

**Applicability of Certain Ethics Laws**

Public Advisory Committee Members are Special Government Employees within the meaning of Section 202 of Title 18, United States Code. The following additional information includes several, but not all, of the ethics rules that apply to members, and assumes that members are not engaged in Public Advisory Committee business more than 60 days during any period of 365 consecutive days.

- Each member will be required to file a confidential financial disclosure form within thirty (30) days of appointment. 5 CFR 2634.202(c), 2634.204, 2634.903, and 2634.904(b).
- Each member will be subject to many of the public integrity laws, including criminal bars against representing a party in a particular matter that came before the member's committee and that involved at least one specific party. 18 U.S.C. 205(c); *see also* 18 U.S.C. 207 for post-membership bars. A member also must not act on a matter in which the member (or any of certain closely related entities) has a financial interest. 18 U.S.C. 208.
- Representation of foreign interests may also raise issues. 35 U.S.C. 5(a)(1) and 18 U.S.C. 219.

**Meetings of the Patent and Trademark Public Advisory Committees**

Meetings of each Advisory Committee will take place at the call of the respective Committee Chair to consider an agenda set by that Chair. Meetings may be conducted in person, telephonically, on-line through the Internet, or by other appropriate means. The meetings of each Advisory Committee will be open to the public except each Advisory Committee may, by majority vote, meet in executive session when considering personnel, privileged, or other confidential information. Nominees must have the ability to participate in Committee business through the Internet.

Dated: June 13, 2014.

**Michelle K. Lee,**

*Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office.*

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**DEPARTMENT OF DEFENSE****Office of the Secretary****Reestablishment of Department of Defense Federal Advisory Committees**

**AGENCY:** DoD.

**ACTION:** Reestablishment of Federal Advisory Committee.

**SUMMARY:** The Department of Defense is publishing this notice to announce that it is reestablishing the Defense Business Board ("the Board").

**FOR FURTHER INFORMATION CONTACT:** Jim Freeman, Advisory Committee Management Officer for the Department of Defense, 703-692-5952.

**SUPPLEMENTARY INFORMATION:** The Board's charter is being reestablished under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C. Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b) ("the Sunshine Act"), and 41 CFR 102-3.50(d).

The Board is a discretionary advisory committee that examines and provides advice to the Secretary of Defense and the Deputy Secretary of Defense on overall DoD management and governance from a private sector perspective.

The Department of Defense (DoD), through the Director of Administration and Management, provides support as deemed necessary for the Board's performance, and ensures compliance with the requirements of the FACA, the Sunshine Act, governing Federal statutes and regulations, and governing DoD policies and procedures.

The Board is comprised of no more than 25 members who possess the following: (a) A proven track record of sound judgment in leading or governing large, complex private sector corporations or organizations; and (b) a wealth of top-level, global business experience in the areas of executive management, corporate governance, audit and finance, human resources, economics, technology, or healthcare. Board members are appointed by the Secretary of Defense with annual renewals.

Board members appointed by the Secretary of Defense, who are not full-time or permanent part-time federal employees, are appointed as experts and consultants under the authority of 5 U.S.C. 3109 to serve as special government employee (SGE) members. Board members appointed by the Secretary of Defense, who are full-time or permanent part-time Federal employees, are appointed pursuant to 41 CFR 102-3.130(a) to serve as regular government employee (RGE) members. Board members serve a term of service of one-to-four years, as determined by the Secretary of Defense. According to Secretary of Defense policy, no member serves more than two consecutive terms of service unless otherwise authorized by the Secretary of Defense or the

Deputy Secretary of Defense, and this limitation also applies to any subcommittee of the Board. With the exception of reimbursement for official board-related travel and per diem, members of the Board serve without compensation.

DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board. Establishment of subcommittees is based upon a written determination, to include terms of reference, by the Secretary of Defense or the Deputy Secretary of Defense.

Such subcommittees will not work independently of the Board and must report all of findings and recommendations to the Board for full and open deliberation and discussion under the open-meeting rules of FACA. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Board. No subcommittee or any of its members can update or report, verbally or in writing, on behalf of the Board, directly to the DoD or any Federal officer or employee.

Subcommittee members are appointed by the Secretary of Defense or the Deputy Secretary for terms of service of one-to-four years, even if the member in question is already a member of the Board. Subcommittee members are appointed in the same manner as members of the Board to include the same appointment authorities and annual renewals. Like members of the Board, subcommittee members serve without compensation except for official travel and per diem related to the Board or the subcommittee.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

The Board's Designated Federal Officer (DFO) must be a full-time or permanent part-time DoD employee and must be appointed according to established DoD policies and procedures.

The Board's DFO is required to be in attendance at all meetings of the Board and any subcommittees for the entire duration of each and every meeting; however, in the absence of the DFO, a properly approved Alternate DFO shall attend the entire duration of all of the meetings of the Board and its subcommittees.

