

capacity. However, these costs may be included in the grant budget and, therefore, will have little financial impact on the applicant.

The benefit of the proposed priorities and requirements is that grantees that develop a comprehensive, NIMS-compliant emergency management plan that includes training and capacity building for staff and plans for addressing the needs of individuals with disabilities, and is implemented in coordination with community partners, may prevent or mitigate the financial and human impact of an emergency in the LEA. In addition, by having written plans designed to address infectious diseases and protect the LEA's food supplies, LEAs may be able to prevent or mitigate the adverse effects of these hazards, which in turn could result in significant savings in health care and other financial costs for the school community.

**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 early notification of our specific plans and actions for this program.

**Accessible Format:** Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotope, or computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**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.

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Dated: December 17, 2008.

**Deborah A. Price,**

*Assistant Deputy Secretary for Safe and Drug-Free Schools.*

[FR Doc. E8-30578 Filed 12-22-08; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Teaching American History Grant Program

*Catalog of Federal Domestic Assistance (CFDA) Number: 84.215X.*

**AGENCY:** Office of Innovation and Improvement, Department of Education.

**ACTION:** Notice of final revisions to selection criteria.

**SUMMARY:** The Assistant Deputy Secretary for Innovation and Improvement announces selection criteria under the Teaching American History Grant (TAH) Program. The Assistant Secretary may use these selection criteria for competitions in fiscal year (FY) 2009 and later years. We take this action to provide the Secretary with the flexibility to use selection criteria (i) Established for the TAH Program in the notice of final selection criteria and other application requirements, published in the **Federal Register** on April 15, 2005 (70 FR 19939) (2005 Notice); (ii) from the menu of general selection criteria in the Education Department General Administrative Regulations (EDGAR) in 34 CFR 75.210; (iii) based on statutory provisions in accordance with 34 CFR 75.209; or (iv) from any combination of (i) through (iii) for competitions in fiscal year (FY) 2009 and in subsequent years. We intend that this choice of selection criteria will provide greater flexibility to evaluate TAH Program applications.

**DATES:** *Effective Date:* These final revisions to selection criteria are effective January 22, 2009.

**FOR FURTHER INFORMATION CONTACT:** Mia D. Howerton, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W212, Washington, DC 20202-5960. Telephone: (202) 205-0147 or by e-mail: [mia.howerton@ed.gov](mailto:mia.howerton@ed.gov).

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

#### SUPPLEMENTARY INFORMATION:

**Purpose of Program:** The TAH Program is authorized under Title II, Part C, Subpart 4 of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001. The goal of the TAH Program is to support activities that raise student achievement by improving

teachers' knowledge, understanding, and appreciation of American history.

**Program Authority:** 20 U.S.C. 6721.

We published a notice of proposed revisions to selection criteria for this program in the **Federal Register** on October 29, 2008 (73 FR 64310). That notice contained background information and our reasons for proposing these revisions to selection criteria.

There is only one difference between the proposed revisions to selection criteria and these final revisions to selection criteria.

**Public Comment:** In response to our invitation in the notice of proposed revisions to selection criteria, two parties submitted comments.

We group major issues according to subject. Generally, we do not address technical and other minor changes.

**Analysis of Comments and Changes:** An analysis of the comments and of any changes in the revisions to the selection criteria since publication of the notice of proposed revisions to selection criteria follows.

**Comment:** A commenter questioned what it means to expand the range of selection criteria.

**Discussion:** Expanding the range of selection criteria means that we will now have a larger pool of criteria from which to select for competitions under the TAH Program. In prior competitions, the Department was limited to using only the selection criteria that was established for the TAH Program in the 2005 Notice. With these final revisions to selection criteria, the Department will be able to use the selection criteria established for the TAH Program in the 2005 Notice as well as selection criteria chosen from the menu of general selection criteria in the Education Department General Administrative Regulations (EDGAR) in 34 CFR 75.210, selection criteria based on statutory provisions in accordance with 34 CFR 75.209, or selection criteria from any combination of these for competitions in fiscal year (FY) 2009 and in subsequent years.

