

**§ 808.2 [Corrected]**

■ 6. On page 29396, the first column, the eighth line from the top “§ 808.2808.2 Administrative appeals.”, should read as “§ 808.2 Administrative appeals.”

[FR Doc. C1–2017–13324 Filed 7–28–17; 8:45 am]

BILLING CODE 1300–01–D

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117**

[Docket No. USCG–2017–0728]

**Drawbridge Operation Regulation; Carquinez Strait, Martinez, CA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Union Pacific Railroad Bridge across the Carquinez Strait, mile 7.0 at Martinez, CA. The deviation is necessary to allow the bridge owner to conduct emergency repairs. This deviation allows the bridge to remain in the closed-to-navigation position during the deviation period.

**DATES:** This deviation is effective from 10 a.m. to 4 p.m. on August 1, 2017.

**ADDRESSES:** The docket for this deviation [USCG–2017–0728], is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this deviation.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Carl T. Hausner, Chief, Bridge Section, Eleventh Coast Guard District; telephone 510–437–3516; email [Carl.T.Hausner@uscg.mil](mailto:Carl.T.Hausner@uscg.mil).

**SUPPLEMENTARY INFORMATION:** Union Pacific Railroad has requested a temporary change to the operation of the Union Pacific Railroad Bridge, mile 7.0, over the Carquinez Strait, at Martinez, CA. The drawbridge navigation span provides a vertical clearance of 70 feet above Mean High Water in the closed-to-navigation position. The draw operates as required by 33 CFR 117.5. Navigation on the waterway is commercial and recreational.

The drawspan will be secured in the closed-to-navigation position from 10 a.m. to 4 p.m. on August 1, 2017, to allow the bridge owner to conduct emergency repairs. This temporary deviation has been coordinated with the

waterway users. No objections to the proposed temporary deviation were raised.

Vessels able to pass through the bridge in the closed position may do so at any time. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterway, through our Local and Broadcast Notices to Mariners, of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: July 24, 2017.

**Carl T. Hausner,**

*District Bridge Chief, Eleventh Coast Guard District.*

[FR Doc. 2017–15987 Filed 7–28–17; 8:45 am]

BILLING CODE 9110–04–P

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[Docket No. USCG–2017–0737]

**Safety Zones; Point to LaPointe Swim; LaPointe, WI**

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce the safety zone for the Point to LaPointe Swim in LaPointe, WI from 7 a.m. through 10:30 a.m. on July 29, 2017. This action is necessary to protect participants and spectators during the Point to LaPointe Swim. During the enforcement period, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or her designated on-scene representative.

**DATES:** The regulations in 33 CFR 165.943(b) will be enforced from 7 a.m. through 10:30 a.m. on July 29, 2017, for the Point to LaPointe Swim safety zone, § 165.943(a)(7).

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice of enforcement, call or email LT John Mack, Chief of Waterways Management,

Coast Guard; telephone (218)725–3818, email [john.v.mack@uscg.mil](mailto:john.v.mack@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone for the annual Point to LaPointe Swim in 33 CFR 165.943(a)(7) from 7 a.m. through 10:30 a.m. on July 29, 2017, on all waters between Bayfield, WI and Madeline Island, WI within an imaginary line created by the following coordinates: 46°48′50.97″ N., 090°48′44.28″ W., moving southeast to 46°46′44.90″ N., 090°47′33.21″ W., then moving northeast to 46°46′52.51″ N. 090°47′17.14″ W., then moving northwest to 46°49′03.23″ N. 090°48′25.12″ W. and finally running back to the starting point.

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or her designated on-scene representative. The Captain of the Port’s designated on-scene representative may be contacted via VHF Channel 16 or via telephone at (715) 779–5100. This notice of enforcement is issued under authority of 33 CFR 165.943 and 5 U.S.C. 552(a). In addition to this publication in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of the enforcement of this safety zone via Broadcast Notice to Mariners. The Captain of the Port Duluth or her on-scene representative may be contacted via VHF Channel 16 or via telephone at (715) 779–5100.

Dated: July 26, 2017.

**E.E. Williams,**

*Commander, U.S. Coast Guard, Captain of the Port Duluth.*

[FR Doc. 2017–16063 Filed 7–28–17; 8:45 am]

BILLING CODE 9110–04–P

**DEPARTMENT OF EDUCATION****34 CFR Chapter III****Final Waiver and Extension of the Project Period; National Individuals With Disabilities Education Act (IDEA) Technical Assistance Center on Early Childhood Longitudinal Data Systems**

**AGENCY:** Office of Special Education Programs (OSEP), Office of Special Education and Rehabilitative Services, Department of Education.

