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TENNESSEE VALLEY AUTHORITY
Sunshine Act Meetings

TIME AND DATE: 9 a.m. ET on May 11, 2022.
PLACE: Charles Suber Banquet Hall, Young Harris College, 1 College Street, Young Harris, Georgia.
STATUS: Open.

MATTERS TO BE CONSIDERED:
Meeting No. 22–02
The TVA Board of Directors will hold a public meeting on May 11, 2022, in the Charles Suber Banquet Hall at the Rollins Campus Center on the campus of Young Harris College, 1 College Street, Young Harris, Georgia. The meeting will be called to order at 9 a.m. ET to consider the agenda items listed below. TVA management will answer questions from the news media following the Board meeting.

On May 10, in the Charles Suber Banquet Hall at the Rollins Campus Center, the public may comment on any agenda item or subject at a board-hosted public listening session which begins at 2 p.m. ET and will last until 4 p.m. Preregistration is required to address the Board.

Agenda
1. Approval of minutes of the February 10, 2022 Board Meeting
2. Report of the Audit, Finance, Risk, and Cybersecurity Committee
3. Report of the Operations and Nuclear Oversight Committee
4. Report of the External Stakeholders and Regulation Committee
   A. Industrial Power Supply Arrangement
   B. Annual compensation Plan Review Amendment
   C. Corporate Goals

DEPARTMENT OF TRANSPORTATION
Federal Motor Carrier Safety Administration

Entry-Level Driver Training: Application for Exemption; Ohio Department of Education

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of final disposition; denial of application for exemption.

SUMMARY: FMCSA announces its decision to deny the Ohio Department of Education’s (ODE) request for an exemption from the Entry-Level Driver Training (ELDT) requirements. The exemption request applies to drivers, trained through ODE’s “Pre-Service School Bus Driver Training” curriculum, who are seeking to obtain their Class B Commercial Driver’s License (CDL) with school bus (S), passenger (P), and air brake endorsements and to current Class B CDL holders wishing to add the P and S endorsements. The ODE believes the Ohio theory (i.e., classroom) curriculum and behind-the-wheel (BTW) instruction meet or exceeds all the standards of the 49 CFR 380 subpart F, ELDT requirements. FMCSA analyzed the exemption application and public comments and determined that the application provided no evidence that the exemption would ensure a level of safety equivalent to or greater than that achieved absent such exemption.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Clemente, FMCSA Driver and Carrier Operations Division, Office of
Carrier, Driver, and Vehicle Safety Standards, (202) 366–2722. MCPSD@dot.gov. If you have questions on viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Viewing Comments and Documents

To view comments, go to www.regulations.gov, insert the docket number “FMCSA–2021–0131” in the keyword box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, click “Browse Comments.”

To view documents mentioned in this notice as being available in the docket, go to www.regulations.gov, insert the docket number “FMCSA–2021–0131” in the keyword box, click “Search,” and choose the document to review.

If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from certain Federal Motor Carrier Safety Regulations (FMCSR)s. FMCSA must publish a notice of each exemption request in the Federal Register (§ 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews the safety analyses and public comments submitted, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (§ 381.305). The decision of the Agency must be published in the Federal Register (§ 381.315(b)) with the reasons for denying or granting the application and, if granted, the name of the person or class of persons receiving the exemption, and the regulatory provision from which the exemption is granted. The notice must also specify the effective period (up to 5 years) and explain the terms and conditions of the exemption. The exemption may be renewed (§ 381.300(b)).

III. Background

Current Regulation(s) Requirements

FMCSA’s entry-level driver training (ELDT) regulations set forth minimum training standards for certain individuals applying for a Class A or Class B CDL for the first time; an upgrade of their CDL (e.g., a Class B CDL holder seeking a Class A CDL); or a hazardous materials (H), passenger (P), or school bus (S) endorsement for the first time (49 CFR part 380, subpart F). These individuals are subject to the ELDT requirements and must complete a prescribed program of instruction provided by an entity that is listed on FMCSA’s Training Provider Registry (TPR). The training requirements do not mandate a minimum number of theory (i.e., classroom) or behind-the-wheel (BTW) hours for the completion of the Class A and B CDL or the S, P, or H endorsement curricula. FMCSA will submit driver-specific training certification information to State driver licensing agencies, which can administer CDL skills tests to applicants for the Class A and B CDL and/or the P or S endorsements, or knowledge test for the H endorsement after verifying the driver completed the required training. The compliance date for the ELDT regulations is February 7, 2022.

