

b. Add the following as the final paragraph to section IX. Required Waivers to Law and Regulation, 2. *Title 5, Code of Federal Regulations*: “Part 752, sections 752.201, and 752.401: Coverage. Waived to the extent necessary to allow extended probationary periods and to permit termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment except those with veterans’ preference.”

3. *ERDC (63 FR 14580–14599, March 25, 1998)*

a. Add the following to section IX. Required Waivers to Law and Regulation, A. *Waivers to Title 5, U.S. Code*: “Chapter 75, sections 7501(1), 7511(a)(1)(A)(ii), and 7511(a)(1)(C)(ii); Adverse Actions—Definitions. Waived to the extent necessary to allow extended probationary periods and to permit termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment except for those with veterans’ preference.”

b. Add the following to section IX. Required Waivers to Law and Regulation, B. *Waivers to Title 5, Code of Federal Regulations*: “Part 752, sections 752.201, and 752.401: Coverage. Waived to the extent necessary to allow extended probationary periods and to permit termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment except those with veterans’ preference.”

4. *MRMC (63 FR 10440–10462, March 3, 1998)*

a. Add the following to section IX. Required Waivers to Law and Regulation, 1. *Waivers to Title 5, U.S. Code*: “Chapter 75, sections 7501(1), 7511(a)(1)(A)(ii), and 7511(a)(1)(C)(ii); Adverse Actions—Definitions. Waived to the extent necessary to allow extended probationary periods and to permit termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment except for those with veterans’ preference.”

b. Add the following as the final paragraph to section IX. Required Waivers to Law and Regulation, 2. *Title 5, Code of Federal Regulations*: “Part 752, sections 752.201, and 752.401:

Coverage. Waived to the extent necessary to allow extended probationary periods and to permit termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment except those with veterans’ preference.”

5. *CERDEC (66 FR 54872–54899, October 30, 2001)*

a. Add the following to section IX. Required Waivers to Law and Regulation, A. *Waivers to Title 5, U.S. Code*: “Chapter 75, sections 7501(1), 7511(a)(1)(A)(ii), and 7511(a)(1)(C)(ii); Adverse Actions—Definitions. Waived to the extent necessary to allow extended probationary periods and to permit termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment except for those with veterans’ preference.”

b. Add the following to section IX. Required Waivers to Law and Regulation, B. *Waivers to Title 5, Code of Federal Regulations*: “Part 752, sections 752.201, and 752.401: Coverage. Waived to the extent necessary to allow extended probationary periods and to permit termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment except those with veterans’ preference.”

6. *NRL (64 FR 33970–34046, June 24, 1999)*

a. Add the following as the final box on the left side of Appendix A: Required Waivers to Law and Regulation chart, *Title 5, U. S. Code*: “Chapter 75, sections 7501(1), 7511(a)(1)(A)(ii), and 7511(a)(1)(C)(ii); Adverse Actions—Definitions. Waived to the extent necessary to allow extended probationary periods and to permit termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment except for those with veterans’ preference.”

b. Add the following on the right side of the information entered in 6.a. above to Appendix A: Required Waivers to Law and Regulation chart, *Title 5, Code of Federal Regulations*: “Part 752, sections 752.201, and 752.401: Coverage. Waived to the extent necessary to allow extended probationary periods and to permit

termination during the extended probationary period without using adverse action procedures for those individuals serving a probationary period under an initial appointment except those with veterans’ preference.”

