The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to establish Class E airspace at Boca Grande, FL providing the controlled airspace required to support the new Copter RNAV (GPS) special standard instrument approach procedures for Boca Grande Heliport. Controlled airspace extending upward from 700 feet above the surface is required for IFR operations within a 6-mile radius of the point in space coordinates of the heliport.

Class E airspace designations are published in Paragraph 6005 of FAA order 7400.9W, dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed rulemaking only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. This proposed rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This proposed regulation is within the scope of that authority as it would establish Class E airspace at Boca Grande Heliport, Boca Grande, FL.

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71
Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment
In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND CLASS E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

§ 71.1 Amended

1. The authority citation for part 71 continues to read as follows:


2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, effective September 15, 2012, is amended as follows:

Paragraph 6005 — Class E airspace areas extending upward from 700 feet or more above the surface of the earth

* * * * *
ASO FL E5 Boca Grande, FL [New]
Boca Grande Heliport, FL
(Lat. 26°44′33″ N., long. 82°15′32″ W.)
Point in Space Coordinates
(Lat. 26°44′33″ N., long. 82°15′32″ W.)
That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Point in Space Coordinates (lat. 26°44′33″ N., long. 82°15′32″ W.) serving Boca Grande Heliport.
SUPPLEMENTARY INFORMATION: This notice of proposed priority is in concert with NIDRR’s currently approved Long-Range Plan (Plan). The Plan, which was published in the Federal Register on February 15, 2006 (71 FR 8165), can be accessed on the Internet at the following site: www.ed.gov/about/offices/list/osers/nidrr/policy.html.

The purpose of the Rehabilitation Research and Centers Program is to plan and conduct research, demonstration projects, training, and related activities, including international activities, to develop methods, procedures, and rehabilitation technology that maximize the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities, especially individuals with the most severe disabilities; and to improve the effectiveness of services authorized under the Rehabilitation Act of 1973, as amended (Rehabilitation Act).

RRTC Program

The purpose of the RRTCs, which are funded through the Disability and Rehabilitation Research Projects and Centers Program, is to improve the effectiveness of services authorized under the Rehabilitation Act. Through advanced research, training, technical assistance, and dissemination activities in general problem areas, as specified by NIDRR. Such activities are designed to benefit rehabilitation service providers, individuals with disabilities, and the family members or other authorized representatives of individuals with disabilities. Additional information on the RRTC program can be found at: www.ed.gov/rschstat/research/pubs/res-program.html#RRTCs

Proposed Priority

This notice contains one proposed priority. NIDRR on Research and Capacity Building for Minority Entities.

Background

There are approximately 19.6 million people between the ages of 18 and 64 with a disability in the United States. Among people in the United States between the ages of 18 and 64, 10.4 percent of non-Hispanic Whites, 7.9 percent of Hispanics, and 4 percent of Asians reported having a disability in 2011, as compared with 13.6 percent of Blacks or African Americans, and 17.1 percent of American Indians or Alaskan Natives (Erickson et al., 2012). Not only do some racial and ethnic populations experience higher rates of disability than non-Hispanic Whites, but there are other examples of disparate outcomes in various life domains for racial and ethnic populations when compared to non-Hispanic Whites. For example, adult Hispanics, American Indians or Alaska Natives, and Blacks or African Americans with disabilities are significantly more likely to report fair or poor health (55.2 percent, 50.5 percent, and 46.6 percent, respectively) compared to non-Hispanic White and Asian individuals with disabilities (36.9 percent and 24.9 percent, respectively) (Wolf et al., 2008). Blacks or African Americans and Hispanics with disabilities have significantly higher rates of unemployment (23.5 percent and 20.3 percent, respectively), relative to non-Hispanic White individuals with disabilities (13.7 percent) (Bureau of Labor Statistics, 2011).

The disparities in outcomes provided the basis for section 21 of the Rehabilitation Act (29 U.S.C. 718). Section 21 requires NIDRR to reserve a portion of its funds each year for certain outreach activities, which may include making awards to minority entities and Indian tribes to conduct research, training, and technical assistance or related activities to improve services for individuals with disabilities from traditionally underserved racial and ethnic minority populations. The requirements in section 21 are aimed at helping individuals with disabilities from minority backgrounds and communities overcome the numerous challenges they face. These challenges...
include language barriers; cultural traditions and attitudes about disability; limited numbers of professional rehabilitation specialists and researchers from minority backgrounds; higher rates of poverty and lower rates of formal education; physical, social, and informational isolation from mainstream disability and rehabilitation agencies; and cultural identity and cross-cultural mistrust, among others (Balcazar et al., 2010). The section 21 requirements are aligned with NIDRR’s commitment to develop new knowledge, interventions, and products that lead to improved outcomes for all individuals with disabilities, as well as to build the research capacity of entities with close cultural and social connections to individuals with disabilities from minority backgrounds.

Minority entities are underrepresented in the field of disability and rehabilitation research, and, specifically, historically Black colleges or universities (HBCUs) are underrepresented among NIDRR’s grantees (Moore et al., 2012). A minority entity, as defined in section 21 of the Rehabilitation Act (29 U.S.C. 718), is a historically Black college or university, a Hispanic-serving institution of higher education, an American Indian tribal college or university, or another institution of higher education whose minority student enrollment is at least 50 percent. Efforts are needed to build the capacity of HBCUs and other minority entities to conduct disability and rehabilitation research and develop rehabilitation professionals to address the ongoing challenges of providing equal opportunity and benefit to individuals with disabilities from traditionally underserved minority backgrounds and communities (Moore et al., 2012).

