

### 10. Protection of Children From Environmental Health Risks

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

### 11. Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would 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.

### 12. Energy Effects

This proposed rule is not a "significant energy action" under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

### 13. Technical Standards

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

### 14. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves the establishment of a safety zone. This rule would be categorically excluded from further review under paragraph 34(g) of Figure 2-1 of the Commandant Instruction. A preliminary environmental analysis checklist is in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures, and Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.170 to read as follows:

#### § 165.170 Safety Zone; Military Munitions Recovery, Raritan River, Raritan, NJ.

##### (a) Location.

The following area is a safety zone: All navigable waters of the Raritan River upstream of the Perth Amboy Railroad Bridge, which spans the waterway at approximately 40°29'46.3" N, 74°16'51.5" W.

(b) *Definitions.* The following definitions apply to this section:

(1) "Designated representative" means any U.S. Army Corps of Engineers personnel, any commissioned, warrant, or petty officer of the U.S. Coast Guard, and any member of the Coast Guard Auxiliary who has been designated by the Captain of the Port New York (COTP), to act on his or her behalf. As a designated representative, the U.S. Army Corps of Engineers official patrol vessel will communicate with vessels via VHF-FM radio or loudhailer.

(2) "Official patrol vessel" means any Coast Guard, Coast Guard Auxiliary, Army Corp of Engineers, state, or local law enforcement vessels assigned or approved by the COTP.

##### (c) Regulations.

(1) The general regulations in 33 CFR 165.23 apply.

(2) Entry, transit, diving, dredging, dumping, fishing, trawling, conducting salvage operations, remaining or anchoring within the safety zone described in paragraph (a) of this section is prohibited unless authorized by the COTP.

(3) Upon being hailed by a U.S. Coast Guard vessel, U.S. Army Corps of Engineers vessel or a designated representative, by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

(4) Vessel operators desiring to enter, transit, dive, dredge, dump, fish, trawl, conduct salvage operations, remain within or anchor within the safety zone must contact the COTP or a designated representative via VHF channel 16 or by phone at (718) 354-4353 (Sector New

York Command Center) to request permission.

(5) Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the COTP or a designated representative.

Dated: September 6, 2013.

**G. Loebel,**

*Captain, U.S. Coast Guard, Captain of the Port New York.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2013-0676]

RIN 1625-AA00

#### Safety Zone; Motion Picture Production; Chicago, Illinois

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the temporary safety zone for motion picture filming in Calumet Harbor, Chicago, IL from 9 p.m. until 6 a.m., from September 15 through September 29, 2013. This action is necessary and intended to ensure safety of life on navigable waters during nighttime filming of a motion picture in Calumet Harbor. During the aforementioned period, the Coast Guard will enforce restrictions upon, and control movement of, vessels in a specified safety zone. During the enforcement period, no person or vessel may enter the safety zone without permission of the Captain of the Port, Lake Michigan.

**DATES:** The 33 CFR 165.T09-0676(a), Calumet Harbor, safety zone, will be enforced from 9 p.m. until 6 a.m., from September 15 through September 29, 2013.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email MST1 Joseph McCollum, Prevention Department, Coast Guard Sector Lake Michigan, Milwaukee, WI at (414) 747-7148, email [Joseph.P.McCollum@uscg.mil](mailto:Joseph.P.McCollum@uscg.mil).

**SUPPLEMENTARY INFORMATION:** This notice provides an updated enforcement schedule for the Calumet Harbor safety zone listed in 33 CFR 165.T09-0676 Safety Zone; Motion Picture Production; Chicago, IL (78 FR 20241, August 20, 2013). This updated schedule

accommodates the anticipated nighttime filming of a motion picture in the Calumet Harbor safety zone.

Specifically, this zone encompasses all waters of Lake Michigan, Calumet Harbor west of an imaginary line connecting 41°44'29.4" N, 087°31'33.9" W and 41°44'21" N, 087°31'47.12" W (NAD 83). This zone will be enforced from 9 p.m. until 6 a.m. during filming from September 15 through September 29, 2013. This notice does not impact or change the enforcement schedule published August 20, 2013, for the five safety zones in 33 CFR 165.T09-0676: from 6 a.m. to 9 p.m. on intermittent dates from August 20 through September 30, 2013.

All vessels must obtain permission from the Captain of the Port, Lake Michigan, or his on-scene representative to enter, move within, or exit the safety zone. Vessels and persons granted permission to enter the safety zone shall obey all lawful orders or directions of the Captain of the Port, Lake Michigan, or his designated representative.