Applicant’s Request

The ODE requests an exemption from the ELDT requirements as set forth in 49 CFR part 380. The exemption request applies to drivers, trained through ODE’s “Pre-Service School Bus Driver Training” curriculum, who are seeking to obtain their Class B CDL with S, P, and air brake endorsements and to current Class B CDL holders wishing to add the P and S endorsements. If granted ODE requests that the exemption remain in effect as long as the Ohio Pre-Service theory and BTW curricula meet or exceed all the Federal training standards. The ODE states that the Ohio Pre-Service School Bus Driver Training program was established in 1978, and periodic review and upgrades to the program are continuous. With more than 25,000 school buses operated in Ohio, safety is of greatest importance for the ODE’s Office of Pupil Transportation, and thousands of drivers are trained through the Department’s program each year, including new and “existing” drivers seeking their initial CDL and applicable P and S endorsements.

The ODE’s application explains that all drivers who operate school buses in Ohio must be listed in the ODE’s School Foundation Payment System (SFPS) portal which tracks driver license information and assures drivers complete the necessary training requirements to transport students in Ohio. The SFPS verifies that drivers participated in both theory and BTW instruction and completes daily checks of driver certificates to ensure certificates are not expired. All drivers are required to attend theory training and have skill evaluations at least every 6 years. Most drivers are evaluated annually by their supervisors and/or on-the-bus instructors. The ODE contends that without this requested exemption, “Ohio school bus drivers would be required to have more training than anyone in the industry.”

School bus drivers who complete the Ohio Pre-Service School Bus Driver Training meet all the criteria to operate any Group-B commercial motor vehicle (CMV). This training program enables a driver to obtain a Class B CDL and provides the training to obtain either the P, S, or air brake endorsements, which allow for the driver to operate multiple Group B-regulated CMVs.

IV. Method To Ensure an Equivalent or Greater Level of Safety

To ensure an equivalent level of safety, the ODE believes the current State revised and administrative codes that requires new Ohio school bus drivers to successfully complete 15 hours of theory instruction and a minimum of 12 hours of BTW instruction and the training instructors’ credentials, exceeds the requirements set forth in the ELDT regulations. The ODE’s application also references the Ohio law requiring existing drivers to successfully complete 9 hours of theory instruction once every 6 years after initial certification, and requiring school bus drivers to complete a minimum of 4 hours of annual in-service training specific to the operation of a school bus, as additional elements that exceed the level of safety of the ELDT regulations.

