

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). 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. E9-19361 Filed 8-11-09; 8:45 am]

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## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management 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 September 11, 2009.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503, be faxed to (202) 395-5806 or send e-mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@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 IC Clearance Official, 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.

Dated: August 6, 2009.

**Angela C. Arrington,**

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

### Office of Special Education and Rehabilitative Services

*Type of Review:* Revision.

*Title:* IDEA Part C State Performance Plan (SPP) and Annual Performance Report (APR).

*Frequency:* SPP—originally submitted in 2005 and updated annually as needed; APR—annual submission.

*Affected Public:* State, Local, or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

*Responses:* 56.

*Burden Hours:* 110,880.

*Abstract:* In accordance with 20 U.S.C. 1416(b)(1) and 20 U.S.C. 1442, not later than 1 year after the date of enactment of the Individuals with Disabilities Education Improvement Act of 2004, each lead agency must have in place a performance plan that evaluates the lead agency's efforts to implement the requirements and purposes of Part C and describe how the Lead Agency will improve such implementation. This plan is called the Part C State Performance Plan (Part C—SPP). In accordance with 20 U.S.C. 1416(b)(2)(C)(ii) the lead agency shall report annually to the public on the performance of each early intervention service program located in the State on the targets in the lead agency's performance plan. The lead agency also shall report annually to the Secretary on the performance of the State under the lead agency's performance plan. This report is called the Part C Annual Performance Report (Part C—APR). IC 1820-0578 is being extended so that States will continue to maintain the SPP and annually submit the APR.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 4033. 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 the Internet address

[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). 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. E9-19364 Filed 8-11-09; 8:45 am]

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## DEPARTMENT OF EDUCATION

### Office of Special Education and Rehabilitative Services Overview Information; Vocational Rehabilitation Services Projects for American Indians With Disabilities; Notice Reopening Fiscal Year (FY) 2009 Competition for the Vocational Rehabilitation Services Projects for American Indians With Disabilities Program

Catalog of Federal Domestic Assistance (CFDA) Number: 84.250A.

**SUMMARY:** On May 14, 2009, we published in the **Federal Register** (74 FR 22729) a notice inviting applications for new awards for fiscal year (FY) 2009 for the American Indian Vocational Rehabilitation Services (AIVRS) program. The application notice for the FY 2009 AIVRS program competition established a July 23, 2009, deadline date for eligible applicants to apply for funding under this program. Elsewhere in this issue of the **Federal Register** we have published interim final regulations that amend the regulatory definition of the term *consortium* under the AIVRS program. In order to apply this change to entities applying for a FY 2009 grant, through this notice, we are reopening the competition and establishing a new deadline for the submission of applications by those applicants affected by the change.

#### FOR FURTHER INFORMATION CONTACT:

August Martin, U.S. Department of Education, 400 Maryland Avenue, SW., Room 5088, PCP, Washington, DC 20202-2800. Telephone: (202) 245-7410 or by e-mail: [august.martin@ed.gov](mailto:august.martin@ed.gov). 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 a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or computer diskette) by contacting the program contact person listed in this section.

**SUPPLEMENTARY INFORMATION:** Elsewhere in this issue of the **Federal Register**, the Department has amended the definition of the term *consortium* in the regulations for the AIVRS program (34 CFR 371.4(b)). The purpose of this regulatory change is to ensure that any consortium of Indian tribes could establish a separate legal entity to apply for a grant under this program. Prior to this regulatory change, the Department's definition of the term *consortium* under the AIVRS program required Indian tribes that choose to form a consortium to designate one of the Indian tribes of the consortium to serve as the grantee; it did not also permit the Indian tribes in the consortium to create a separate legal entity that would serve as the grantee on behalf of the consortium and be responsible for using the grant funds to provide services to all the Indian tribes in the consortium. To ensure that the change in the regulatory definition of the term *consortium* under the AIVRS program applies to entities applying for a FY 2009 grant, we are reopening the competition and establishing a new deadline for the submission of applications.

