

foregoing is true and correct. Executed on (date). (Signature).”

If executed within the United States, its territories, possessions, or commonwealths: “I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).”

#### CONTESTING RECORD PROCEDURES:

The DoD rules for accessing records, contesting contents, and appealing initial Component determinations are contained in 32 CFR part 310, or may be obtained from the system manager.

#### NOTIFICATION PROCEDURES:

Individuals seeking to determine whether information about themselves is contained in this system of records should follow the instructions for Record Access Procedures above.

#### EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

#### HISTORY:

January 24, 2017, 82 FR 8182; February 11, 2015, 80 FR 7579; October 15, 2014, 79 FR 61854.

[FR Doc. 2022–27671 Filed 12–20–22; 8:45 am]

BILLING CODE 5001–06–P

## DEPARTMENT OF EDUCATION

[Docket No. ED–2022–SCC–0125]

### Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Annual State Application Under Part B of the Individuals With Disabilities Act as Amended in 2004

**AGENCY:** Office of Special Education and Rehabilitative Services (OSERS), Department of Education (ED).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change of a currently approved information collection request (ICR).

**DATES:** Interested persons are invited to submit comments on or before January 20, 2023.

**ADDRESSES:** Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain) to access the site. Find this information collection request (ICR) by selecting “Department of Education” under “Currently Under Review,” then

check the “Only Show ICR for Public Comment” checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the “View Information Collection (IC) List” link. Supporting statements and other supporting documentation may be found by clicking on the “View Supporting Statement and Other Documents” link.

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact Jennifer Simpson, 202–245–6042.

**SUPPLEMENTARY INFORMATION:** The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* Annual State Application Under Part B of the Individuals with Disabilities Act as Amended in 2004.

*OMB Control Number:* 1820–0030.

*Type of Review:* An extension without change of a currently approved ICR.

*Respondents/Affected Public:* State, Local, and Tribal Governments.

*Total Estimated Number of Annual Responses:* 60.

*Total Estimated Number of Annual Burden Hours:* 2,340.

*Abstract:* The Individuals with Disabilities Education Act, signed on December 3, 2004, became Public Law 108–446. In accordance with 20 U.S.C. 1412(a) a State is eligible for assistance under Part B for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets each of the conditions found in 20 U.S.C. 1412. Information Collection 1820–0030 is being extended so that a State can provide assurances that it either has or does not have in effect policies and procedures to meet the eligibility requirements of Part B of the Act as found in Public Law 108–446. Information Collection 1820–0030 corresponds with 34 CFR 300.100–176; 300.199; 300.640–645; 300.646–647 and

300.705. These sections include the requirement that the Secretary and local educational agencies located in the State be notified of any State-imposed rule, regulation, or policy that is not required by this title and Federal regulations.

In addition, Information Collection 1820–0300 is being updated to make a nonsubstantive change to the application template to address a statement that is referenced in two places in the application document. The statement appears under Section II.C. (Certifications), item number two and is also referenced under Section II.D (Statement). This statement pertains to a provision, under the Education Department General Administrative Regulations (EDGAR) at 34 CFR 76.104, relating to State eligibility, authority and approval to submit and carry out the provisions of its State application, and consistency of that application with State law are in place within the State. The purpose of the nonsubstantive change is to remove the statement from under Section II.C. (Certifications) in order to eliminate the duplication of the statement within the application template.

Dated: December 16, 2022.

**Juliana Pearson,**

*PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation and Policy Development.*

[FR Doc. 2022–27709 Filed 12–20–22; 8:45 am]

BILLING CODE 4000–01–P

## DEPARTMENT OF EDUCATION

### List of Federal Education Assistance for Proprietary Institutions of Higher Education To Include as Federal Revenue

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

**ACTION:** Notice.

**SUMMARY:** This notice lists the Federal education assistance funds for qualifying students that proprietary institutions of higher education must include as Federal revenue in their non-Federal revenue calculation (known as “90/10”).