Dated: May 15, 2013.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2013–11952 Filed 5–17–13; 8:45 am]

BILLING CODE 5001–06–P

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Intent To Prepare an Environmental Impact Statement for Arctic Deep Draft Ports Navigation Improvements Feasibility Study

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers (USACE) announces its intention to prepare an Environmental Impact Statement (EIS) to study the feasibility of improving the navigation infrastructure in the vicinity of Norton Sound and the Bering Strait with a focus on existing infrastructure at Nome, possible infrastructure at Cape Riley near Teller, and improved infrastructure at Point Spencer at Port Clarence, Alaska. This study will be performed through a partnership between USACE and the State of Alaska, Department of Transportation. The existing infrastructure in this region of Alaska is presently not capable of meeting existing or anticipated navigation demands for multinational, Federal, state, and local interests. Of particular concern in this region is the ability to provide a systematic approach to meeting navigation requirements in this region in response to a changing climate and thus an increasing need for environmentally and responsibly planned infrastructure. The EIS will address the potential for positive and negative environmental impacts of construction, operation, and maintenance of marine infrastructure serving the Norton Sound and Bering Strait region. USACE will hold scoping meetings in Nome and Teller, Alaska, in an effort to better define the issues associated with navigation in this region of Alaska. Teleconferencing or VTC will be set up as available to accommodate stakeholders unable to be present at the scoping meetings. Scoping will be

ongoing throughout the feasibility study process.

**DATES:** A scoping meeting will be held in Nome and Teller, Alaska the second week in June. A summary of comments received as a result of scoping meetings held in June will be forwarded to participants as requested. Scoping meetings will be advertised in local newspapers as necessary.

**ADDRESSES:** Please direct comments or suggestions on the scope of the EIS to: Mr. Michael Salyer, NEPA Coordinator, U.S. Army Corps of Engineers, Alaska District, EN-G-ER, P.O. Box 6898, Joint Base Elmendorf-Richardson, AK 99506-0898; Phone: 907-753-2690; Fax: (907) 753-2625, email

*michael.9.salyer@usace.army.mil* (please use "NOI Comments; Environmental Impact Statement for Arctic Deep Draft Ports Navigation Improvements Feasibility Study).

**FOR FURTHER INFORMATION CONTACT:** For information or questions concerning the proposed project, contact: Ms. Lorraine Cordova, Plan Formulator, U.S. Army Corps of Engineers, Alaska District, PM-C-PL, P.O. Box 6898, Joint Base Elmendorf-Richardson, AK 99506-0898; Phone: 907-753-5619; Fax: (907) 753-2625; email:

*Lorraine.A.Cordova@usace.army.mil*.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The study area is part of the Seward Peninsula on the western coast of Alaska and includes the general area of Nome/Port Clarence and Teller. Currently, Nome serves as the supply, service, and transportation center for the Bering Strait region. Nome cannot meet the existing demand for maritime infrastructure, while demand on that infrastructure continues to increase. Commerce, safety, national security and oil spill response capability have already been identified as issues needing to be addressed in the United States as an Arctic nation.

##### **Purpose and Need for Agency Action**

The purpose of this study is to identify a practicable and environmentally responsible solution to meeting the existing and future maritime infrastructure needs in the Bering Sea Region and possibly the United States Arctic. The existing maritime infrastructure in the vicinity of Nome is not adequate to accommodate the need for an efficient and safe harbor appropriate to current vessel traffic in the Arctic Region of the United States. The State of Alaska, Department of Transportation is working with the U. S. Army Corps of Engineers in

investigating the need for expanding the existing maritime infrastructure within the Bering Sea Region. This region of Alaska has been identified as having the potential for improving the northernmost, naturally occurring deep water port. At present, the region does not appropriately and safely accommodate the needs of maritime users already located at or transiting the area.

This project was authorized by general language in Section 5007 of Public Law 119-114, the Water Resources Development Act of 2007.

The Study Authority is the House Public Works Committee Resolution for Rivers and Harbors in Alaska, adopted December 2, 1970. The resolution states:

"Resolved by the Committee on Public Works of the House of Representatives, United States, that the Board of Engineers for Rivers and Harbors is hereby requested to review the reports of the Chief of Engineers on Rivers and Harbors in Alaska, published as House Document Numbered 414, 83rd Congress, 2nd Session; and other pertinent reports, with a view to determining whether any modifications of the recommendations contained herein are advisable at the present time."

