granted by the Act and the Commission's rules.

**Summary of Panel Decision**

At Mr. Beard's request, the Panel was convened on October 7, 2012. The Panel concluded that the Commission did not have the authority to grant Mr. Beard's requested relief. One Panel member asserted that section 107b(3) of the Act authorizes the Commission to provide licensed vendors with a fair minimum return when circumstances warrant it. Another Panel member indicated that this section is not mandatory language and that the Commission's rules do not provide for remuneration. The Panel chair stated that the Commission ought to adopt a rule to provide some remuneration for situations like this. However, absent any rule in place, the Panel decided that there was insufficient justification for any remuneration and, therefore, remuneration was not appropriate in this case.

The views and opinions expressed by the Panel do not necessarily represent the views and opinions of the Department.

*Electronic Access to This Document:* The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: April 11, 2017.

**Ruth E. Ryder,**

*Deputy Director, Office of Special Education Programs, delegated the duties of the Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 2017–07730 Filed 4–14–17; 8:45 am]

**BILLING CODE 4000–01–P**

## DEPARTMENT OF EDUCATION

### Application Deadline for Fiscal Year 2017; Small, Rural School Achievement Program

**AGENCY:** Office of Elementary and Secondary Education, Department of Education.

**ACTION:** Notice.

**SUMMARY:** Under the Small, Rural School Achievement (SRSA) program, Catalog of Federal Domestic Assistance (CFDA) number 84.358A, the U.S. Department of Education (Department) awards grants on a formula basis to eligible local educational agencies (LEAs) to address the unique needs of rural school districts. In this notice, we establish the deadline and describe the submission procedures for fiscal year (FY) 2017 SRSA grant applications.

All LEAs eligible for FY 2017 SRSA funds must submit an application electronically via *Grants.gov* by the deadline in this notice.

**DATES:**

*Applications Available:* May 1, 2017.

*Application Deadline:* June 30, 2017 by 4:30:00 p.m., Washington, DC time.

**FOR FURTHER INFORMATION CONTACT:** Mr. Eric Schulz, U.S. Department of Education, 400 Maryland Avenue SW., Room 3E–210, Washington, DC 20202. Telephone: (202) 260–7349 or by email: *reap@ed.gov.*

If you use a telecommunications device for the deaf or a text telephone, call the Federal Relay Service, toll free, at 1–800–877–8339.

**SUPPLEMENTARY INFORMATION:**

**I. Award Information**

*Type of Award:* Formula grant.

*Estimated Available Funds:* The Further Continuing and Security Assistance Appropriations Act, 2017, would provide, on an annualized basis, $87,752,864 for this program. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

*Estimated Range of Awards:* $0–$60,000.

**Note:** Depending on the number of eligible LEAs identified in a given year and the amount appropriated by Congress for the program, some eligible LEAs may receive an SRSA allocation of $0 under the statutory funding formula.

*Estimated Number of Awards:* 4,300.

**Note:** The Department is not bound by any estimates in this notice.

**II. Program Authority and Eligibility Information**

*Under what statutory authority will FY 2017 SRSA grant awards be made?*

The FY 2017 SRSA grant awards will be made under the statutory authority in title V, part B, subpart 1 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA) (Pub. Law 114–95).

*Which LEAs are eligible for an award under the SRSA program?*

For FY 2017, an LEA (including a public charter school that is considered an LEA under State law) is eligible for an award under the SRSA program if it meets one of the following criteria:

(a)(1) The total number of students in average daily attendance at all of the schools served by the LEA is fewer than 600; or each county in which a school served by the LEA is located has a total population density of fewer than 10 persons per square mile; and

(2) All of the schools served by the LEA are designated with a school locale code of 41, 42, or 43 by the Department's National Center for Education Statistics (NCES); or the Secretary has determined, based on a demonstration by the LEA and concurrence of the State educational agency, that the LEA is located in an area defined as rural by a governmental agency of the State.

(b) The LEA is a member of an educational service agency (ESA) that does not receive SRSA funds, and the LEA meets the eligibility requirements described in (a)(1) and (2) above.

