

**Authority:** 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. A new temporary § 165.T07–171 is added to read as follows:

**§ 165.T07–171 Security Zone; Charleston Harbor, Cooper River, South Carolina.**

(a) *Regulated area.* The Coast Guard is establishing a temporary fixed security zone on all waters of the Cooper River, from bank to bank, under the Don Holt I–526 Bridge to the entrance of Foster Creek.

(b) *Regulations.* In accordance with the general regulations § 165.33 of this part, vessels are prohibited from entering, transiting, mooring, anchoring, or loitering within this zone unless specifically authorized by the Captain of the Port Charleston, South Carolina or his designated representative.

(c) *Effective period.* This section is effective from 8 a.m. on December 10, 2003, until 8 a.m. on June 1, 2004.

Dated: December 1, 2003.

**Gary W. Merrick,**

*Commander, U. S. Coast Guard, Captain of the Port.*

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## DEPARTMENT OF EDUCATION

### 34 CFR Parts 674, 682, and 685

**RIN 1840–AC84**

#### **Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program**

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Final rule.

**SUMMARY:** This document contains technical corrections to the regulations governing the Federal Perkins Loan (Perkins) Program, the Federal Family Education Loan (FFEL) Program, and the William D. Ford Federal Direct Loan (Direct Loan) Program. These amendments are needed to correct technical errors in the regulations, remove or modify language in the regulations that is now obsolete or outdated due to prior changes to the Higher Education Act of 1965, as amended (HEA), and the regulations, and where appropriate, provide consistent language in the regulations for the three loan programs.

**EFFECTIVE DATE:** These regulations are effective January 30, 2004.

**FOR FURTHER INFORMATION CONTACT:** For the Perkins and FFEL programs: Mr. Brian Smith, U.S. Department of Education, 1990 K Street, NW., (8th Floor) Washington, DC 20006, Telephone: (202) 502–7551, or via the Internet: [Brian.Smith@ed.gov](mailto:Brian.Smith@ed.gov).

For the Direct Loan Program: Ms. Nicki Meoli, U.S. Department of Education, 1990 K Street, NW., (8th Floor) Washington, DC 20006, Telephone: (202) 377–4031, or via the Internet: [Nicki.Meoli@ed.gov](mailto:Nicki.Meoli@ed.gov).

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**SUPPLEMENTARY INFORMATION:** These final regulations make technical corrections to the existing regulations for the Perkins, FFEL, and Direct Loan programs in 34 CFR parts 674, 682, and 685. The existing regulations contain technical errors, erroneous cross-references, and language that is inconsistent with other regulations and the provisions of the HEA. These final regulations make the technical corrections, correct the cross-references, and remove or modify language that is obsolete, outdated, or otherwise inconsistent with other regulations and the HEA.

#### **Waiver of Proposed Rulemaking and Negotiated Rulemaking**

Under the Administrative Procedure Act (5 U.S.C. 553), the Department generally offers interested parties the opportunity to comment on proposed regulations. However, these regulations merely reflect needed technical corrections to the Perkins, FFEL, and Direct Loan program regulations. These corrections do not affect the substantive rights or obligations of individuals or institutions and do not establish or affect substantive policy. Thus, the Secretary has concluded that these regulations are technical in nature and do not necessitate public comment. Therefore, under 5 U.S.C. 553(b)(B), the Secretary has determined that proposed regulations (and, accordingly, negotiated rulemaking under section 492(b)(2) of the HEA) are unnecessary and contrary to the public interest.

#### **Regulatory Flexibility Act Certification**

The Secretary certifies that these regulations will not have a significant

economic impact on a substantial number of small entities. The small entities that are affected by these regulations are small institutions of higher education. These regulations also affect lenders and guaranty agencies that participate in the title IV, HEA programs, and individual loan borrowers. These regulations contain technical corrections to current regulations. The changes will not have a significant economic impact on any of the entities affected.

#### **Paperwork Reduction Act of 1995**

These regulations do not contain any information collection requirements.

#### **Assessment of Educational Impact**

Based on our own review, we have determined that these final regulations do not require transmission of information that any other agency or authority of the United States gathers or makes available.

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(Catalog of Federal Domestic Assistance Numbers: 84.032 Federal Family Education Loan Program; 84.038 Federal Perkins Loan Program; and 84.268 William D. Ford Federal Direct Loan Program)

#### **List of Subjects in 34 CFR Parts 674, 682, and 685**

Administrative practice and procedure, Colleges and universities, Education, Loan programs—education, Reporting and recordkeeping requirements, Student aid, Vocational education.