References


Proposed Priority

The Assistant Secretary for Special Education and Rehabilitative Services proposes a priority to establish a Rehabilitation Research and Training Center (RRTC) on Research and Capacity Building for Minority Entities. One purpose of the RRTC is to generate new knowledge about the experiences and outcomes of individuals with disabilities from racial and ethnic minority backgrounds that can be used as a foundation for developing interventions to improve those outcomes. Another purpose of the RRTC is to enhance rehabilitation research capacity at minority entities, as defined in section 21 of the Rehabilitation Act (29 U.S.C. 718). The RRTC must contribute to these outcomes by:

(a) Conducting research that examines experiences and outcomes of individuals with disabilities from traditionally underserved racial and ethnic populations. Applicants must focus their research activities on topics that fall under at least one of the following major life domains identified in NIDRR’s Final Long-Range Plan for FY 2005–2009: (1) Employment, (2) Participation and Community Living, or (3) Health and Function.

(b) Conducting research on the feasibility and potential effectiveness of methods and models for enhancing disability and rehabilitation research capacity and infrastructure at minority entities.

(c) Serving as a national resource center for minority entities that are seeking to develop their research infrastructure, and to enhance their capacity to engage in disability and rehabilitation research. The RRTC must provide technical assistance and training to minority entities in order to develop their institutional research infrastructure and enhance their capacity to conduct disability and rehabilitation research.

(d) Involving individuals with disabilities from traditionally underserved racial and ethnic populations in planning and implementing the RRTC’s activities and evaluating its work.

(e) Providing outreach and training that enhances awareness of NIDRR and its research programs among minority entities.

(f) Developing and implementing a strategy for disseminating research, training, and technical assistance products developed by the RRTC. The RRTC’s dissemination strategy must include an online information dissemination system that meets a government- or industry-recognized standard for accessibility by individuals with disabilities.

Types of Priorities

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational. An absolute priority is an absolute priority in that all applications that meet the priority will be considered eligible. An absolute priority preference is an absolute priority preference in that all applications that meet the priority will be given preference, but not necessarily all. An absolute priority invitational is an absolute priority invitational in that only applications that meet the priority can be invited to apply. An absolute priority invitational is an absolute priority invitational in that only applications that meet the priority can be invited to apply. An absolute priority invitational is an absolute priority invitational in that only applications that meet the priority can be invited to apply. An absolute priority invitational is an absolute priority invitational in that only applications that meet the priority can be invited to apply. An absolute priority invitational is an absolute priority invitational in that only applications that meet the priority can be invited to apply. An absolute priority invitational is an absolute priority invitational in that only applications that meet the priority can be invited to apply.

Executive Orders 12866 and 13563

Regulatory Impact Analysis

Under Executive Order 12866, the Secretary must determine whether this regulatory action is “significant” and, therefore, subject to the requirements of the Executive order and subject to review by the Office of Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a “significant
regulatory action” as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of $100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities in a material way (also referred to as an “economically significant” rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Matterially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles stated in the Executive order.

This proposed regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

We have also reviewed this regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only on a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing this proposed priority only on a reasoned determination that its benefits would justify its costs. In choosing among alternative regulatory approaches, we selected those approaches that would maximize net benefits. Based on the analysis that follows, the Department believes that this proposed priority is consistent with the principles in Executive Order 13563.

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

In accordance with both Executive orders, the Department has assessed the potential costs and benefits of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as necessary for administering the Department’s programs and activities.

The benefits of the Disability and Rehabilitation Research Projects and Centers Programs have been well established over the years. Projects similar to the new RTTC have been completed successfully, and the new RTTC, established consistently with this priority, is expected to improve the lives of individuals with disabilities from minority backgrounds; generate through research and development, disseminate, and promote the use of new information that will improve the outcomes for individuals with disabilities; and increase the capacity of minority entities to conduct disability and rehabilitation research and develop rehabilitation professionals.

**Intergovernmental Review:** This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

**Accessible Format:** Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiocassette, or compact disc) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue SW., Room 5075, PCP, Washington, DC 20202–2550. Telephone: (202) 245–7363. If you use a TDD or TTY, call the FRS, toll free, at 1–800–877–8339.

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**Dated:** March 1, 2013.

**Michael K. Yudin,**

**Acting Assistant Secretary for Special Education and Rehabilitative Services.**

[PR Doc. 2013–05225 Filed 3–5–13; 8:45 am]

**BILLING CODE 4000–01–P**

## DEPARTMENT OF EDUCATION

### 34 CFR Chapter III

**[CFDA Number: 84.133B–10.]**

**Proposed Priority—National Institute on Disability and Rehabilitation Research—Rehabilitation Research and Training Center**

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

**ACTION:** Proposed priority.

**SUMMARY:** The Assistant Secretary for Special Education and Rehabilitative Services proposes a priority under the Rehabilitation Research and Training Center (RTTC) Program administered by the National Institute on Disability and Rehabilitation Research (NIDRR).

Specifically, this notice proposes a priority for an RTTC on Promoting Healthy Aging for Individuals with Long-Term Physical Disabilities. The Assistant Secretary may use this priority for competitions in fiscal year (FY) 2013 and later years. We take this action to focus research attention on an area of national need. We intend the priority to contribute to improved health and function outcomes for individuals aging with long-term physical disabilities.

**DATES:** We must receive your comments on or before April 5, 2013.

**ADDRESSES:** Address all comments about this notice to Marlene Spencer, U.S. Department of Education, 400 Maryland Avenue SW., room 5133, Potomac Center Plaza (PCP), Washington, DC 20202–2700.