with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M1647.5D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded. This rule does not constitute a taking of private property or otherwise impact on the use of private property, within the meaning of NEPA.

A federalism analysis has been conducted in accordance with Executive Order 13132. This rule does not have federalism impacts. This rule will not have implications for state policy or significantly or uniquely affect small governments. This rule will not pre-empt state law or regulations.

A Small Business Regulatory Enforcement Fairness Act (SBREFA) analysis has been conducted to determine whether this rule has any significant impact on small entities. This rule will not have a significant economic impact on a substantial number of small entities (e.g., small businesses, small not-for-profit organizations, small Farms). Therefore, a SBREFA嵯alysis is deemed unnecessary.

A policy analysis has been conducted to determine whether this rule has implications for energy supply, distribution, or use. This rule has not been determined to be significant energy action under Executive Order 13211.

This rule has been reviewed under Executive Order 12630, Governmental Actions and Domesticagher Western Water and Natural Resources Policy, and does not have implications for Federalism under that Order.

This rule has been reviewed under Executive Order 13045, Analysis of Impacts on Small Government Entities, and does not have impacts on small government entities.

This rule has been reviewed under Executive Order 13175, Consultation and Cooperation with Indian Tribal Governments, and does not have implications for Indian Tribal Governments.

This rule has been reviewed under the Presidential Directives–93–112, Consultation with International Organizations, and does not have implications for international organizations.

A rule has been reviewed under the Unfunded Mandates Reform Act of 1995 (UMRA), 2 U.S.C. 1532, and does not have costs that may vary substantially among regions of the country.

This rule has been reviewed under Executive Order 12866, Regulatory Planning and Review, and is not a significant regulatory action because it is not a ‘‘significant regulatory action’’ under that order. Because this rule is a technical amendment, it is not expected to impact economic regulation.

A Small Business Regulatory Enforcement Fairness Act (SBREFA) analysis has been conducted to determine whether this rule has any significant impact on small entities. This rule will not have a significant economic impact on a substantial number of small entities (e.g., small businesses, small not-for-profit organizations, small Farms). Therefore, a SBREFA嵯alysis is deemed unnecessary.

For further information contact: S.B. Lowe, Commander, U.S. Coast Guard, Acting Captain of the Port Sault Sainte Marie, 1556 Mission Street, Sault Ste. Marie, ON (705) 945–0609; or Contact@wpyc.org. SUPPLEMENTARY INFORMATION:

This rule has not been determined to have a significant economic impact on small quantity marine entities (e.g., fishing vessels or oceangoing vessels).
two impacts on its business. First, the BPYC expects the NATO conference to severely limit the BPYC’s income stream, which is normally generated from the aforementioned services. Second, the BPYC expects the NATO conference to have an impact on the BPYC’s membership development, which typically occurs in mid-April. In light of these impacts, the BPYC asked to meet with an agent of the Coast Guard to discuss the BPYC’s expected losses and to arrive at a reasonable compensation. On April 20, 2012, a member of the Coast Guard’s offices in Cleveland, OH, on behalf of the Captain of the Port, Sector Lake Michigan, telephoned the BPYC and confirmed the above understanding of the BPYC’s comment and its request.

In light of the BPYC’s comment, the Coast Guard will not change the TFR published on April 13, 2012. Although the BPYC raised concerns about the economic impact of the Coast Guard’s security zones, the BPYC’s comment did not directly speak to the design, the establishment, or the enforcement of these security zones. The BPYC did not ask the Coast Guard to modify the security zones or to reconsider the manner in which they are enforced. Rather, the BPYC simply asked to meet with the Coast Guard to discuss compensation. While the Coast Guard takes seriously the economic impact that its rules might have on small entities, the Coast Guard is unable to provide compensation to small entities so impacted.

Although the Coast Guard is unable to directly compensate small entities for the economic impacts of its rules, the BPYC is encouraged to contact CWO Jon Grob via the contact information provided above to discuss the Coast Guard’s enforcement of the security zones discussed herein and options for compliance.

Dated: April 24, 2012.

C.W. Tenney,
Commander, U.S. Coast Guard Captain of the Port, Sector Lake Michigan, Acting.

ACTION: Interim final rule; request for comments.

SUMMARY: The Secretary amends four sections of the Federal Pell Grant Program regulations to make them consistent with recent changes in the law that prohibit a student from receiving two consecutive Pell Grants in a single award year.

DATES: This interim final rule is effective May 2, 2012. We must receive your comments on or before June 18, 2012.

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. Please submit your comments only once 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 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.”

• U.S. Mail, Commercial Delivery, or Hand Delivery: If you mail or deliver your comments about these interim final regulations, address them to Jacquelyn Butler, U.S. Department of Education, 1990 K Street NW., Room 8053, Washington, DC 20006–8542.

Privacy Note: The Department’s policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at www.regulations.gov. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.


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 compact disc) on request to the contact person listed in this section.

SUPPLEMENTARY INFORMATION:

DEPARTMENT OF EDUCATION

34 CFR Part 690

[Docket ID ED–2012–OPE–0006]

RIN 1840–AD11

Federal Pell Grant Program

AGENCY: Office of Postsecondary Education, Department of Education.

Invitation To Comment

Although the Secretary has decided to issue these interim final regulations without first publishing proposed regulations for public comment, we are interested in whether you think we should make any changes in these regulations. We invite your comments. We will consider these comments in determining whether to revise these interim final regulations.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866 and 13563 and their overall requirement of reducing regulatory burden that might result from these interim final regulations. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the Federal Pell Grant Program.

During and after the comment period, you may inspect all public comments about these interim final regulations by accessing www.regulations.gov. You may also inspect the comments in person in Room 8083, 1990 K Street NW., Washington, DC, between 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 these interim final regulations. 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

Two Federal Pell Grants in One Award Year (§§ 690.63(g)(1), 690.63(h), 690.64, 690.65(c), 690.65(f), and 690.67)

In August of 2008, the Higher Education Opportunity Act (HEOA), Public Law 110–315, added section 401(b)(5) to the Higher Education Act of 1965, as amended (HEA), which provided that a student enrolled in a certificate, associate degree, or baccalaureate degree program at least half-time for more than one academic year may receive up to two consecutive Federal Pell Grant Scheduled Awards during a single award year. Although the addition of section 401(b)(5) was effective beginning with the 2009–2010 award year, we did not publish final