(c) The LEA meets the requirements for a hold harmless award as described in section 5212(b)(4) of the ESEA, as amended by the ESSA. These are LEAs that are no longer eligible for the SRSA program because of amendments made under the ESSA to the locale code designations referenced in section 5211(b)(1)(A)(ii) of the ESEA, as amended by the ESSA. However, these LEAs may receive a FY 2017 award at a reduced rate as described in section 5212(b)(4) of the ESEA, as amended by the ESSA.

**Note:** A new ''Choice of Participation'' provision under section 5225 of the ESEA, as amended by the ESSA, gives LEAs eligible for both SRSA and the Rural and Low-Income School (RLIS) program authorized under title V, part B, subpart 2 of the ESEA, as amended by the ESSA, the option to participate in either the SRSA program or the RLIS program. LEAs eligible for both SRSA and RLIS are referred to as ''dual-eligible LEAs''.

**Note:** Section 5211(b) of the ESEA, as amended by the ESSA, establishes a new locale code methodology for purposes of the SRSA program. Beginning in FY 2017, the NCES school locale codes for SRSA program eligibility will be determined using the ''urban-centric'' NCES school locale code methodology, instead of the previous ''metro-centric'' methodology referenced under section 6211(b) of the ESEA, as amended by the No Child Left Behind Act of 2001.

*Which eligible LEAs must submit an application to receive an FY 2017 SRSA grant award?*

Under the regulations in 34 CFR 75.104(a), the Secretary makes a grant only to an eligible party that submits an application.

Beginning in FY 2017, all LEAs eligible to receive an SRSA award are required to submit an SRSA application annually in order to receive SRSA funds, regardless of whether the LEA received an award in prior years. This new annual application will require only minimal time of grantees but will help the Department improve SRSA program operations, by informing grantees earlier in the year of their eligibility for the SRSA program, confirming an LEA's intent to make use of SRSA funding, maintaining updated and accurate grantee contact information, and ensuring grantees are able to draw down grant funds immediately upon receipt of their grant award. All eligible LEAs must submit an annual application, including LEAs eligible to receive an FY 2017 award under the hold harmless provision, dual-eligible LEAs that choose to participate in the SRSA program instead of the RLIS program, and SRSA-eligible LEAs that are members of ESAs that do not receive SRSA funds. In the case of SRSA-eligible LEAs that are members of SRSA-eligible ESAs, the respective LEAs and ESAs must coordinate directly with each other to determine which entity will submit an SRSA application, as both entities may not apply for or receive SRSA funds. Additionally, we note that dual-eligible LEAs that apply for SRSA funds in accordance with these application submission procedures will not be considered for an RLIS award.

We intend to provide, by April 14, 2017 a list of LEAs eligible for FY 2017 SRSA grant funds on the Department's Web site at *http://www2.ed.gov/programs/reapsrsa/eligibility.html.* All LEAs on this list will need to submit an electronic application via *Grants.gov* in order to receive an FY 2017 SRSA grant award. The list will identify those LEAs that meet the eligibility requirements for the SRSA program, those LEAs that meet the eligibility requirements for the RLIS program, those LEAs that are dual eligible, and those LEAs that are eligible to receive an SRSA award pursuant to the hold harmless provision.

If an LEA on the Department's list of LEAs eligible to receive an FY 2017 SRSA award is no longer in existence as of the 2016–17 school year or will close prior to the 2017–2018 school year, the LEA is no longer eligible to receive an FY 2017 SRSA award and should not apply.

An LEA eligible to receive FY 2017 SRSA funds that fails to submit an FY 2017 SRSA application or fails to submit an application in accordance with the application submission procedures is at risk of not receiving an FY 2017 SRSA award. Such LEAs may receive an award only to the extent funds become available after awards are made to all eligible LEAs that complied with the application procedures.

*How must LEAs eligible for an FY 2017 SRSA grant award submit an application?*

The Department has revised the application LEAs must submit to receive FY 2017 SRSA funds. In addition, the Department has changed which system LEAs must use for submitting SRSA applications. LEAs should review closely the next section titled Application and Submission Information for specific information about how to apply for SRSA FY 2017 funds.

**III. Application and Submission Information**

*Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management*

To do business with the Department of Education, you must:

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the System for Award Management (SAM), the Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the Department and, if you are awarded a grant, throughout the grant performance period.