This EIS will assess the potential environmental impacts of constructing, operating, and maintaining existing and possibly new navigation infrastructure in the Norton Sound and Bering Strait Region. The EIS will aid decision making on the Arctic Deep Draft Ports study by evaluating the environmental impacts of the range of reasonable alternatives, as well as providing a means for public input into the decision making process. USACE is committed to ensuring that the public has ample opportunity to participate in this review.

##### **Preliminary Alternatives**

Consistent with NEPA implementation requirements, this EIS will assess the range of reasonable alternatives regarding constructing, operating, maintaining, and funding a proposed project that results from the study. The following types of alternatives have been identified for the region and are subject to modification in response to comments received during the public scoping process.

**Structural Alternatives:** This set of alternatives will investigate and describe possible harbor construction or improvement alternatives. Types of structural solutions could include, but are not limited to, rubble mound breakwaters, dredging, Search and Rescue infrastructure, disaster response

infrastructure, mooring basins, modified entrance channels, navigation aids, etc.

##### **Nonstructural Alternatives:**

Nonstructural alternatives could include, but are not limited to, solutions like traffic management and Port Authority establishment.

**No Action Alternative:** Under the "no action" alternative, the Norton Sound Region would continue to encounter the haphazard navigation scenario that presently exists in a challenging maritime environment associated with the Bering Sea and other Arctic waters.

USACE would appreciate comments regarding whether there are additional alternatives for the Environmental Impact Statement for Arctic Deep Draft Ports Navigation Improvements Feasibility Study that should be considered.

##### **Identification of Environmental and Other Issues**

USACE intends to address the following environmental issues when assessing the potential environmental impacts of the alternatives in this EIS. Additional issues may be identified as a result of the scoping process. USACE invites comment from Federal agencies; state, local, and tribal governments; and the general public on these and any other issues that should be considered in the EIS:

- Potential impacts on health from the existing usage of the area by transiting and local vessels.
- Potential impacts on health, both positive and negative, as a result of project implementation.
- Potential impacts to workers during the construction of the facilities.
- Potential impacts to surface water, tidelands and fauna including turbidity from construction activities.
- Potential impacts on air quality from emissions and from noise during construction and operations.
- Potential cumulative impacts of the past, present, and reasonably foreseeable future actions including impacts resulting from activities foreign and domestic, multinational, Federal, state, and local.
- Potential impacts to historically significant properties, if present, and on access to traditional use areas.
- Potential impacts on local, regional, or national resources from materials and utilities required for construction and operation.
- Potential impacts on ecological resources, including threatened and endangered species and water quality.
- Potential impacts on local employment, income, population, housing, and public services from harbor construction and operations.

## NEPA Process

The EIS for the proposed project will be prepared pursuant to the NEPA of 1969 (42 U.S.C. 4321 *et seq.*), Council on Environmental Quality NEPA Regulations (40 CFR parts 1500–1508), and USACE's NEPA Implementing Procedures (33 CFR parts 230 and 325). Following the publication of this Notice of Intent, USACE will continue the scoping process, prepare and distribute the draft EIS for public review, hold public meetings to solicit public comment on the draft EIS, and publish a final EIS. Not less than 30 days after the publication of the U.S. Environmental Protection Agency's Notice of Availability of the final EIS, USACE may issue a Record of Decision (ROD) documenting its decision concerning the proposed action.

## EIS Schedule

The draft EIS is scheduled to be published no sooner than December 2013. A 45-day comment period on the draft EIS is planned, which will include public meetings to receive comments. Availability of the draft EIS, the dates of the public comment period, and information about public meetings will be announced in the **Federal Register** and in the local news media.

The final EIS for the Environmental Impact Statement for Arctic Deep Draft Ports Navigation Improvements Feasibility Study is scheduled for no sooner than November 2014. A ROD would be issued no sooner than 30 days after the U. S. Environmental Protection Agency's notice of availability of the final EIS is published in the **Federal Register**.

Gregory Schmidt,

Deputy Chief, Engineering Division.

