

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 165****[Docket No. USCG–2020–0454]****Safety Zone; Annual Fireworks Displays and Other Events in the Eighth Coast Guard District Requiring Safety Zones****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone for a pyrotechnics display at Green Turtle Bay Marina & Resort, Grand Rivers, KY. This action is necessary to provide for the safety of life on navigable waterways during this event. During the enforcement period, entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Ohio Valley or a designated representative.

DATES: The regulations in 33 CFR 165.801 will be enforced for the Green Turtle Bay Resort/Grand Rivers Marina Day in item 74 in Table 1 of § 165.801 from 8:30 p.m. to 9:45 p.m. on August 15, 2020.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email MST2 Dylan Caikowski, MSU Paducah, U.S. Coast Guard; telephone 270–442–1621 ext. 2120, email STL-SMB-MSUPaducah-WWM@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a safety zone for a pyrotechnics display at Green Turtle Bay Marina & Resort, Grand Rivers, KY from 8:30 p.m. to 9:45 p.m. on August 15, 2020. This action is necessary to provide for the safety of life on navigable waterways before, during, and after a pyrotechnics display. Our annual fireworks displays and other events in the Eighth Coast Guard District requiring safety zones, § 165.801, specifies the location of the safety zone for the Green Turtle Bay Resort/Grand Rivers Marina Day which encompasses a 420 foot radius, from the fireworks launch site, at the entrance to Green Turtle Bay Marina & Resort. During the enforcement periods, as reflected in § 165.801(a), in accordance with the general regulations in § 165 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port or a designated representative.

In addition to this notice of enforcement in the **Federal Register**, the

Coast Guard plans to provide notification of this enforcement period via Broadcast Notice to Mariners.

Dated: June 24, 2020.

A.M. Beach,*Captain, U.S. Coast Guard, Captain of the Port Sector Ohio Valley.*

[FR Doc. 2020–16703 Filed 8–6–20; 8:45 am]

BILLING CODE 9110–04–P**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165****[Docket Number USCG–2020–0420]****RIN 1625–AA00****Safety Zone; Upper Mississippi River, Muscatine, IA****AGENCY:** Coast Guard, DHS.**ACTION:** Temporary final rule.

SUMMARY: The Coast Guard is amending a pre-established safety zone for certain waters of the Upper Mississippi River during a fireworks display. This Safety Zone is necessary to provide for the safety of life on these navigable waters. This rulemaking will prohibit persons and vessels from entering the safety zone unless authorized by the Captain of the Port Sector Upper Mississippi River (COTP) or a designated representative.

DATES: This rule is effective from September 6, 2020 from 8:30 p.m. until 10 p.m.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2020–0420 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Chief Warrant Officer Eric Kvistad, Sector Upper Mississippi River Waterways Management Division, U.S. Coast Guard; telephone 314–269–2575, email Eric.A.Kvistad@uscg.mil.

SUPPLEMENTARY INFORMATION:**I. Table of Abbreviations**

CFR Code of Federal Regulations
 COTP Captain of the Port
 DHS Department of Homeland Security
 FR Federal Register
 NPRM Notice of proposed rulemaking
 § Section
 U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because publishing an NPRM would be impracticable due to the fireworks show scheduled in less than sixty days. It is impracticable to publish an NPRM because we must establish this safety zone by September 6, 2020.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port Sector Upper Mississippi River (COTP) has determined that potential hazards associated with the fireworks to be used in this display would be a safety concern for anyone between mile markers (MM) 455 and MM 456. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the fireworks display is taking place.

IV. Discussion of the Rule

The COTP is establishing a safety zone from 8:30 through 10 p.m. on September 6, 2020 to allow for the protection of vessels from debris and fall out from the land based fireworks show. The safety zone would cover all navigable waters between MM 455 and MM 456 on the Upper Mississippi River. The duration of the zone is intended to ensure the safety of persons, vessels, and these navigable waters before, during, and after the scheduled 8:30 p.m. to 10 p.m. fireworks display. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. The COTP or a designated representative will inform the public of the enforcement dates and times for this safety zone, as well as any emergent safety concerns that may delay the enforcement of the zone, through Local Notices to Mariners (LNM) and or broadcast Notice to Mariners (BNM).

