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Written requests for information should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC 20202-4651 or to the e-mail address Vivian.Reese@ed.gov. Requests may also be electronically mailed to the internet address OCIO_RIMG@ed.gov or faxed to 202-708-9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Joseph Schubart at (202) 708-9266 or via his e-mail address Joe.Schubart@ed.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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DEPARTMENT OF EDUCATION

Notice of Extension of Project Period and Waiver

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

ACTION: Notice of extension of project period and waiver.

SUMMARY: The Secretary waives the requirements in Education Department General Administrative Regulations (EDGAR), at 34 CFR 75.250 and 75.261(a), that generally prohibit project periods exceeding 5 years and project extensions involving the obligation of additional Federal funds to enable the Technical Assistance ALLIANCE for Parent Centers to receive funding from October 1, 2002 until March 31, 2003.

EFFECTIVE DATE: August 28, 2002.

FOR FURTHER INFORMATION CONTACT: For further information contact Debra Sturdivant or Donna Fluke, U.S. Department of Education, 400 Maryland Avenue, SW., room 3527, Switzer

Building, Washington, DC 20202-2641. Telephone: (202) 205-8038 and 205-9161, respectively. FAX: (202) 205-8105. If you prefer to use the Internet, use the following address: Debra_Sturdivant@ed.gov, or Donna_Fluke@ed.gov.

If you use a telecommunication device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the above-listed contact persons.

SUPPLEMENTARY INFORMATION: In order to foster more efficient use of the Federal funds, the Secretary intends to redesign the technical assistance component of the Training and Information for Parents of Children with Disabilities program and provide funding in fiscal year 2003.

However, the grant for the current technical assistance provider, the Technical Assistance Alliance for Parent Centers will expire, after a 5-year project period, on September 30, 2002.

Technical assistance is provided on an ongoing basis to parent centers, and it would be contrary to the public interest to have any service lapses for the parent centers being served by the current grantee. This would also include planning for, and conducting a scheduled annual National conference to be held in January 2003. The conference provides a forum for all of the parent centers to network, and participate in topical workshops and attend plenary sessions to learn about current research and best practices from National experts.

To avoid any lapse in service for the intended beneficiaries before the redesigned technical assistance component can be implemented, the Secretary has decided to fund this project until March 31, 2003. However, to do so, the Secretary has waived the requirements in 34 CFR 75.250 and 75.261(c)(2), which prohibit project periods exceeding 5 years and period extensions that involve the obligation of additional Federal funds.

Waiver of Proposed Rulemaking

In accordance with the Administrative Procedure Act (5 U.S.C. 553), it is the practice of the Secretary to offer interested parties the opportunity to comment on proposed rulemaking. However, the waiver of the requirements in 34 CFR 75.250 and 75.261 applicable to the maximum project period and extension of the project period for this grant on a one-

time only basis is procedural and does not establish new substantive policy. Therefore, under 5 U.S.C. 553(b)(A), proposed rulemaking is not required.

In addition, given the fact that the additional period of funding is only for a six-month period, the Secretary has determined that proposed rulemaking on this waiver is unnecessary and impracticable. Thus, proposed rulemaking also is not required under 5 U.S.C. 553(b)(B).

Regulatory Flexibility Act Certification

The Secretary certifies that the waiver and extension of the project period will not have a significant economic impact on a substantial number of small entities. The only small entity that would be affected is the PACER Center, Inc., which operates the Technical Assistance ALLIANCE for Parent Centers project.

Paperwork Reduction Act of 1980

This extension and waiver does not contain any information collection requirements.

Intergovernmental Review

This program is subject to the requirements of 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.

Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at following site: www.ed.gov/legislation/FedRegister.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: 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 on GPO Access at: <http://www.access.gpo.gov/nara/index.html>.

(Catalog of Federal Domestic Assistance Number 84.328, Training and Information for Parents of Children with Disabilities)

Dated: July 19, 2002.

Robert H. Pasternack,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 02-19078 Filed 7-26-02; 8:45 am]

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DEPARTMENT OF EDUCATION

Tribally Controlled Postsecondary Vocational and Technical Institutions Program

AGENCY: Office of Vocational and Adult Education, Department of Education.

ACTION: Notice of extension of project period and waiver.