[FR Doc. 2013-11850 Filed 5-17-13; 8:45 am]

BILLING CODE 3720-58-P

## DEPARTMENT OF EDUCATION

### Applications for New Award; Technical Assistance To Improve State Data Capacity—National Technical Assistance Center To Improve State Capacity To Accurately Collect and Report IDEA Data

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

**ACTION:** Notice.

## Overview Information

Technical Assistance to Improve State Data Capacity—National Technical Assistance Center to Improve State

Capacity to Accurately Collect and Report IDEA Data Notice inviting applications for a new award for fiscal year (FY) 2013.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.373Y.

## DATES:

*Application Available:* May 20, 2013.

*Deadline for Transmittal of*

*Applications:* July 19, 2013.

*Deadline for Intergovernmental*

*Review:* September 17, 2013.

## Full Text of Announcement

### I. Funding Opportunity Description

*Purpose of Program:* The purpose of the Technical Assistance to Improve State Data Capacity program is to improve the capacity of States to meet their Individuals with Disabilities Education Act (IDEA) data collection and reporting requirements under sections 616 and 618 of the IDEA. Funding for the program is authorized under section 611(c)(1) of the IDEA, which gives the Secretary the authority to reserve funds appropriated under section 611 of the IDEA to provide technical assistance (TA) authorized under section 616(i) of the IDEA. Section 616(i) requires the Secretary to review the data collection and analysis capacity of States to ensure that data and information determined necessary for implementation of sections 616 and 618 of the IDEA are collected, analyzed, and accurately reported. It also requires the Secretary to provide TA, where needed, to improve the capacity of States to meet the data collection requirements under the IDEA.

*Priority:* This priority is from the notice of final priority for this program, published elsewhere in this issue of the **Federal Register**.

*Absolute Priority:* For FY 2013 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we consider only applications that meet this priority.

This priority is:

*National Technical Assistance Center To Improve State Capacity To Accurately Collect and Report IDEA Data*

The purpose of this priority is to fund a cooperative agreement to support the establishment and operation of a National Technical Assistance Center to Improve State Capacity to Accurately Collect and Report IDEA Data (Data Center). The Data Center will provide TA to improve the capacity of States to meet IDEA data collection and reporting requirements by:

(a) Improving data infrastructure by coordinating and promoting communication and effective data governance strategies among relevant State offices including State educational agencies (SEAs) and State lead agencies, local educational agencies (LEAs), schools, early intervention service (EIS) providers, and TA providers to improve the quality of the IDEA data;

(b) Using results from the Department's auto-generated error reports to communicate with State IDEA Data Managers and other relevant stakeholders in the State (e.g., EDFacts Coordinator) about data that appear to be inaccurate and provide support to the State (as needed) to enhance current State validation procedures to prevent future errors in State-reported IDEA data;

(c) Using the results of the Department's review of State-reported data to help States ensure that data are collected and reported from all programs providing special education and related services within the State;

(d) Addressing personnel training needs by developing effective informational tools (e.g., training modules) and resources (e.g., cross-walk documents about IDEA and non-IDEA data elements) about data collection and reporting requirements that States can use to train personnel in schools, programs, agencies, and districts;

(e) Supporting States in submitting data into EDFacts by coordinating with EDFacts TA providers (i.e., Partner Support Center; see [www2.ed.gov/about/inits/ed/edfacts/support.html](http://www2.ed.gov/about/inits/ed/edfacts/support.html)) about IDEA-specific data reporting requirements and providing EDFacts reports and TA to States to help them improve the accuracy of their IDEA data submissions;

(f) Improving IDEA data validation by using results from data reviews conducted by the Department to work with States to generate tools (e.g., templates of data dashboards) that can be used by States to accurately communicate data to local data-consumer groups (e.g., school boards, the general public) and lead to improvements in the validity and reliability of data required by IDEA; and

(g) Using results from the Department's review of State-reported Annual Performance Report (APR) data to provide intensive and individualized TA to improve the accuracy of qualitative information provided in the APR about the State's efforts to improve its implementation of the requirements and purposes of IDEA, and to more accurately target its future improvement activities.