You can obtain a DUNS number from Dun and Bradstreet at the following Web site: *http://fedgov.dnb.com/webform.* A DUNS number can be created within one to two business days.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow two to five weeks for your TIN to become active.

The SAM registration process can take as little as seven business days, but may take upwards of several weeks, depending on the completeness and accuracy of the data you enter into the SAM database. Thus, if you think you might want to apply for Federal financial assistance under a program administered by the Department, please allow sufficient time to obtain and register your DUNS number and TIN. We strongly recommend that you register early.

**Note:** Once your SAM registration is active, it may be 24 to 48 hours before you can access the information in, and submit an application through, *Grants.gov*.

If you are currently registered with SAM, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your registration annually. This may take three or more business days.

Information about SAM is available at *www.SAM.gov.* To further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account, we have prepared a SAM.gov Tip Sheet, which you can find at: *http://www2.ed.gov/fund/grant/apply/sam-faqs.html.*

In addition, if you are submitting your SRSA application via *Grants.gov*, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with *Grants.gov* as an AOR. Details on these steps are outlined at the following *Grants.gov* Web page: *www.grants.gov/web/grants/register.html.*

a. *Electronic Submission of Applications Using Grants.gov:*

All LEAs eligible for FY 2017 SRSA grant funds are required to submit an electronic application using the Governmentwide *Grants.gov* Apply site at *www.Grants.gov* by June 30, 2017 by 4:30:00 p.m., Washington, DC time. SRSA applications must be submitted electronically using *Grants.gov* unless you qualify for an exception to this requirement, in accordance with the instructions in this section.

Through the *Grants.gov* Web site, you will be able to download a copy of the

SRSA application package, complete it offline, and then upload and submit your application. You may not email an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement *and* submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement.*

Please note the following:

- Applications submitted to *Grants.gov* for the Department of Education will be posted using Adobe forms. Therefore, applicants will need to download a compatible version of Adobe Reader software to complete the electronic SRSA application using *Grants.gov.* For your convenience, a compatible version of Adobe Reader is available for free download at *www.grants.gov/web/grants/applicants/adobe-software-compatibility.html.*
- When you search for the downloadable electronic application package for the SRSA grant program in *Grants.gov*, you must search for the package by the CFDA number (84.358). Do not include the CFDA number's alpha suffix in your search (*e.g.,* search for 84.358, not 84.358A).
- Applications received by *Grants.gov* are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the *Grants.gov* system no later than 4:30:00 p.m., Washington, DC time, on June, 30, 2017. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the *Grants.gov* system—after 4:30:00 p.m., Washington, DC time, on June 30, 2017. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from *Grants.gov*, we will notify you if we are rejecting your application because it was date and time stamped by the *Grants.gov* system after 4:30:00 p.m., Washington, DC time, on June 30, 2017.
- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through *Grants.gov*.
- You should review and follow the Education Submission Procedures for submitting an application through *Grants.gov* that are included in the application package for this program to ensure that you submit your application in a timely manner to the *Grants.gov* system. You can also find the Education Submission Procedures pertaining to *Grants.gov* under News and Events on the Department's G5 system home page at *www.G5.gov.* In addition, for specific guidance and procedures for submitting an application through *Grants.gov*, please refer to the *Grants.gov* Web site at: *www.grants/gov/web/grants/applicants/apply-for-grants.html.*
- You must submit all documents electronically, including all information you typically provide on the following forms: The Application for Federal Assistance (SF 424), Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.
- You must upload all documents for your application as files in a read-only flattened Portable Document Format (PDF). Do not upload an interactive or fillable PDF file. If you upload a file type other than a read-only flattened PDF (*e.g.,* Word, Excel, WordPerfect, etc.) or submit a password-protected file, we will not review that material. Please note that this could result in your application not being considered for funding because the material in question is critical to a meaningful review of your proposal. For that reason it is important to allow yourself adequate time to upload all material as PDF files. The Department will not convert material from other formats to PDF.
- After you electronically submit your application, you will receive from *Grants.gov* an automatic notification of receipt that contains a *Grants.gov* tracking number. This notification indicates receipt by *Grants.gov* only, not receipt by the Department. *Grants.gov* will also notify you automatically by email if your application met all the *Grants.gov* validation requirements or if there were any errors (such as submission of your application by someone other than a registered Authorized Organization Representative, or inclusion of an attachment with a file name that contains special characters). You will be given an opportunity to correct any errors and resubmit, but you must still meet the deadline for submission of applications.
- Once your application is successfully validated by *Grants.gov*, the Department will retrieve your application from *Grants.gov* and send you an email with a unique PR/Award number for your application.
- These emails do not mean that your application is without any disqualifying errors. While your application may have been successfully validated by *Grants.gov*, it must also meet the Department's application requirements as specified in this notice and in the application instructions. Disqualifying errors could include, for instance, failure to submit a required part of the application; or failure to meet applicant eligibility requirements. It is your responsibility to ensure that your submitted application has met all of the Department's requirements.
- We may request that you provide us original signatures on forms at a later date.

