

Dated: June 30, 2015.

Kate Mullan,

*Acting Director, Information Collection
Clearance Division, Office of the Chief Privacy
Officer, Office of Management.*

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DEPARTMENT OF EDUCATION

Final Waiver and Extension of the Project Period; Native American Career and Technical Education Program

AGENCY: Office of Career, Technical, and
Adult Education, Department of
Education.

ACTION: Final waiver and extension of
the project period.

[Catalog of Federal Domestic Assistance
(CFDA) Number: 84.101A.]

SUMMARY: For the 24-month projects
funded in fiscal year (FY) 2013 under
the Native American Career and
Technical Education Program
(NACTEP), the Secretary waives the
requirements that generally prohibit
project period extensions involving the
obligation of additional Federal funds.
The Secretary also extends the project
periods of these grants for up to an
additional 24 months. This enables the
current NACTEP grantees to request and
continue to receive Federal funding
annually in FY 2015 and FY 2016 for
project periods through FY 2016 and
possibly through FY 2017.

DATES: The waiver and extension of the
project period is effective July 6, 2015.

FOR FURTHER INFORMATION CONTACT:
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device for the deaf or a text telephone,
call the Federal Relay Service, toll free,
at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: On
February 10, 2015, we published in the
Federal Register (80 FR 7440) a
proposed waiver of 34 CFR 75.261(a)
and (c)(2) and extension of the project
period (proposed waiver and extension)
in order to—

(1) Enable the Secretary to provide
additional funds to the current NACTEP
grantees with FY 2015 funds and
possibly FY 2016 funds for project

periods through FY 2016 and possibly
through FY 2017; and

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

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

Public Comment: In response to our
invitation in the proposed waiver and
extension, we received 22 comments.
Generally, we do not address comments
that raise concerns not related to the
proposed waiver and extension.

Analysis of Comments and Discussion

An analysis of the comments received
in response to the proposed waiver and
extension follows.

Comments: The 22 comments we
received supported the proposed waiver
and extension of the NACTEP project
period. We heard from a variety of
commenters, including tribal
community college presidents, deans
and administrators, teachers, students,
and project evaluators. Several
commenters provided a variety of
reasons for their support of the waiver
and extension, including: the
effectiveness of work being done by
current grantees, the number of students
served and placed in employment under
current projects, and the great need for
NACTEP projects to continue in the
Native American and Alaska
communities served by current projects.

Several commenters stated that it
would be difficult for eligible entities to
prepare NACTEP applications for short-
term funding prior to the expected
reauthorization of the Carl D. Perkins
Career and Technical Education Act of
2006 (the Perkins Act). Some
commenters stated that it was not in the
public interest to conduct a NACTEP
grant competition at this time because
there are likely to be changes in the
Perkins Act for NACTEP beyond FY
2015.

Several commenters expressed the
view that the waiver and extension are
necessary to allow current students
sufficient time to complete their
programs, which include programs
awarding industry-recognized
credentials, two-year certificates, and
associate degrees.

One commenter noted that tribal
colleges would not have sufficient time
to plan, establish, or effectively operate
viable programs, in a one-year
timeframe. The commenter expressed
the view that continuing the projects of
current grantees would eliminate the
difficulties, barriers, and inefficiencies
associated with starting new programs,
stating that extending the current
project period and funding of current

grantees would: Capitalize upon the
current momentum of grantee service
delivery, since service streams were
already in place and operational; allow
current grantees to modify their
programs based on their experience to
date without disruption to the projects'
participants, partnerships, programs, or
plans; and increase the likelihood of
student attainment of associate degrees
and certificates and subsequent job
placement. The commenter further
stated that, under NACTEP, grantees
must evaluate the long-term impact of
each project, which will be facilitated
by extending the project duration
beyond two years.

Another commenter noted that a lapse
of funds would create a set-back in the
progress made in cultivating successful
relationships with the local community
college to provide in-demand training
within their Native American
community.