**ACTION:** Final waiver and extension of the project period.

[Catalog of Federal Domestic Assistance (CFDA) Number: 84.373Z.]

**SUMMARY:** The Secretary waives the requirements that generally prohibit project periods exceeding five years and

project period extensions involving the obligation of additional Federal funds. This action enables the National IDEA Technical Assistance Center on Early Childhood Longitudinal Data Systems (Center), currently funded under the Technical Assistance on State Data Collection Program, to receive funding from December 1, 2017, through November 30, 2018. This also means that we will not announce a new competition or make new awards in fiscal year (FY) 2017.

**DATES:** As of July 31, 2017, the Secretary waives project period requirements and extends the project period.

**FOR FURTHER INFORMATION CONTACT:** Meredith Miceli, U.S. Department of Education, 400 Maryland Avenue SW., Room 5130, Potomac Center Plaza, Washington, DC 20202-5108. Telephone: (202) 245-6028.

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

**SUPPLEMENTARY INFORMATION:** On February 27, 2017, we published a document in the **Federal Register** (82 FR 11870) proposing an extension of the project period and waiver of 34 CFR 75.250 and 75.261(a) and (c)(2) for the Center (the waiver and extension) in order to:

(1) Enable the Secretary to provide additional funds to the currently funded Center for an additional 12-month period; and

(2) Invite comments on the proposed extension of project period and waiver.

There are no substantive differences between the proposed waiver and extension and this final waiver and extension.

#### Public Comment

Eight commenters responded to our invitation to comment in the proposed waiver and extension. Seven of the eight supported the proposed waiver and extension. One expressed concern regarding the proposed extension.

#### Analysis of Comments and Changes

*Comment:* Seven of the eight commenters provided favorable and supportive comments regarding the proposed waiver and extension.

*Discussion:* We thank these commenters for their support.

*Changes:* None.

*Comment:* One commenter requested information on the cost of the current grant.

*Discussion:* Beginning in December 2012, SRI International, the current grantee, has received approximately \$6.5 million annually to run the Center.

The waiver and extension will allow for an additional year of funding at the same level.

*Changes:* None.

*Comment:* The same commenter expressed concern that this one-year extension would not secure future funding for the Center or these efforts and would prove harmful to children with disabilities.

*Discussion:* We appreciate the commenter's concern for the long-term future of this important work. The extension would ensure continuity of valuable technical assistance (TA) services in critically needed areas, which will benefit States as they provide early intervention and special education services to children with disabilities. We agree that recompeting this investment in FY 2017 would likely provide additional clarity around funding priorities in future years. However, the Department is taking this action to ensure efficient and effective coordination of data TA by aligning the funding cycle for two large data TA centers. We believe such an approach is in the best interests of both States and the children with disabilities they serve.

*Changes:* None.

*Comment:* None.

*Discussion:* We misstated the dates of the extended project period in the proposed extension and waiver (October 1, 2017 through September 30, 2018). We have changed the dates to align with the period of the current grant (December 1, 2017 through November 30, 2018).

*Changes:* We have changed the dates of the project period for this extension to December 1, 2017, through November 30, 2018.

#### Final Waiver and Extension

In the proposed waiver and extension, we discuss the background and purposes of the Center and our reasons for proposing the waiver and extension.

For these reasons, the Secretary waives the requirements in 34 CFR 75.250, which prohibit project periods exceeding five years, as well as the requirements in 34 CFR 75.261(a) and (c)(2), which allow the extension of a project period only if the extension does not involve the obligation of additional Federal funds. The waiver allows the Department to issue a one-time FY 2017 continuation award of \$6,500,000 to the Center originally funded in FY 2012.

Any activities carried out during the year of this continuation award must be consistent with, or a logical extension of, the scope, goals, and objectives of the grantee's application as approved in the 2012 competition. The requirements for continuation awards are set forth in the

document inviting applications published in the **Federal Register** on February 27, 2017 (82 FR 11870) for a new award for FY 2012 and in 34 CFR 75.253.

#### Waiver of Delayed Effective Date

The Administrative Procedure Act requires that a substantive rule must be published at least 30 days before its effective date, except as otherwise provided for good cause (5 U.S.C. 553(d)(3)). All but one of the comments we received supported the proposed waiver and extension, and we have not made any substantive changes to the proposed waiver and extension. Therefore, the Secretary waives the delayed effective date to ensure there is no lapse in the TA services currently provided by the Center.