Only groups of Indian tribes that seek to apply for funding under the AIVRS program as a consortium using a separate legal entity as the applicant are permitted to submit an application under this reopened competition.

Applicants that submitted applications by the July 23, 2009, deadline date in accordance with the terms of the May 14, 2009, notice inviting applications are not required to submit new applications. If an applicant that has already submitted an application for this competition now chooses to join a consortium and have a separate legal entity apply on behalf of the consortium, the applicant must notify the Department and reapply using the separate legal entity as the applicant by the deadline date in this notice.

The new deadline date is:

*Deadline for Transmittal of Applications:* September 11, 2009.

For information (other than the deadline for submission) about how to submit your application, please refer to section IV. 6. *Other Submission Requirements* in the May 14, 2009 **Federal Register** notice (74 FR 22729).

*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. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**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>.

*Delegation of Authority:* The Secretary of Education has delegated authority to Andrew J. Pepin, Executive Administrator for the Office of Special Education and Rehabilitative Services, to perform the functions of the Assistant Secretary for Special Education and Rehabilitative Services.

Dated: August 7, 2009.

**Andrew J. Pepin,**

*Executive Administrator for Special Education and Rehabilitative Services.*

[FR Doc. E9-19333 Filed 8-11-09; 8:45 am]

**BILLING CODE 4000-01-P**

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## DEPARTMENT OF ENERGY

### APOGEE Medical, LLC

**AGENCY:** Department of Energy.

**ACTION:** Notice of intent to grant exclusive patent license.

**SUMMARY:** Notice is hereby given with an intent to grant to APOGEE Medical, LLC of Atlanta, Georgia, an exclusive license to practice the inventions described in U.S. Patent No. 5,413,596, entitled "Digital Electronic Bone Growth Stimulator." The inventions are owned by the United States of America, as represented by the U.S. Department of Energy (DOE).

**DATES:** Written comments or nonexclusive license applications are to be received at the address listed below no later than August 27, 2009.

**ADDRESSES:** Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585.

**FOR FURTHER INFORMATION CONTACT:** Annette R. Reimers, Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, Forrestal Building, Room 6F-067, 1000 Independence Ave., SW., Washington, DC 20585; Telephone (202) 586-3815.

**SUPPLEMENTARY INFORMATION:** 35 U.S.C. 209 provides Federal agencies with authority to grant exclusive licenses in federally-owned inventions, if, among

other things, the agency finds that the public will be served by the granting of the license. The statute requires that no exclusive license may be granted unless public notice of the intent to grant the license has been provided, and the agency has considered all comments received in response to that public notice before the end of the comment period.

APOGEE Medical, LLC of Atlanta, Georgia has applied for an exclusive license to practice the inventions embodied in U.S. Patent No. 5,413,596 and has plans for commercialization of the inventions. The exclusive license will be subject to a license and other rights retained by the U.S. Government and other terms and conditions to be negotiated. DOE intends to negotiate to grant the license, unless, within 15 days of this notice, the Assistant General Counsel for Technology Transfer and Intellectual Property, Department of Energy, Washington, DC 20585, receives in writing any of the following, together with supporting documents:

(i) A statement from any person setting forth reason why it would not be in the best interests of the United States to grant the proposed license; or

(ii) An application for a nonexclusive license to the invention in which applicant states that it already has brought the invention to practical application or is likely to bring the invention to practical application expeditiously.

The Department will review all timely written responses to this notice and will proceed with negotiating the license if, after consideration of written responses to this notice, a finding is made that the license is in the public interest.

Issued in Washington, DC, on August 6, 2009.

**Paul A. Gottlieb,**

*Assistant General Counsel for Technology Transfer and Intellectual Property.*

[FR Doc. E9-19298 Filed 8-11-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP09-451-000]

### Tennessee Gas Pipeline Company; Notice of Application

August 5, 2009.

Take notice that on July 31, 2009, Tennessee Gas Pipeline Company (Tennessee), 1001 Louisiana Street, Houston, Texas 77002, filed in Docket No. CP09-451-000, an application