

Executive Order 13175 and have determined that it has no substantial direct effects on Federally recognized Tribes or on the distribution of power and responsibilities between the Federal government and Tribes. Therefore, consultation under the Department's tribal consultation policy is not required. The basis for this determination is that our decision is on the Montana State program that does not include the regulation of Indian lands or regulation of activities on Indian lands as that term is defined in 30 U.S.C. 1291(9). Indian lands are regulated independently under the applicable, approved Federal Indian lands program, with the exception of the Crow Tribe's "Ceded Strip" in Montana, which represents a unique and special situation because under the terms of the memorandum of understanding, the Department of the Interior and Montana agreed to coordinate the administration of applicable surface mining requirements in the Crow Ceded Strip. However, as we are disapproving the majority of the substantive changes made by this proposed amendment, our action will not have any significant effects on the regulation of surface coal mining operations within the Crow Ceded Strip. The Department's consultation policy also acknowledges that our rules may have Tribal implications where the State proposing the amendment encompasses ancestral lands in areas with mineable coal. We are currently working to identify and engage appropriate Tribal stakeholders to devise a constructive approach for consulting on these amendments.

Executive Order 13211—Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

Executive Order 13211 requires agencies to prepare a Statement of Energy Effects for a rulemaking that is (1) considered significant under Executive Order 12866, and (2) likely to have a significant adverse effect on the supply, distribution, or use of energy. Because this rule is exempt from review under Executive Order 12866 and is not a significant energy action under the definition in Executive Order 13211, a Statement of Energy Effects is not required.

National Environmental Policy Act

Consistent with sections 501(a) and 702(d) of SMCRA (30 U.S.C. 1251(a) and 1292(d), respectively) and the U.S. Department of the Interior Departmental Manual, part 516, section 13.5(A), a State program amendment is not a major Federal action within the meaning of

section 102(2)(C) of the National Environmental Policy Act (43 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not include requests and requirements of an individual, partnership, or corporation to obtain information and report it to a Federal agency. As this rule does not contain information collection requirements, a submission to OMB under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) is not required.

Regulatory Flexibility Act

This rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal, which is the subject of this rule, is based on corresponding Federal regulations for which an economic analysis was prepared, and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the corresponding Federal regulations.

Congressional Review Act

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule: (a) does not have an annual effect on the economy of \$100 million; (b) will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and (c) does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. This determination is based on an analysis of the corresponding Federal regulations, which were determined not to constitute a major rule.

Unfunded Mandates Reform Act

This rule does not impose an unfunded mandate on State, local, or Tribal governments, or the private sector of more than \$100 million per year. The rule does not have a significant or unique effect on State, local, or Tribal governments or the private sector. This determination is based on an analysis of the corresponding federal regulations, which were determined not to impose an unfunded mandate. Therefore, a statement containing the information required by the Unfunded Mandates

Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

List of Subjects in 30 CFR Part 926

Intergovernmental relations, Surface mining, Underground mining.

Marcelo Calle,

Acting Regional Director, Unified Regions, 5, 7–11.

For the reasons set out in the preamble, 30 CFR part 926 is amended as set forth below:

PART 926—MONTANA

■ 1. The authority citation for part 926 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

■ 2. Amend § 926.12 by adding paragraph (b) to read as follows:

§ 926.12 State program provisions and amendments not approved.

* * * * *

(b) The following amendment submitted by letter dated June 22, 2023, Administrative Record No. MT-043-01, which proposed changes to the Montana approved program at sections 82-4-251, 82-4-252, and 82-4-255 MCA, as a result of the Montana Legislature's 2023 passage of a Senate Bill (SB 392) relating to the awarding of attorney's fees, is not approved.