#### Regulatory Flexibility Act Certification

The Secretary certifies that this final waiver and extension of the project period will not have a significant economic impact on a substantial number of small entities.

The only entities that will be affected are the current grantee receiving Federal funds and any other potential applicants.

The Secretary certifies that this waiver and final extension will not have a significant economic impact on these entities because the extension of existing project periods imposes minimal compliance costs, and the activities required to support the additional year of funding will not impose additional regulatory burdens or require unnecessary Federal supervision.

#### Paperwork Reduction Act of 1995

This final waiver and extension of the project period does not contain any information collection requirements.

#### Intergovernmental Review

This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance. This document provides early notification of our specific plans and actions for this program.

*Accessible Format:* 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

**under FOR FURTHER INFORMATION CONTACT.**

*Electronic Access to This Document:* The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: July 25, 2017.

**Kimberly M. Richey,**

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

[FR Doc. 2017-16068 Filed 7-28-17; 8:45 am]

BILLING CODE 4000-01-P

**DEPARTMENT OF EDUCATION****34 CFR Parts 75 and 77**

[Docket ID ED-2017-OII-0032]

RIN 1855-AA13

**Definitions and Selection Criteria That Apply to Direct Grant Programs**

**AGENCY:** Department of Education.

**ACTION:** Final rule with request for comments.

**SUMMARY:** The Secretary is issuing this rule in order to better align the regulations with the definition of “evidence-based” in the statutory authority. These changes mean that all competitive grant programs in the Department can continue to use the same provisions for evidence-based grant-making.

**DATES:** *Effective date:* These regulations are effective July 31, 2017. The incorporation by reference of certain publications listed in these regulations is approved by the Director of the Federal Register as of July 31, 2017.

*Comment due date:* We will accept comments on or before August 30, 2017. We will consider the comments received and may conduct additional rulemaking based on the comments.

**ADDRESSES:** Submit your comments through the Federal eRulemaking Portal

or via postal mail, commercial delivery, or hand delivery. We will not accept comments submitted 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 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 “How to use *Regulations.gov*.”

- *Postal Mail, Commercial Delivery, or Hand Delivery.* If you mail or deliver your comments about these final regulations, address them to Kelly Terpak, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W312, Washington, DC 20202-5900.

*Privacy Note:* The Department’s policy for comments received from members of the public 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.

**FOR FURTHER INFORMATION CONTACT:**

Kelly Terpak, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W312, Washington, DC 20202-5900. Telephone: (202) 205-5231 or by email: [kelly.terpak@ed.gov](mailto:kelly.terpak@ed.gov).

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:** As noted above, these regulations are effective on July 31, 2017. However, for grant award competitions announced by the Department in the **Federal Register** prior to the effective date of these regulations, unless the notice specifies otherwise, the provisions of 34 CFR parts 75 and 77 revised or removed through this notice of final regulations continue to apply to competitions and grants awarded under those notices inviting applications.

**Invitation To Comment**

These regulations do not establish substantive policy changes, but instead make technical changes to existing regulations. Since these regulations make only technical changes, a comment period is not required.

However, we are interested in whether you think we should make any changes in these regulations and thus we are inviting your comments. We will consider these comments in determining whether to make further technical changes to the regulations or engage in additional rulemaking. To ensure that your comments have maximum effect, we urge you to identify clearly the specific section or sections of the regulations that each of your comments addresses and to arrange your comments in the same order as the regulations. See **ADDRESSES** for instructions on how to submit comments.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866 and 13563 and their overall requirements of reducing regulatory burden that might result from these regulations. Please let us know of any additional ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the Department’s programs and activities.

During and after the comment period, you may inspect all public comments about these regulations by accessing *Regulations.gov*. You may also inspect the comments in person in Room 6W245, 400 Maryland Avenue SW., Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Eastern time, Monday through Friday of each week except Federal holidays. If you want to schedule time to inspect comments, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

*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 regulations. If you want to schedule an appointment for this type of aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

**Final Regulatory Changes****I. Selection Criteria**

*Background:* The regulations in subpart D of 34 CFR part 75 set forth the general requirements that govern the Department’s selection of grantees for direct grant awards. For those direct grant programs that make discretionary grant awards, the Secretary uses selection criteria to evaluate applications submitted under those programs. The regulations establish a