

**SUMMARY:** The Secretary announces the members of the Performance Review Board (PRB) for the Department of Education for the Senior Executive Service (SES) performance cycle that ended September 30, 2009. Under 5 U.S.C. 4314(c)(1) through (5), each agency is required to establish one or more PRBs.

#### Composition and Duties

The PRB of the Department of Education for 2009 is composed of career senior executives and a noncareer senior executive.

The PRB reviews and evaluates the initial appraisal of each senior executive's performance, along with any comments by that senior executive and by any higher-level executive or executives. The PRB makes recommendations to the appointing authority relative to the performance of the senior executive, including recommendations on performance awards. The Department of Education's PRB also makes recommendations on SES pay adjustments for career senior executives.

#### Membership

The Secretary has selected the following executives of the Department of Education for the specified SES performance cycle: Chair: JoAnn Ryan, Michael Roark, Thomas Skelly, Danny Harris, James Manning, Linda Stracke, Winona Varnon, Joe Conaty, and Sue Betka.

#### FOR FURTHER INFORMATION CONTACT:

Mary Beth Pultz, Director, Executive Resources Team, Human Resources Services, Office of Management, U.S. Department of Education, 400 Maryland Avenue, SW., Room 2E124, LBJ, Washington, DC 20202-4573. Telephone: (202) 401-0853.

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Dated: October 2, 2009.

**Arne Duncan,**

*Secretary of Education.*

[FR Doc. E9-24209 Filed 10-7-09; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### National Advisory Committee on Institutional Quality and Integrity

**AGENCY:** Department of Education, Office of Postsecondary Education.

**ACTION:** Notice of Reestablishment of the National Advisory Committee on Institutional Quality and Integrity (NACIQI).

**SUMMARY:** The U.S. Secretary of Education (Secretary) announces the reestablishment of the NACIQI. The Federal Advisory Committee Act (FACA) (Pub. L. 92-463, as amended; 5 U.S.C.A., Appendix 2), except for section 14 of FACA, will govern the NACIQI.

*Purpose:* The charter for the NACIQI has expired. The Secretary needs to reestablish the NACIQI as provided for in section 106 of the Higher Education Opportunity Act (HEOA), Public Law 110-315, 122 Stat. 3078 *et seq.* The HEOA amended section 114 of the Higher Education Act of 1965, as amended (HEA), establishing the NACIQI. The revised NACIQI charter incorporates the changes outlined in the HEOA, including:

- Committee structure—number of members.
- Member appointments—nominating sources, qualifications, length of terms, and timing (including the timing of the notices to be published soliciting nominations for the positions to be filled by the Secretary).
- Selection of the chairperson.
- Meetings—agenda, Secretary's designee, and timing of **Federal Register** meeting notices.
- Reports—timing, review, and distribution of the annual report.

Sections 101(c) and 487(c)(4) of the HEA, and section 801(6) of the Public Health Service Act, 42 U.S.C. 296(6), require the Secretary to publish lists of

State approval agencies, nationally recognized accrediting agencies, and State approval and accrediting agencies for programs of nurse education, that the Secretary determines to be reliable authorities as to the quality of education provided by the institutions and programs they accredit. Eligibility of higher education institutions and programs for participation in various Federal assistance programs requires accreditation by an agency listed by the Secretary. The NACIQI advises the Secretary in the discharge of these and other functions, as follows:

1. Advises the Secretary with respect to the establishment and enforcement of the standards of accrediting agencies or associations under subpart 2 of part H of Title IV, HEA;

2. Advises the Secretary with respect to the recognition of a specific accrediting agency or association;

3. Advises the Secretary with respect to the preparation and publication of the list of nationally recognized accrediting agencies and associations;

4. Advises the Secretary with respect to the eligibility and certification process for institutions of higher education under Title IV, HEA, together with recommendations for improvements in such process;

5. Advises the Secretary with respect to the relationship between—

A. Accreditation of institutions of higher education and the certification and eligibility of such institutions; and

B. State licensing responsibilities with respect to such institutions;

6. Carries out such other advisory functions relating to accreditation and institutional eligibility as the Secretary may prescribe by regulation.

*For Additional Information Contact:* U.S. Department of Education, White House Liaison Office, Washington, DC 20202, telephone: (202) 401-3677.

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**Arne Duncan,**

*Secretary of Education.*

[FR Doc. E9-24293 Filed 10-7-09; 8:45 am]

**BILLING CODE 4000-01-P**