A commenter provided examples of
exemplary NACTEP programs that are
making substantial gains in combating
poverty and unemployment, long-term
joblessness, and other problems that
contribute to the lack of gainful
employment. The commenter stated that
the grantees have partnered with local
community colleges to provide students
opportunities to earn college credits, as
well as State and national certifications
that prepare students for employment.
This commenter expressed the need for
the Department to approve the NACTEP
waiver and extension for current
grantees.

Discussion: We appreciate the
commenters' support and agree that
extending the current NACTEP grant
period will allow current NACTEP
grantees to continue to work towards
accomplishing the goals and objectives
stated in their 2013 NACTEP
applications, including providing
specialized career and technical
education programs to Native American
students. We agree that it is important
that there not be a lapse in the
programming provided by NACTEP
grantees to students.

Changes: None.

Background

NACTEP, as authorized by section
116(a) through (g) of the Perkins Act,
supports grants to federally recognized
Indian tribes, tribal organizations,
Alaska Native entities and eligible
Bureau of Indian Education-funded
schools to improve career and technical
education programs that benefit Native
Americans and Alaskan Natives.

On February 26, 2013, we published
in the **Federal Register** (78 FR 13030) a
notice inviting applications for NACTEP

grants (2013 NIA). Although in previous NACTEP competitions the Secretary invited applications with a proposed project period of five years, in anticipation of congressional reauthorization of the Perkins Act, in the FY 2013 competition, the Department invited applications with proposed project periods of only two years. The project period for the current 31 NACTEP grantees is scheduled to end in FY 2015.

Because there is the potential for changes in the Perkins Act for NACTEP beyond FY 2015, we do not believe it is in the public interest to hold a new NACTEP competition in FY 2015 for projects that may then operate for just one year, or to announce a competition under which eligible entities would be expected to proceed through the application preparation and submission process while lacking critical information about the future of the program. Further, we do not think that it is in the public interest to have a lapse in the services currently provided by the NACTEP grantees.

For these reasons, the Secretary waives the requirements of 34 CFR 75.261(a) and (c)(2) that generally prohibit project extensions involving the obligation of additional Federal funds and extends the NACTEP project periods for up to 24 months. The waiver and extension will allow the current NACTEP grantees to request and continue to receive Federal funding annually for project periods through FY 2016 and possibly through FY 2017. We will fund the extended project period by using funds appropriated for FY 2015 or FY 2016, depending on whether the grants are extended for one or two years.

Any activities carried out during the period of a NACTEP continuation award will have to be consistent with, or a logical extension of, the scope, goals, and objectives of the grantee's application as approved in the FY 2013 NACTEP competition. The requirements applicable to continuation awards for this competition set forth in the 2013 NIA and the requirements in 34 CFR 75.253 will apply to any continuation awards sought by the current NACTEP grantees. We will base our decisions regarding continuation awards on the program narratives, budgets, budget narratives, and program performance reports submitted by the current grantees, and the requirements in 34 CFR 75.253.

The waiver and extension will not exempt the current NACTEP grantees from the appropriation account closing provisions of 31 U.S.C. 1552(a), nor will they extend the availability of funds previously awarded to current NACTEP

grantees. As a result of 31 U.S.C. 1552(a), appropriations available for a limited period may be used for payment of valid obligations for only five years after the expiration of their period of availability for Federal obligation. After that time, the unexpended balance of those funds is canceled and returned to the U.S. Department of the Treasury and is unavailable for restoration for any purpose (31 U.S.C. 1552(b)).

Regulatory Flexibility Act Certification

The Secretary certifies that the waiver and extension and the activities required to support two additional years of NACTEP funding will not have a significant economic impact on a substantial number of small entities. The small entities that will be affected by the waiver and extension are the 31 currently-funded NACTEP grantees and any other potential applicants.

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

Paperwork Reduction Act of 1995

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

Intergovernmental Review

NACTEP is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

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Program Authority: 20 U.S.C. 2326(a) through (g).

Dated: June 30, 2015.

Johan E. Uvin,

Acting Assistant Secretary for Career, Technical, and Adult Education.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. NJ15-15-000]

Orlando Utilities Commission; Notice of Filing

Take notice that on June 8, 2015, Orlando Utilities Commission submitted tariff filing per 35.28(e): Further Regional Compliance Filing to be effective 1/1/2015.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

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