: (202) 586–1233, E-mail: *Christine.Platt@ee.doe.gov* (Preferred).

FOR FURTHER INFORMATION CONTACT: Christine Platt Patrick, EE–2K, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585, Fax: (202) 586–1233, E-mail: *Christine.Platt@ee.doe.gov.*

Draft reporting guidance concerning the Historic Preservation reporting requirement for EECBG, WAP, and SEP will be available for review at the following Web site: *http://www1.eere.energy.gov/wip/recovery_act_guidance.html.*

SUPPLEMENTARY INFORMATION: This information collection request contains: *OMB No:* New; (2) *Information Collection Request Title:* Historic Preservation for Office of Weatherization and Intergovernmental Programs; (3) *Type of Request:* Emergency; (4) *Purpose:* To collect data on the status of Weatherization Assistance Program (WAP), State Energy Program (SEP) and Energy Efficiency and Conservation Block Grant (EECBG) Program activities to ensure compliance with Section 106 of the NHPA. (5)