**DATES:** Institutions must include these Federal education funds in their 90/10 calculations for fiscal years beginning on or after January 1, 2023.

**FOR FURTHER INFORMATION CONTACT:** Ashley Clark, U.S. Department of Education, 400 Maryland Avenue SW, Room 2C185, Washington, DC 20202. Telephone: (202) 453–7977. Email: [Ashley.Clark@ed.gov](mailto:Ashley.Clark@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:* On October 28, 2022, the Department published final regulations amending 34 CFR 668.28, “Non-Federal Education Assistance Funds (90/10).”<sup>1</sup> The final regulations implemented amendments to sections 487(a) and (d) of the Higher Education Act of 1965, as amended (HEA), made by the American Rescue Plan Act of 2021 (ARP).<sup>2</sup> Sections 487(a) and (d) govern how proprietary institutions of higher education (“institutions”) must calculate their non-Federal revenue percentage (e.g., the 90/10 calculation).<sup>3</sup> Per section 487(a) of the HEA, institutions must derive not less than 10 percent of their revenue from sources other than Federal education assistance funds that are disbursed or delivered to or on behalf of a student to attend the institution. The statutory change requires that institutions count all Federal education assistance funds as Federal revenue in their 90/10 calculation for fiscal years beginning on or after January 1, 2023. Regulations at 34 CFR 668.28 identify the types of funds that institutions must treat as Federal and non-Federal revenue. 34 CFR 668.28(a)(1)(i) provides that the Secretary will identify Federal education assistance funds, by agency, to assist proprietary institutions in complying with the 90/10 requirement. The Department is publishing this notice in the **Federal Register** in accordance with § 668.28(a)(1)(i), and we will publish updates to this list for subsequent fiscal years as needed.

*List of Federal education assistance funds:* The Department surveyed Federal agencies to compile this list of Federal education assistance funds. In accordance with the definition of Federal education assistance funds in § 668.28, this list includes Federal funds that may be disbursed directly to an institution; disbursed to a student for purposes of paying tuition, fees, or other institutional charges; or comingled with non-Federal funds in a disbursement made by a non-Federal public agency, regardless of whether proprietary institutions are currently eligible. Information obtained by the Department indicated that most education assistance funds are disbursed directly to an institution for specific students, and, therefore, the institution should be aware of and able to account for these

funds. For the programs that disburse Federal funds directly to students, institutions are expected to determine if any students making payments to the institution are receiving Federal education funds from the listed sources and use that information to accurately calculate the percentage of their revenue derived from non-Federal sources.<sup>4</sup>

The statute requires institutions to include all Federal education assistance funds in their 90/10 calculation. If an institution is aware of Federal education assistance funds not included on this list that were provided either to the institution or directly to a student to cover tuition and fees or other institutional charges, the institution must obtain the necessary information to account for those funds in its 90/10 revenue calculation. If Federal education assistance funds are comingled with other types of aid and the institution cannot determine what portion of the funds are from a Federal entity, the funds should not be included in either the numerator or denominator of the revenue calculation. Institutions should document for their records how they determine whether students are receiving federal education assistance from these programs.

Note that the following list of sources of Federal education funds is in addition to title IV, HEA program funds, which existing regulations already require institutions to include in the 90/10 calculation.

*Department of Agriculture:*

- National Institute of Food and Agriculture (NIFA): Agriculture and Food Research Initiative Predoctoral Fellowships

*Department of Commerce:*

- Hollings Scholarship Program
- National Oceanic and Atmospheric Administration (NOAA) Educational Partnership Program with Minority Serving Institutions, Cooperative