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, and duration of the temporary safety zone. This action involves a firework display that impacts only one mile on the Upper Mississippi River for an hour and a half.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting only an hour and a half that will prohibit entry between MM 455 and MM 456 on the Upper Mississippi River. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protestors. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 165.T08–0420 to read as follows:

§ 165.T08–0420 Upper Mississippi River, Muscatine, IA

(a) *Location.* Upper Mississippi River, Mile Marker 455 and MM 456, Muscatine, IA.

(b) *Period of enforcement.* This section is effective from 8:30 p.m. through 10 p.m. on September 6, 2020.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23, persons and vessels are prohibited from entering the safety zone unless authorized by the Captain of the Port Sector Upper Mississippi River (COTP) or a designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of USCG Sector Upper Mississippi River.

(2) Persons or vessels desiring to enter into or pass through the zone must request permission from the COTP or a designated representative. They may be contacted by telephone at 314-269-2332.

(3) If permission is granted, all persons and vessels shall comply with the instructions of the COTP or designated representative while navigating in the regulated area.

(d) *Informational broadcasts.* The COTP or a designated representative will inform the public of the enforcement date and times for this safety zone, as well as any emergent safety concerns that may delay the enforcement of the zone through Local Notices to Mariners (LNM) and or broadcast notice to mariners (BNM).

Dated: July 22, 2020.

R.M. Scott,

Captain, U.S. Coast Guard, Captain of the Port Sector Upper Mississippi River.

[FR Doc. 2020-17012 Filed 8-6-20; 8:45 am]

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DEPARTMENT OF EDUCATION

34 CFR Chapter III

[Docket ID ED-2020-OPE-0044]

Final Waiver and Extension of the Project Period for the Predominantly Black Institutions (PBI) Competitive Grant Program

AGENCY: Office of Postsecondary Education (OPE), Department of Education.

ACTION: Final waiver and extension of project periods.

SUMMARY: The Secretary waives the requirements in the Education Department General Administrative Regulations that generally prohibit project periods exceeding five years and project period extensions involving the obligation of additional Federal funds. The waiver and extension would enable 23 projects under Catalog of Federal Domestic Assistance (CFDA) number 84.382A to receive funding for an additional period, not to exceed September 30, 2021.

DATES: The waiver and extension of the project periods are effective August 7, 2020.

FOR FURTHER INFORMATION CONTACT:

Bernadette Miles, U.S. Department of Education, 400 Maryland Avenue SW, Room 250-22, Washington, DC 20202. Telephone: 202-453-7892. Email: Bernadette.Miles@ed.gov.

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

SUPPLEMENTARY INFORMATION: On March 23, 2020, we published a notice in the **Federal Register** (85 FR 16307) proposing an extension of the project period and a waiver of the requirements in 34 CFR 75.250, which prohibit project periods exceeding five years, as well as a waiver of 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, in order to enable the Secretary to provide additional funds to 23 projects under CFDA number 84.382A for an additional period, not to exceed September 30, 2021.

Background

We are extending the 23 PBI projects in order to align and coordinate the funding cycles of all discretionary grant programs authorized under Title III, Part F, Section 371 of the Higher Education Act of 1965, as amended (HEA). With the extension, the PBI program will align with (1) the Alaska Native and Native Hawaiian-serving Institutions programs (CFDA numbers 84.031R & 84.031V); (2) the Asian American and Native American Pacific Islander-serving Institutions program (CFDA number 84.382B); (3) the Native American-serving Non-Tribal Institutions program (CFDA number 84.382C); and (4) the Hispanic-Serving Institutions Science, Technology, Engineering, and Mathematics and Articulation program (CFDA number 84.031C).

In September 2015, the Department made 23 60-month awards to eligible institutions funded by the PBI program as follows:

Institution	State
University of West Alabama	AL
Mid-South/Arkansas State University	AR
Pulaski Technical College	AR
South Georgia Technical College	GA
Albany Technical College	GA
Oconee Fall Line Technical College	GA
Augusta Technical College	GA
Central Georgia Technical College	GA
Georgia State University	GA
Malcolm X College	IL
Olive Harvey College	IL
Chicago State University	IL
Mississippi Delta Community College	MS
Halifax Community College	NC
Bloomfield College	NJ
Medgar Evers College	NY
York College	NY
Community College of Philadelphia	PA
Northeastern Technical College	SC
Florence-Darlington Technical College	SC
Central Carolina Technical College	SC
Southwest Tennessee Community College	TN
Cedar Valley College	TX