The DFO, or the Alternate DFO, shall call all meetings of the Board and its subcommittees; prepare and approve all

meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

Pursuant to 41 CFR 102–3.105(j) and 102–3.140, the public or interested organizations may submit written statements to members of the Board. Written statements may be submitted at any time or in response to the stated agenda of planned meeting of the Board.

All written statements shall be submitted to the DFO, and this individual will ensure that the written statements are provided to the membership for their consideration. Contact information for the Board's DFO is available at the GSA's FACA Database—<http://www.facadatabase.gov/>. The DFO, pursuant to 41 CFR 102–3.150, will announce planned meetings of the Board, and the DFO, at that time, may provide additional guidance on the submission of written statements that are in response to the stated agenda for the planned meeting in question.

Dated: June 13, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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## DEPARTMENT OF EDUCATION

[Docket No. ED–2014–OSERS–0058]

### Request for Information on Addressing Significant Disproportionality Under Section 618(d) of the Individuals With Disabilities Education Act (IDEA)

**AGENCY:** Office of Special Education and Rehabilitative Services, U.S. Department of Education.

**ACTION:** Request for Information.

**SUMMARY:** The U.S. Department of Education (Department) is requesting public comment on the actions that the Department should take to address significant disproportionality based on race and ethnicity in the identification, placement, and discipline of children with disabilities. Specifically, we are requesting input from the public on actions the Department should take related to: (1) Significant disproportionality based on race and ethnicity in the (a) identification of children as children with disabilities, including identification by disability category; (b) placement of children with disabilities in particular educational settings; and (c) the incidence, duration,

and type of disciplinary action taken with respect to children with disabilities; and (2) ensuring that funds reserved for comprehensive, coordinated early intervening services (CEIS) under Part B of the IDEA are used to effectively address significant disproportionality.

**DATES:** Responses must be received by July 21, 2014.

**ADDRESSES:** Submit your comments through the Federal eRulemaking Portal or via U.S. mail, commercial delivery, or hand delivery. We will not accept comments by fax or by email or those submitted after the comment period. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID and the term “CEIS and Significant Disproportionality” at the top of your comments.

• *Federal eRulemaking Portal:* Go to [www.regulations.gov](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 “Are you new to this site?”  
*U.S. Mail, Commercial Delivery, or Hand Delivery:* If you mail or deliver your comments, address them to Larry Ringer, Attention: IDEA Determinations RFI, U.S. Department of Education, 400 Maryland Avenue SW., Room 4032, Potomac Center Plaza (PCP), Washington, DC 20202–2600.

**Privacy Note:** The Department's policy for comments received from members of the public (including 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 [www.regulations.gov](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.

*Submission of Proprietary Information:* Given the subject matter, some comments may include proprietary information as it relates to confidential commercial information. The Freedom of Information Act defines “confidential commercial information” as information the disclosure of which could reasonably be expected to cause substantial competitive harm. You may wish to request that we not disclose what you regard as confidential commercial information.

To assist us in making a determination on your request, we encourage you to identify any specific information in your comments that you consider confidential commercial information. Please list the information by page and paragraph numbers.

**Note:** This Request for Information (RFI) is issued solely for information and planning purposes and is not a request for proposals (RFP), a notice inviting applications (NIA), or a promise to issue an RFP or NIA. This RFI does not commit the Department to contract for any supply or service whatsoever. Further, the Department is not now seeking proposals and will not accept unsolicited proposals. The Department will not pay for any information or administrative costs that you may incur in responding to this RFI.

If you do not respond to this RFI, you may still apply for future contracts and grants. The Department posts RFPs on the Federal Business Opportunities Web site ([www.fbo.gov](http://www.fbo.gov)). The Department announces grant competitions in the **Federal Register** ([www.gpo.gov/fdsys](http://www.gpo.gov/fdsys)). It is your responsibility to monitor these sites to determine whether the Department issues an RFP or NIA after considering the information received in response to this RFI.

The documents and information submitted in response to this RFI become the property of the U.S. Government and will not be returned.

#### FOR FURTHER INFORMATION CONTACT:

Larry Ringer, U.S. Department of Education, 400 Maryland Avenue SW., Room 4032, PCP, Washington, DC 20202–2600. Telephone: (202) 245–7496.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

#### SUPPLEMENTARY INFORMATION:

##### Background

In section 601(c)(12)(A) and (B) of the IDEA, Congress found that, “[g]reater efforts are needed to prevent the intensification of problems connected with mislabeling and high dropout rates among minority children with disabilities,” and that, “[m]ore minority children continue to be served in special education than would be expected from the percentage of minority students in the general school population.” The IDEA and its implementing regulations include specific requirements to address those findings.

Specifically, section 618(d)(1) of the IDEA and the implementing regulations in 34 CFR 300.646(a) require each State to collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the local educational agencies (LEAs) of the State with respect to:

1. The identification of children as children with disabilities, including the identification of children as children