*Application Deadline Date Extension in Case of Technical Issues With the Grants.gov System*

If you are experiencing problems submitting your application through *Grants.gov*, please contact the *Grants.gov* Support Desk, toll free, at 1–800–518–4726. You must obtain a *Grants.gov* Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application by the application deadline date because of technical problems with the *Grants.gov* system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** and provide an explanation of the technical problem you experienced with *Grants.gov*, along with the *Grants.gov* Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the *Grants.gov* system and that the problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. We will contact you after we determine whether your application will be accepted.

**Note:** The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the *Grants.gov* system. We will not grant you an extension if you failed to fully register to submit your

application to *Grants.gov* before the application deadline date and time or if the technical problem you experienced is unrelated to the *Grants.gov* system.

*Exception to Electronic Submission Requirement*

You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the *Grants.gov* system because—

- You do not have access to the internet; or
- You do not have the capacity to upload large documents to the *Grants.gov* system;

*and*

- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or email a written statement to the Department, explaining which of the two grounds for an exception prevents you from using the internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. Address and mail your statement to: Mr. Eric Schulz, U.S. Department of Education, Room 3E–210, 400 Maryland Avenue SW., Washington, DC 20202.

Or email your statement to: *REAP@ed.gov*.

Your paper application must be submitted in accordance with the mail or hand-delivery instructions described in this notice.

b. *Submission of Paper Applications by Mail:*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.358A), LBJ Basement Level 1, 400 Maryland Avenue SW., Washington, DC 20202–4260.

You must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

**Note:** The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

We will not consider applications postmarked after the application deadline date.

c. *Submission of Paper Applications by Hand Delivery:*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.358A), 550 12th Street SW., Room 7039, Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

**Note for Mail or Hand Delivery of Paper Applications:** If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the program under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

## IV. Acessibility Information

*Accessible Format*

Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

*Electronic Access to This Document*

The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

*Program Authority:* Sections 5211–12 of the ESEA, as amended by the ESSA.

Dated: April 12, 2017.

**Monique M. Chism,**

*Acting Assistant Secretary for Elementary and Secondary Education.*

[FR Doc. 2017–07724 Filed 4–14–17; 8:45 am]

**BILLING CODE 4000–01–P**

## DEPARTMENT OF EDUCATION

### Arbitration Panel Decision Under the Randolph-Sheppard Act

**AGENCY:** Department of Education.

**ACTION:** Notice of arbitration decision.

**SUMMARY:** The Department of Education (Department) gives notice that, on January 11, 2012, an arbitration panel (the Panel) rendered a decision in *Illinois Department of Human Services, Division of Rehabilitative Services* v. *U.S. Department of Transportation, Federal Aviation Administration* (Case no. R–S/10–02).

**FOR FURTHER INFORMATION CONTACT:** You may obtain a copy of the full text of the Panel decision from Donald Brinson, U.S. Department of Education, 400 Maryland Avenue SW., Room 5045, Potomac Center Plaza, Washington, DC 20202–2800. Telephone: (202) 245–7310. If you use a telecommunications device for the deaf or a text telephone, call the Federal Relay Service, toll-free, at 1–800–877–8339.

Individuals with disabilities can obtain this document in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** The Panel was convened by the Department under the Randolph-Sheppard Act (Act), 20 U.S.C. 107d–1(b), after receiving a complaint from the Illinois Department