SUMMARY: We waive the requirement in 34 CFR 75.261(c)(2) as it applies to projects funded under the Tribally Controlled Postsecondary Vocational and Technical Institutions Program (TCPVTIP) in fiscal year (FY) 2001. We waive this requirement in order to be able to extend the project periods for the two current FY 2001 grants awarded under the TCPVTIP. A waiver means that: (1) current grants may be continued at least through FY 2004 (depending on the availability of appropriations for TCPVTIP in subsequent fiscal years under the current statutory authority), instead of ending in FY 2002; and (2) we will not announce a new competition or make new awards in FY 2002, as previously planned.

DATES: This notice is effective July 29, 2002.

FOR FURTHER INFORMATION CONTACT:

Sharon A. Jones, U.S. Department of Education, 400 Maryland Avenue, SW., room 4515, Mary E. Switzer Building, Washington, DC 20202-7242. Telephone (202) 205-9870.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this extension and waiver in an alternative format (e.g., Braille, large print, audiotope, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

SUPPLEMENTARY INFORMATION: On April 12, 2002 we published a notice in the *Federal Register* (67 FR 17976) proposing an extension and waiver in order to—

(1) Give the current grantees early notice of the possibility that additional

years of funding may be available through continuation awards;

(2) Provide other eligible entities with notice that if the proposal for extension and waiver is published in final form, the Department will not be announcing a competition under this program in FY 2002; and

(3) Request comments on the proposed extension and waiver.

Analysis of Comments and Changes

In response to the Assistant Secretary's invitation in the notice of proposed extension and waiver, two parties submitted comments. The two commenters agreed with the proposal to extend the grants of the two current grantees. We did not receive any comments opposing the proposed extension and waiver. An analysis of comments and of changes in the notice since publication of the proposal follows. Generally, we do not address technical and other minor changes, as well as suggested changes the law does not authorize us to make. Moreover, we do not address comments that do not express views on the substance of the proposed notice.

Comments

One commenter thought that the proposed notice was silent regarding the applicability of certain sections of 34 CFR 75.253 in the Education Department General Administrative Regulations (EDGAR). Specifically, the commenter was not sure if we planned to apply § 75.253(a)(2)(i), which permits us to make a continuation award if the grantee makes substantial progress toward meeting the objectives of the approved application or § 75.253(a)(2)(ii), which permits us to make a continuation award if the grantee has obtained our approval of changes in the project that do not increase the cost of the grant and enable the recipient to meet those objectives in succeeding budget periods. The commenter thought only § 75.253(a)(2)(i) should be applied.

Discussion

The notice explained that decisions regarding continuation awards would be made based on Grant Performance Reports submitted by the two current grantees and the regulations in part 75 of EDGAR, most notably, 34 CFR 75.253. The process by which continuation decisions will be made this year is the same process by which those decisions have been made in the past in the TCPVTIP when multi-year project grants have been awarded. Consistent with 34 CFR 75.253, we would extend a grant if we determined, among other things, and

based on information provided by the grantee, that it was making substantial progress performing grant activities. We said in our April 12th notice that "making substantial progress" would be considered "among the other things." We did not intend to imply that we would apply only the EDGAR provisions specifically mentioned in the notice when making decisions regarding continuations.

We would also like to reiterate here for purposes of clarification, that decisions to continue a grant will also be based on information provided by each grantee. Since the FY 2001 grants were based on applications that described activities and budgets for one year, in accordance with § 75.253(c)(2), each grantee will necessarily have to send a written statement describing the activities it intends to carry out in FY 2002, FY 2003, and possibly FY 2004, if Congress appropriates funds under the current statutory authority. The activities described must be consistent with, or be a logical extension of, the scope, goals, and objectives of the grantee's approved FY 2001 application. (34 CFR 75.261(c)(3)). As also provided in EDGAR, each grantee must submit a budget and budget narrative for each year it requests a continuation award. (34 CFR 75.118 and 75.253(c)(2)(i)).

While these provisions are contained in part 75 of EDGAR, we have described them in this notice so that grantees may be clear about what is needed to request a continuation award.

Change

None.

Comments

A commenter suggested that the start dates for FY 2002 projects should be the same for all grantees under the TCPVTIP. The commenter thought this was necessary in order for the Department to be able to determine the award amounts, particularly whether the appropriation in a given year is sufficient to pay in full the amount that approved applicants are eligible to receive.

Discussion

We currently ask grantees to provide the information we need to make continuation awards at the same time so we can (1) simultaneously review the scope of work and budgets of each grantee and (2) determine whether the appropriation is sufficient to pay in full the amount that approved applicants are eligible to receive. We can make those determinations without grantees having the same start dates. In addition, we believe that a grantee's start date is best