**Changes:** None.

**Comment:** A commenter questioned whether the selection criteria and the point value assigned to each criterion would remain constant from year to year.

**Discussion:** The selection criteria for the TAH Program and the point value for each criterion (as well as the maximum number of points assigned to all selection criteria used for a competition) may change each year depending on the needs of the program. We will announce the maximum possible points assigned to each

criterion as well as the maximum possible points for all criteria in the notice inviting applications or the application package, or both.

**Changes:** We have clarified that we will announce the maximum possible points for all criteria (not just the maximum possible points for each criterion) in the notice inviting applications or the application package, or both.

**Comment:** A commenter questioned if the selection criteria established for the TAH Program in the 2005 Notice would be rescinded.

**Discussion:** The selection criteria established for the TAH Program in the 2005 Notice will not be rescinded. Those criteria may still be used in a particular competition. These final revisions simply ensure that the Department has the flexibility to use selection criteria in addition to or in combination with those established for the TAH Program in the 2005 Notice in its competitions for FY 2009 and subsequent years.

**Changes:** None.

#### Final Selection Criteria

The Assistant Deputy Secretary for Innovation and Improvement announces final revisions to the selection criteria under the Teaching American History Grant Program. In addition to the selection criteria established in the 2005 Notice, the Secretary may use any of the selection criteria in § 75.210, criteria based on statutory requirements under § 75.209, or any combination of these when establishing selection criteria for a particular TAH Program competition. We may apply one or more of these criteria in any year in which this program is in effect. In the notice inviting applications or the application package, or both, we will announce the maximum possible points assigned to each criterion as well as the maximum possible points for all criteria.

This notice does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

**Note:** This notice does not solicit applications. In any year in which we choose to use one or more of these selection criterion, we invite applications through a notice in the **Federal Register**.

**Executive Order 12866:** This notice has been reviewed in accordance with Executive Order 12866. Under the terms of the order, we have assessed the potential costs and benefits of this final regulatory action.

The potential costs associated with this final regulatory action are those

resulting from statutory requirements and those we have determined as necessary for administering this program effectively and efficiently.

In assessing the potential costs and benefits—both quantitative and qualitative—of this final regulatory action, we have determined that the benefits of the final selection criteria justify the costs.

We have determined, also, that this final regulatory action does not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

We summarized the costs and benefits of this regulatory action in the notice of proposed revisions to selection criteria.

**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 early notification of our specific plans and actions for this program.

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Dated: December 18, 2008.

**Amanda L. Farris,**

*Assistant Deputy Secretary for Innovation and Improvement.*

[FR Doc. E8-30553 Filed 12-22-08; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Office of Innovation and Improvement; Overview Information; Teaching American History Grant Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2009

*Catalog of Federal Domestic Assistance (CFDA) Number: 84.215X*

**DATES:** Applications Available: December 23, 2008. Deadline for Notice of Intent to Apply: January 22, 2009. Dates of Pre-Application Meetings: January 8, 2009 and January 12, 2009. Deadline for Transmittal of Applications: March 9, 2009. Deadline for Intergovernmental Review: May 7, 2009.

#### Full Text of Announcement

##### I. Funding Opportunity Description

**Purpose of Program:** The Teaching American History Grant Program supports projects that aim to raise student achievement by improving teachers' knowledge, understanding, and appreciation of traditional American history. Grant awards assist local educational agencies (LEAs), in partnership with entities that have extensive content expertise, to develop, implement, document, evaluate, and disseminate innovative, cohesive models of professional development. By helping teachers to develop a deeper understanding and appreciation of traditional American history as a separate subject within the core curriculum, these programs are intended to improve instruction and raise student achievement.

**Priorities:** This competition includes one absolute priority and one competitive preference priority that are explained in the following paragraphs.

**Absolute Priority:** In accordance with 34 CFR 75.105(b)(2)(iv), this priority is from section 2351 of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001 (the No Child Left Behind Act of 2001) (20 U.S.C. 6721(b)). For FY 2009 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

##### Partnerships With Other Agencies or Institutions

Each applicant LEA must propose to work in partnership with one or more of the following:

- An institution of higher education.