Science Centers Direct Student Support

- NOAA Educational Partnership Program with Minority Serving Institutions, Graduate Fellowship Program
  - NOAA Educational Partnership Program with Minority Serving Institutions, Undergraduate Scholarship Program
- Department of Defense:*
- Advanced Civil Schooling
  - Army/Navy/Air Force Health Professions Scholarship Program
  - Civilian Career Program/Civilian Tuition Assistance
  - Credentialing Assistance
  - Military Spouse Career Advancement Account (MyCAA)
  - Military Tuition Assistance
  - Navy Advanced Education Voucher Program
  - Navy Graduate Education Voucher
  - Navy Seaman to Admiral
  - Reserve Officers’ Training Corps (ROTC) Scholarships

*Department of Education:*

- Leadership Consortia in Sensory Disabilities and Disabilities Associated with Intensive Service Needs
- Perkins V (including the Native American Career and Technical Education Program and the Native Hawaiian Career and Technical Education Program)
- Personnel Preparation in Special Education, Early Intervention, and Related Services for Personnel Serving Children with Disabilities
- Preparation of Special Education, Early Intervention, and Related Services Leadership Personnel
- Statewide Models for Ensuring That Special Education Students in Inclusive Schools are Served by Highly Qualified Teachers
- Workforce Investment Opportunity Act (WIOA) Title II (Adult Education and Family Literacy Act)

*Department of Health and Human Services:*

- Addiction Medicine Fellowship Program (AMF)
- Advanced Nursing Education; Nurse Practitioner Residency Integration Program (ANE–NPRIP)
- Advanced Nursing Education; Nurse Practitioner Residency Program (ANE–NPR)
- Advanced Nursing Education Workforce (ANEW)
- Behavioral Health Workforce Education and Training Program for Paraprofessionals (BHWET)
- Behavioral Health Workforce Education and Training Program for Professionals (BHWET)
- Chafee Education and Training Vouchers

<sup>4</sup> See 87 FR at 65446 (“For purposes of 90/10, we understand that proprietary institutions need a basis to calculate the Federal funds disbursed directly to its students. The Department considers a certification from an agency describing the Federal funds that a student received as a sufficient basis for this calculation. In cases where an agency does not provide this information to an institution, we will evaluate on a case-by-case basis whether the institution made a good-faith effort to obtain this information, including if a student certifies that they received Federal funds and the amount of funds received.”). See also 87 FR at 65451–52 (“Although institutions must exclude funds for which they cannot determine the breakdown, we expect institutions to attempt to determine the Federal and non-Federal breakdown of grant funds. The Department would evaluate whether the institution sufficiently attempted to determine the Federal and non-Federal components of grant funds on a case-by-case basis . . . when the institution is unable to obtain this breakdown.”)

<sup>1</sup> 87 FR 65426.

<sup>2</sup> Public Law 117–2.

<sup>3</sup> Public Law 110–315, as amended.

- Children's Hospitals Graduate Medical Education Program (CHGME)
  - Dental Faculty Loan Repayment Program (DFLRP)
  - Geriatric Workforce Enhancement Program (GWEP)
  - Graduate Psychology Education Program (GPE)
  - Health Careers Opportunity Program (HCOP)
  - Indian Health Professions (IHS) Section 103 Scholarships
  - IHS Section 104 Scholarships
  - Indian Health Service
  - Indians Into Medicine
  - Integrated Substance Use Disorder Training Program (ISTP)
  - Medical Student Education (MSE)
  - Native Hawaiian Health Scholarship Program (NHHSP)
  - National Health Service Corps Scholarship Program (NHSC SP)
  - Non-National Research Service Award Predoctoral Fellowships
  - Nurse Anesthetist Traineeship (NAT)
  - Nurse Corps Scholarship Program
  - Nurse Education, Practice, Quality and Retention; Registered Nurses in Primary Care (NEPQR-RNPC)
  - Nurse Education, Practice, Quality and Retention; Veteran Nurses in Primary Care Training Program (VNPC)
  - Nursing Workforce Diversity (NWD)
  - Nursing Workforce Diversity; Eldercare Enhancement (NWD-E2)
  - Oral Health Training: Predoctoral Training in General, Pediatric and Public Health Dentistry
  - Primary Care Training and Enhancement; Physician Assistant Rural Training Program (PCTE-PAT)
  - Public Health Training Centers (PHTC)
  - Non-National Research Service Award Training Grants
  - Opioid-Impacted Family Support Program (OIFSP)
  - Preventative Medicine Residency Program (PMR)
  - Public Health Scholarship Program (PHSP)
  - Scholarships for Disadvantaged Students (SDS)
  - Ruth L. Kirschstein National Research Service Award Institutional Research Training Grants
  - Ruth L. Kirschstein National Research Service Award Predoctoral Fellowships
  - Temporary Assistance to Needy Families
- Department of Labor:*
- H-1B Skills Training Grants
  - Reentry Employment Opportunities
  - Strengthening Community Colleges
  - Trade Adjustment Assistance
  - WIOA Title I (Adult, Dislocated Worker, and Youth)

