

and promote the use of new information that would improve the lives of individuals with disabilities who have experienced TBIs.

*Intergovernmental Review:* This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

*Accessible Format:* Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotope, or compact disc) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue SW., room 5075, PCP, Washington, DC 20202-2550. Telephone: (202) 245-7363. If you use a TDD or a TTY, call the FRS, toll free, at 1-800-877-8339.

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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: February 25, 2013.

**Michael Yudin,**

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

[FR Doc. 2013-04699 Filed 2-27-13; 8:45 am]

BILLING CODE 4000-01-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R04-OAR-2012-0887; FRL-9785-4]

#### Approval and Promulgation of Implementation Plans; Tennessee; Revisions to the Knox County Portion of the Tennessee State Implementation Plan

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the Knox County portion of

the Tennessee State Implementation Plan (SIP), submitted by the State of Tennessee Department of Environment and Conservation (TDEC) on August 19, 2009, August 22, 2012, and October 12, 2012. The SIP submittals include changes to Knox County Air Quality Management Regulations concerning *Open Burning, Permits and Regulation of Volatile Organic Compounds*. TDEC considers Knox County's SIP revisions to be as or more stringent than the Tennessee SIP requirements. EPA is proposing to approve the Knox County SIP revisions because the State has demonstrated that they are consistent with the Clean Air Act.

In the Final Rules Section of this **Federal Register**, EPA is approving the State's implementation plan revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** Written comments must be received on or before April 1, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R04-OAR-2012-0887, by one of the following methods:

1. [www.regulations.gov](http://www.regulations.gov): Follow the on-line instructions for submitting comments.
2. *Email:* [R4-RDS@epa.gov](mailto:R4-RDS@epa.gov).
3. *Fax:* (404) 562-9019.
4. *Mail:* "EPA-R04-OAR-2012-0887," Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960.

*Hand Delivery or Courier:* Lynora Benjamin, Chief, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through

Friday, 8:30 to 4:30, excluding federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:**

Sean Lakeman, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9043. Mr. Lakeman can be reached via electronic mail at [lakeman.sean@epa.gov](mailto:lakeman.sean@epa.gov).

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the Rules Section of this **Federal Register**. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

Dated: February 12, 2013.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 2013-04415 Filed 2-27-13; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

#### 48 CFR Parts 226 and 252

RIN 0750-AH85

#### Defense Federal Acquisition Regulation Supplement: Encouragement of Science, Technology, Engineering, and Mathematics (STEM) Programs (DFARS Case 2012-D027)

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Proposed rule.

**SUMMARY:** DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a section of the National

Defense Authorization Act for Fiscal Year 2012, which requires DoD to take steps to encourage contractors to develop science, technology, engineering, and mathematics (STEM) programs.

**DATES:** *Comment date:* Comments on the proposed rule should be submitted in writing to the address shown below on or before April 29, 2013, to be considered in the formation of a final rule.

**ADDRESSES:** Submit comments identified by DFARS Case 2012–D027, using any of the following methods:

*Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by entering “DFARS Case 2012–D027” under the heading “Enter keyword or ID” and selecting “Search.” Select the link “Submit a Comment” that corresponds with “DFARS Case 2012–D027.” Follow the instructions provided at the “Submit a Comment” screen. Please include your name, company name (if any), and “DFARS Case 2012–D027” on your attached document.

○ *Email:* [dfars@osd.mil](mailto:dfars@osd.mil). Include DFARS Case 2012–D027 in the subject line of the message.

○ *Fax:* 571–372–6094.