V. Public Comments

On November 18, 2021, FMCSA published notice of this application and requested public comment (86 FR 64591). The Agency received 91 comments. Eighty-five commenters supported the exemption request broken
Training Advisory Committee agreed to the ELDT rule, the Entry-Level Driver
Transportation Association.
commenters offered no position either
exposing our children to unsafe drivers
safety on our busy roads that they
especially those who transport
children.''
Ancora/Roehl also opposed
application in their jointly filed
comment, the
CVTA and NAPFTDS stated: ``The
safety of children being transported to
and from school is not negotiable and
and not be part of any discussion
that does not adhere to the highest level
of commercial driver and passenger
training standards. The ELDT rule was
created for this very purpose. The ELDT
rule seeks to improve the quality of CDL
training and the safety of drivers
nationwide by mandating uniform
standards that apply to all new CDL
applicants. The ODE must be held to the
same standard as all other entities,
especially those who transport
children.''
Ancora/Roehl Transportation (Ancora/Roehl)
expressed opposition to the request. In
their jointly submitted comments, the
CVTA and NAPFTDS stated: ``The
petitioners claim that Ohio Pre-Service theory and
BTW meet or exceed all Federal
standards and that they should be
exempt from ELDT. We believe that in
the interest of transparency, improving
safety on our busy roads that they
should be held to the same rules as
everyone else. If the ODE does, in fact,
meet and exceed the ELDT
requirements there is no reason as to
why they cannot participate in the
Training Provider Registry (TPR) as any
other training provider. If FMCSA,
grants this exemption we fear that this
will lead to more exemptions, further
exposing our children to unsafe drivers
and road conditions.'' Four other
commenters offered no position either
for or against the ODE request,
including the National School
Transportation Association.
VI. FMCSA Safety Analysis and
Decision
FMCSA evaluated the ODE
application and the public comments and
denies the exemption request.
When the Agency originally established
the ELDT rule, the Entry-Level Driver
Training Advisory Committee agreed to
the rule's core provisions through the
Negotiated Rulemaking process. Further, the Moving Ahead for
Progress in the 21st Century (MAP–21)
legislative statute which mandated the
establishment of this rule, did include
the passenger (P) endorsement within
the scope of required ELDT. In light of
the fact that 49 CFR part 383 currently
requires that anyone seeking to obtain an
S endorsement must also obtain a P
endorsement, including the S
endorsement training requirements in the
ELDT final rule is entirely consistent with MAP–21. FMCSA believes that the
S curriculum in the final rule will
improve safety by providing a more
complete approach to training that
involves the transportation of all CMV
passengers, including school children.
FMCSA does not believe the ELDT
rule unduly burdens those jurisdictions that already maintain reasonable S
training requirements. States or
localities currently requiring that school
bus drivers obtain S training that meets
or exceeds the minimum standard
established by the ELDT rule will be
minimally impacted because the rule
does not impose additional training
requirements on those programs. Any
provider who currently offers S
endorsement training that is equivalent to, or more stringent than, the
curriculum set forth in the ELDT rule is eligible for listing on the TPR,
presuming all instructor qualifications and
other requirements are met. Entities
eligible for listing on the TPR include,
for example, individual school districts,
State agencies or departments, and third
parties that operate within States or
localities. The two commenters in
opposition CVTA/NAPFTDS and
Ancora/Roehl commented to these same
points, and the Agency concurs with
these commenters.
The ODE application does not provide an
analysis of the safety impacts the
requested exemption from the ELDT
regulations may cause, and also does
not provide adequate countermeasures
to be undertaken to ensure that the
exemption would likely achieve a level of
safety equivalent to, or greater than,
the level that would be achieved by the
current regulations. Furthermore,
through the Negotiated Rulemaking
process, and the normal Agency notice
and comment process for finalizing the
ELDT rule, these provisions were agreed
upon by the participants.
For these reasons, FMCSA denies the
request for exemption.
Robin Hutcheson,
Deputy Administrator.
[FR Doc. 2022–09882 Filed 5–6–22; 8:43 am]
BILLING CODE 4910–EX–P
DEPARTMENT OF VETERANS
AFFAIRS
[OMB Control No. 2900–0021]
Agency Information Collection
Activity: VA Loan Electronic Reporting
Interface (VALERI) System and Title
Requirements for Conveyance of Real
Property to the Secretary
AGENCY: Veterans Benefits
Administration, Department of Veterans
Affairs.
ACTION: Notice.
SUMMARY: Veterans Benefits
Administration (VBA), Department of
Veterans Affairs (VA), is announcing an
opportunity for public comment on the
proposed collection of certain
information by the agency. Under the
Paperwork Reduction Act (PRA) of
1995, Federal agencies are required to
publish notice in the Federal Register
concerning each proposed collection of
information, including each proposed
revisions of a currently approved
collection, and allow 60 days for public
comment in response to the notice.
DATES: Written comments and
recommendations on the proposed
collection of information should be
received on or before July 8, 2022.
ADDRESSES: Submit written comments
on the collection of information through
Federal Docket Management System
(FDMS) at www.Regulations.gov or to
Nancy J. Kessinger, Veterans Benefits
Administration (20M33), Department of
Veterans Affairs, 810 Vermont Avenue
NW, Washington, DC 20420 or email to
nancy.kessinger@va.gov. Please refer to
“OMB Control No. 2900–0021” in any
correspondence. During the comment
period, comments may be viewed online
through FDMS.
FOR FURTHER INFORMATION CONTACT:
Maribel Aponte, Office of Enterprise
and Integration, Data Governance
Analytics (008), 1717 H Street NW,
Washington, DC 20006, (202) 266–4688
or email maribel.aponte@va.gov. Please
refer to “OMB Control No. 2900–0021”
in any correspondence.
SUPPLEMENTARY INFORMATION: Under
the PRA of 1995, Federal agencies must
obtain approval from the Office of
Management and Budget (OMB) for each
collection of information they conduct
or sponsor. This request for comment is
being made pursuant to Section
3506(c)(2)(A) of the PRA.
With respect to the following
collection of information, VBA invites
comments on: (1) Whether the proposed
collection of information is necessary
for the proper performance of VBA’s
functions, including whether the