- YouthBuild
- Department of Transportation:*
- Federal Highway Administration; Dwight David Eisenhower Transportation Fellowship Program (DDETFP)
  - Maritime Administration; Direct Payments State Maritime Academies (SMA)
  - Maritime Administration; Student Incentive Program
  - Maritime Administration; United States Merchant Marine Academy
- Department of Veterans Affairs:*
- All-Volunteer Force Educational Assistance (also known as Montgomery GI Bill; Active Duty)
  - Marine Gunnery Sergeant John David Fry Scholarship
  - Montgomery GI Bill Selected Reserve; Reserve Educational Assistance Program
  - National Call to Service Program
  - Post-9/11 Veterans Educational Assistance (also known as Post-9/11 GI Bill)
    - Post-Vietnam Era Veterans' Educational Assistance Program
      - Survivors and Dependents Educational Assistance
      - Veteran Employment Through Technology Education Courses (VET TEC)
        - Veteran Rapid Retraining Assistance Program
        - Veteran Readiness and Employment (formerly Vocational Rehabilitation)
- Nuclear Regulatory Commission:*
- University Nuclear Leadership Program

*Accessible Format:* On request to the person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotope, or compact disc, or other accessible format.

*Electronic Access to This Document:* The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at [www.govinfo.gov](http://www.govinfo.gov). At this site you can view this document, as well as all other Department documents 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](http://www.federalregister.gov).

Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Nasser H. Paydar,**

*Assistant Secretary, Office of Postsecondary Education.*

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**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

*Docket Numbers:* EG23-30-000.

*Applicants:* Chesapeake Solar Project, LLC.

*Description:* Chesapeake Solar Project, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

*Filed Date:* 12/14/22.

*Accession Number:* 20221214-5204.

*Comment Date:* 5 p.m. ET 1/4/23.

*Docket Numbers:* EG23-31-000.

*Applicants:* East Point Energy Center, LLC.

*Description:* Notice of Self-Certification of Exempt Wholesale Generator Status of East Point Energy Center, LLC.

*Filed Date:* 12/14/22.

*Accession Number:* 20221214-5209.

*Comment Date:* 5 p.m. ET 1/4/23.

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER18-2358-000.

*Applicants:* GridLiance High Plains LLC, Southwest Power Pool, Inc.

*Description:* Refund Report: Southwest Power Pool, Inc. submits tariff filing per 35.19a(b); GridLiance—Second Refund Report in Response to Order issued in ER18-2358 to be effective N/A.

*Filed Date:* 12/15/22.

*Accession Number:* 20221215-5003.

*Comment Date:* 5 p.m. ET 1/5/23.

*Docket Numbers:* ER22-1839-000.

*Applicants:* Panther Creek Power Operating, LLC.

*Description:* Refund Report: Refund Report to be effective N/A.

*Filed Date:* 12/15/22.

*Accession Number:* 20221215-5015.

*Comment Date:* 5 p.m. ET 1/5/23.

*Docket Numbers:* ER22-1850-001.

*Applicants:* ISO New England Inc., The United Illuminating Company.

*Description:* Compliance filing; ISO New England Inc. submits tariff filing