○ *Mail:* Defense Acquisition Regulations System, Attn: Mr. Dustin Pitsch, OUSD(AT&L)DPAP/DARS, Room 3B855, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided. To confirm receipt of your comment(s), please check [www.regulations.gov](http://www.regulations.gov), approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

**FOR FURTHER INFORMATION CONTACT:** Mr. Dustin Pitsch, telephone 571–372–6090.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

DoD is proposing to revise the DFARS to implement section 862 of the National Defense Authorization Act (NDAA) for Fiscal Year 2012 (FY12), which requires DoD to encourage contractors to develop science, technology, engineering, and mathematics (STEM) programs. STEM programs are, programs or initiatives, either formal or informal, which encourage the pursuit of education and experience in the Science, Technology, Engineering, and Mathematics disciplines such as—

- Enhancing undergraduate, graduate, and doctoral programs in science,

technology, engineering, and mathematics;

- Programming and curriculum development in elementary and secondary schools;

- Encouraging employees to volunteer in Title I schools in order to enhance STEM education and programs;
- Making personnel available to advise and assist STEM faculty at colleges and universities in the performance of STEM research and disciplines critical to the Department of Defense;

- Establishing partnerships between the offeror and historically black colleges and universities and minority institutions for the purpose of training students in the STEM disciplines;

- Awarding scholarships and fellowships for undergraduate and graduate programs, and establishing cooperative work-education programs in the STEM disciplines; or

- Conducting recruitment activities at historically black colleges and universities and minority institutions or offer internships or apprenticeships in the STEM disciplines.

**II. Executive Orders 12866 and 13563**

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Information and Regulatory Affairs has determined that this is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

**III. Regulatory Flexibility Act**

DoD does not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* However, an initial regulatory flexibility analysis has been performed and is summarized as follows:

This rule is required by section 862 of the National Defense Authorization Act for Fiscal Year 2012 (Pub. L. 112–81). The objective of this rule is to take steps to encourage contractors to develop science, technology, engineering, and math (STEM) programs. The legal basis

for this rule is section 862 of the National Defense Authorization Act for Fiscal Year 2012.

This will apply to all DoD contractors, both large and small.

There are no reporting, recordkeeping or other compliance requirements associated with this rule. This rule only encourages contractors, to the maximum extent practicable, to develop science, technology, engineering, and mathematics (STEM) programs. The contractor is not required to develop STEM programs or to report on this activity.

The rule does not duplicate, overlap, or conflict with any other Federal rules. DoD did not identify any significant alternatives that would satisfy the requirements of the statute. However, this rule does not impose any requirements on small business concerns.

DoD invites comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD will also consider comments from small entities concerning the existing regulations in subparts affected by this rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (DFARS Case 2012–D027), in correspondence.

**IV. Paperwork Reduction Act**

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

**List of Subjects in 48 CFR Parts 226 and 252**

Government procurement.

**Manuel Quinones**

*Editor, Defense Acquisition Regulations System.*

Therefore, DoD proposes to amend 48 CFR parts 226 and 252 as follows:

**PART 226—OTHER SOCIOECONOMIC PROGRAMS**

- 1. The authority citation for part 226 is revised to read as follows:

**Authority:** 41 U.S.C. 1303 and 48 CFR chapter 1.

- 2. Add subpart 226.72 to read as follows:

**Subpart 226.72—Encouragement of Science, Technology, Engineering, and Mathematics (STEM) Programs**

Sec.

- 226.7200 Scope of subpart.  
 226.7201 Definition.  
 226.7202 Applicability.  
 226.7203 Policy.  
 226.7204 Contract clause.

**226.7200 Scope of subpart.**

This subpart implements section 862 of the National Defense Authorization Act for Fiscal Year 2012 (Pub. L. 112–81).

**226.7201 Definition.**

“*Science, Technology, Engineering, and Mathematics (STEM) Programs*,” as used in this subpart, means programs or incentives, either formal or informal, that encourage the pursuit of education and experience in the science, technology, engineering, and mathematics disciplines.

**226.7202 Applicability.**

This subpart applies to all solicitations and contracts.

**226.7203 Policy.**

DoD encourages contractors to undertake actions, to the maximum extent practicable, that—

(a) Enhance undergraduate, graduate, and doctoral programs in science, technology, engineering, and mathematics (referred to as “STEM” disciplines);

(b) Make investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools;

(c) Encourage employees to volunteer in Title I schools in order to enhance STEM education and programs;

(d) Make personnel available to advise and assist faculty at such colleges and universities in the performance of STEM research and disciplines critical to the functions of DoD;

(e) Establish partnerships between the contractor and historically black colleges and universities and minority institutions for the purpose of training students in scientific disciplines;

(f) Award scholarships and fellowships, and establish cooperative work-education programs in scientific disciplines; or

(g) Conduct recruitment activities at historically black colleges and universities and other minority-serving institutions or offer internships or apprenticeships.