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[FR Doc. 2026-17333 Filed 8-24-26; 8:45 am]

BILLING CODE 4310-05-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG-2026-1060]

RIN 1625-AA08

Special Local Regulation; Choptank River, Cambridge, MD

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary special local regulation (SLR) for certain waters of the Choptank River, near Cambridge, MD. This action is necessary to provide for the safety of life on these navigable waters during a power boat racing event on August 29, 2026 and August 30, 2026. This regulation prohibits persons and vessels from entering the regulated area unless specifically authorized by the Captain of the Port (COTP) Sector

Maryland-National Capital Region or their designated representative.

DATES: This rule is effective from 9 a.m. on August 29, 2026, through 7 p.m. on August 30, 2026. It will only be subject to enforcement, however, from 10 a.m. to 6:00 p.m. on each of those two days.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG–2026–1060.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MST1 Zachary Rudy, Sector Maryland NCR Waterways Management Division, U.S. Coast Guard; telephone (410) 576–2693, or email Zachary.S.Rudy@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port, Sector Maryland-National Capital Region
DHS Department of Homeland Security
NAD North American Datum 83
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
SLR Special Local Regulation
U.S.C. United States Code

II. Background and Authority

The Coast Guard received a request under 33 CFR 100.15 from the Kent Narrows Racing Association for a Marine Event Permit to host “Thunder on the Choptank,” a power boat race. The event will be held from 10 a.m. to 6:00 p.m. on August 29, 2026 and August 30, 2026, in and around Cambridge, MD. The power boat race will be competing on a designated, marked course.

The COTP, Sector Maryland-National Capital Region is issuing this (SLR) under the authority in 46 U.S.C. 70041. The COTP has determined that potential hazards associated with the power boat race, such as the risk of collisions, would be a safety concern for anyone intending to participate in this event and for vessels that operate within the specified waters of the Choptank River. The purpose of this rule is to protect event participants, non-participants, and transiting vessels before, during, and after the scheduled event.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 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 it is impracticable to publish an NPRM, consider and respond to comments, and publish a final rule by August 29, 2026, to protect personnel, vessels, and the marine environment.

For the same reasons, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

III. Discussion of the Rule

This rule establishes a temporary SLR which will be subject to enforcement from 10 a.m. through 6:00 p.m. on August 29, 2026 and from 10 a.m. through 6:00 p.m. on August 30, 2026. The SLR will cover certain waters of the Choptank River, near Cambridge, MD. The coordinates of these waters are provided in the rule text, at the end of this document. No vessel or person other than those that are registered with the host as participants will be permitted to enter the regulated area without obtaining permission from the COTP or their designated representative.

IV. 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.

A. Impact on Small Entities

The regulatory flexibility analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to rules that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act’s flexibility analysis provisions do not apply here.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 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.

B. 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).

C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

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.

D. Unfunded Mandates Reform Act

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Coast Guard certifies that this rule will not result in an annual expenditure of \$100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

E. 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 *et seq.*), 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 is a special local regulation. It is categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

List of Subjects in 33 CFR Part 100

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 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. Add § 100.T599–1060 to read as follows:

§ 100.T599–1060 Special Local Regulation; Choptank River, Cambridge, MD.

(a) *Location.* This special local regulation applies to the following regulated area: All waters of Hambrooks Bay, from surface to bottom, encompassed by a line connecting the following coordinates: Commencing at the shoreline at Long Wharf Park, Cambridge, MD, at position latitude 38°34'30" N, longitude 076°04'16" W; thence east to latitude 38°34'20" N, longitude 076°03'46" W; thence northeast across the Choptank River along the Senator Frederick C. Malkus, Jr. (US–50) Memorial Bridge, at mile 15.5, to latitude 38°35'30" N, longitude 076°02'52" W; thence west along the shoreline to latitude 38°35'38" N, longitude 076°03'09" W; thence north and west along the shoreline to latitude 38°36'42" N, longitude 076°04'15" W; thence southwest across the Choptank River to latitude 38°35'31" N, longitude 076°04'57" W; thence west along the Hambrooks Bay breakwall to latitude 38°35'33" N, longitude 076°05'17" W; thence south and east along the shoreline to and terminating at the point of origin. These coordinates are based on North American Datum 83 (NAD 83).