This notice is issued under authority of 33 CFR 165.T09-0676 Safety Zone; Motion Picture Production; Chicago, IL and 5 U.S.C. 552(a). Because this notice has been written to accommodate late-night filming in the production of a motion picture, the Coast Guard anticipates that this zone will not be enforced for each night of September 15 until September 29, but only during those nights in which filming occurs. As such, in addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this event via Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port, Lake Michigan, or his on-scene representative may be contacted via VHF Channel 16.

Dated: September 10, 2013.

**M.W. Sibley,**

*Captain, U. S. Coast Guard, Captain of the Port, Lake Michigan.*

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## DEPARTMENT OF EDUCATION

### 34 CFR Chapter VI

[Docket ID ED-2013-OPE-0124]

#### **Negotiated Rulemaking Committee, Negotiator Nominations and Schedule of Committee Meetings—Title IV Federal Student Aid Programs, Violence Against Women Act**

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

**ACTION:** Intention to establish negotiated rulemaking committee.

**SUMMARY:** We announce our intention to establish a negotiated rulemaking committee to prepare proposed regulations to address the changes to the campus safety and security reporting requirements in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), made by the Violence Against Women Reauthorization Act of 2013 (VAWA). The committee will include representatives of organizations or groups with interests that are significantly affected by the subject matter of the proposed regulations. We request nominations for individual negotiators who represent key stakeholder constituencies for the issues to be negotiated to serve on the committee, and we set a schedule for committee meetings.

**DATES:** We must receive your nominations for negotiators to serve on the committee on or before October 21, 2013. The dates, times, and locations of the committee meetings are set out in the *Schedule for Negotiations* section in the **SUPPLEMENTARY INFORMATION** section.

**ADDRESSES:** Please send your nominations for negotiators to Wendy Macias, U.S. Department of Education, 1990 K Street NW., Room 8017, Washington, DC 20006. Telephone: (202) 502-7526 or by email: [wendy.macias@ed.gov](mailto:wendy.macias@ed.gov).

**FOR FURTHER INFORMATION CONTACT:** For information about the content of this notice, including information about the negotiated rulemaking process or the nomination submission process, contact: Wendy Macias, U.S. Department of Education, 1990 K Street NW., room 8017, Washington, DC 20006. Telephone: (202) 502-7526 or by email: [wendy.macias@ed.gov](mailto:wendy.macias@ed.gov).

For general information about the negotiated rulemaking process, see *The Negotiated Rulemaking Process for Title IV Regulations, Frequently Asked Questions* at <http://www2.ed.gov/policy/highered/reg/hearulemaking/hea08/neg-reg-faq.html>.

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

**SUPPLEMENTARY INFORMATION:** On May 1, 2012, we published a notice in the **Federal Register** (77 FR 25658) announcing our intent to establish a negotiated rulemaking committee under section 492 of the Higher Education Act of 1965, as amended (HEA).

On April 16, 2013, we published a notice in the **Federal Register** (78 FR 2247), which we corrected on April 30, 2013 (78 FR 25235), announcing additional topics for consideration for action by the negotiated rulemaking committee. The additional topics for consideration were cash management of funds provided under the title IV Federal Student Aid programs, State authorization for programs offered through distance education or correspondence education, State authorization for foreign locations of institutions located in a State, clock to credit hour conversion, gainful employment, changes to the campus safety and security reporting requirements in the Clery Act made by the VAWA (Pub. L. 113-4), and the definition of "adverse credit" for borrowers in the Federal Direct PLUS Loan Program.

We announced three public hearings at which interested parties could comment on the new topics suggested by the Department and suggest additional topics for consideration for action by the negotiating committee. On May 13, 2013, we announced in the **Federal Register** (78 FR 27880) the addition of a fourth hearing. The hearings were held on May 21, 2013, in Washington, DC; May 23, 2013, in Minneapolis, Minnesota; May 30, 2013, in San Francisco, California; and June 4, 2013, in Atlanta, Georgia. We also invited parties unable to attend a public hearing to submit written comments on the additional topics and to submit other topics for consideration. Transcripts from all six public hearings are available at <http://www2.ed.gov/policy/highered/reg/hearulemaking/2012/index.html>. Written comments submitted in response to the May 1, 2012, and April 16, 2013, notices may be viewed through the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Instructions for finding comments are available on the site under "How to Use Regulations.gov" in the Help section. Individuals can enter docket ID ED-2012-OPE-0008 in the search box to locate the appropriate docket.

On June 12, 2013, while we continued to review the testimony offered at the public hearings and the comments submitted through the public comment process regarding other proposed rulemaking topics, we announced our intention to establish a negotiated rulemaking committee to prepare proposed regulations to establish standards for programs that prepare students for gainful employment in a recognized occupation (78 FR 35179).