**226.7204 Contract clause.**

The contracting officer shall insert the clause at 252.226–70XX, Encouragement of Science, Technology, Engineering, and Mathematics (STEM) Programs, in all solicitations and contracts.

**PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

■ 4. The authority citation for part 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 5. Section 252.226–70XX is added to read as follows:

**252.226–70XX Encouragement of Science, Technology, Engineering, and Mathematics (STEM) Programs.**

As prescribed in 226.7204, insert the following clause:

**Encouragement of Science, Technology, Engineering, and Mathematics (STEM) Programs (Date)**

(a) *Definition.*

“*Science, Technology, Engineering, and Mathematics (STEM) Programs*,” as used in this clause, means programs and or incentives, either formal or informal, that encourage the pursuit of education and experience in the science, technology, engineering, and mathematics disciplines.

(b) In accordance with section 862 of the National Defense Authorization Act for Fiscal Year 2012 (Pub. L. 112–81), the Contractor is encouraged to undertake actions, to the maximum extent practicable, that—

(1) Enhance undergraduate, graduate, and doctoral programs in science, technology, engineering, and mathematics (referred to as “STEM” disciplines);

(2) Make investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools;

(3) Encourage employees to volunteer in Title I schools in order to enhance STEM education and programs;

(4) Make personnel available to advise and assist faculty at such colleges and universities in the performance of STEM research and disciplines critical to the functions of DoD;

(5) Establish partnerships between the contractor and historically black colleges and universities and minority institutions for the purpose of training students in scientific disciplines;

(6) Award scholarships and fellowships, and establish cooperative work-education programs in scientific disciplines; or

(7) Conduct recruitment activities at historically black colleges and universities and other minority-serving institutions or offer internships or apprenticeships.

(c) *Costs.* (1) The Contractor shall assume the responsibility for all the costs and investments in support of the STEM disciplines.

(2) The Contractor will not be reimbursed for any costs incurred or associated with the support of the STEM disciplines. Any costs incurred for supporting the STEM disciplines are unallowable under this contract.

(End of clause)

[FR Doc. 2013–04352 Filed 2–27–13; 8:45 am]

**BILLING CODE 5001–06–P**

**DEPARTMENT OF DEFENSE****Defense Acquisition Regulations System****48 CFR Part 231**

RIN 0750–AH76

**Defense Federal Acquisition Regulation Supplement; Unallowable Fringe Benefit Costs (DFARS Case 2012–D038)**

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Proposed rule.

**SUMMARY:** DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to explicitly state that fringe benefit costs incurred or estimated that are contrary to law, employer-employee agreement, or an established policy of the contractor are unallowable.

**DATES:** Comments on the proposed rule should be submitted in writing to the address shown below on or before April 29, 2013, to be considered in the formation of the final rule.

**ADDRESSES:** You may submit comments, identified by DFARS Case 2012–D038, using any of the following methods:

*Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by inserting “DFARS Case 2012–D038” under the heading “Enter keyword or ID” and selecting “Search.” Select the link “Submit a Comment” that corresponds with “DFARS Case 2012–D038.” Follow the instructions provided at the “Submit a Comment” screen. Please include your name, company name (if any), and “DFARS Case 2012–D038” on your attached document. Follow the instructions for submitting comments.

*Email:* [dfars@osd.mil](mailto:dfars@osd.mil). Include DFARS Case 2012–D038 in the subject line of the message.

*Fax:* 571–372–6094.

*Mail:* Defense Acquisition Regulations System, Attn: Ms. Amy Williams, OUSD(AT&L)DPAP(DARS), Room 3B855, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided. To confirm receipt of your comment(s), please check [www.regulations.gov](http://www.regulations.gov) approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).