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the COTP Sector Maryland National Capital Region in the enforcement of the regulated area. *Non-participant* means any person or vessel not registered with the event sponsor as a participant in the race.

(c) *Regulations.* (1) All non-participants are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area described in paragraph (a) of this section unless authorized by the COTP or their designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF–FM channel 16 or by telephone at (410) 576–2693. Those in the regulated area must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from 10 a.m. to 6:00 p.m. on August 29, 2026 and from 10

a.m. through 6:00 p.m. on August 30, 2026.

Patrick C. Burkett,

Captain, U.S. Coast Guard, Captain of the Port Sector Maryland NCR.

[FR Doc. 2026–17299 Filed 8–24–26; 8:45 am]

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DEPARTMENT OF EDUCATION
34 CFR Chapter II

[ED–2026–OESE–2113]

Final Waiver and Extension of the Project Period With Funding—Elementary and Secondary Education Act of 1965, as Amended, Title VI, Part B, Native Hawaiian Education

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education.

ACTION: Final waiver and extension of the project period with funding.

SUMMARY: The Secretary waives the requirements in the Education Department General Administrative Regulations (EDGAR) that generally prohibit project period extensions involving the obligation of additional Federal funds. The final waiver and extension would allow 21 projects under Assistance Listing Number (ALN) 84.362A to receive funding for up to one additional 12-month period, not to exceed September 30, 2027.

DATES: This waiver and extension is effective August 25, 2026.

FOR FURTHER INFORMATION CONTACT: Joanne Osborne, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202–5076. Telephone: (202) 401–1265. Email: Joanne.Osborne@ed.gov.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION:

Background

Native Hawaiian Education (NHE), authorized under sections 6201–6207 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), authorizes the Secretary to make grants to or enter into contracts with Native Hawaiian organizations and other organizations to support the development of innovative educational programs to assist Native Hawaiians. Under section 6205(a)(2), the Secretary must prioritize awarding grants to entities that propose projects designed to address beginning reading and literacy among students in kindergarten

through third grade, the needs of at-risk children and youth, needs in fields or disciplines in which Native Hawaiians are underemployed, and the use of Hawaiian language in instruction. These projects may include one or more of the activities authorized under section 6205(a)(3).

On March 14, 2023, the Department of Education (Department) published in the **Federal Register** a notice inviting applications (NIA) for new awards for fiscal year (FY) 2023 for the NHE Program (88 FR 15689).

On June 5, 2026, the Department published a notice in the **Federal Register** (91 FR 34186) proposing a waiver and extension of the project period with funding (proposed waiver and extension) that would allow 21 FY 2023 grants under ALN 84.362A to receive funding for up to one additional 12-month period, not to exceed September 30, 2027. The proposed waiver and extension contained background information and our reasons for the proposal.

There are no differences between the proposed waiver and extension and this notice of final waiver and extension of the project period with funding (final waiver and extension).

Public Comment: In response to our invitation in the proposed waiver and extension, the Department received 29 comments.

Generally, we do not address technical and other minor changes. In addition, we do not address general comments not directly related to the proposed waiver and extension.

Analysis of Comments and Changes

An analysis of the comments and any changes in the final waiver and extension since publication of the proposed waiver and extension follows.

Of the 29 comments received, all were in support of the waiver.

Comment: All comments received were supportive of the waiver and extension, with no comments opposing the action. Commenters emphasized the additional 12 months of funding is needed to prevent interruptions in service while preserving the continuity of successful NHE projects. Stakeholders highlighted the importance of maintaining early childhood education, teacher preparation, literacy, social-emotional learning, health and wellness initiatives, and community-based supports that have demonstrated positive outcomes for the students, families, and communities served by NHE projects. Several commenters also noted that a lapse in funding now would disrupt trusted partnerships, result in the loss of