

children's readiness for school, parents' perceptions of school safety and discipline, before- and after-school activities of school-age children, participation in adult and career education, parents' involvement in their children's education, school choice, homeschooling, and civic involvement. NHES surveys were conducted approximately every other year from 1991 through 2007 using random digit dial (RDD) sampling and telephone data collection from landline telephones only. Due to declining response rates in all RDD surveys, NCES redesigned NHES to collect data through self-administered mailed questionnaires for the 2012 administration, which included the Early Childhood Program Participation (ECPP), the Parent and Family Involvement in Education-Enrolled (PFI-E), and the Parent and Family Involvement in Education-Homeschooled (PFI-H) topical surveys. NHES:2016 continued the mail-based collection methodology, while also experimenting with the use of web survey collection. NHES:2019 continued the mail-based collection methodology and used the same methodology developed in the NHES:2016 web experiment for the majority of the sampled addresses. In 2019, 57 percent of cases responded by web, 36 by paper, and 7 percent by inbound phone. Also in 2019, PFI surveys for parents of enrolled and homeschooled students were merged into one survey instrument. NHES:2023 will again field the ECPP and the combined PFI survey used in the NHES:2019. NHES:2023 will use the same methodology developed in the NHES:2019 for the majority of sampled addresses, but will incorporate lessons learned from NHES:2019's methodological experiments. Furthermore, given the potential change in the education landscape since COVID-19, particularly for online coursework, NCES plans to conduct a debriefing project with respondents during the NHES:2023 administration. The goal of the study is to gain greater insight about respondents who indicate that their child was enrolled in online courses. The debriefing interviews are designed to understand the true schooling experiences of these children and how well the survey functioned in capturing the context of these children's virtual education experiences. The debriefing interviews will provide information that will assist NCES in understanding the NHES:2023 data on virtual education and in crafting items for future NHES administrations that will more accurately capture the details of virtual education.

Dated: April 26, 2022.

**Stephanie Valentine,**

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

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**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

### Applications for New Awards; Centers of Excellence for Veteran Student Success Program

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

**ACTION:** Notice.

**SUMMARY:** The Department of Education (Department) is issuing a notice inviting applications for new awards for fiscal year (FY) 2022 for the Centers of Excellence for Veteran Student Success (CEVSS) Program, Assistance Listing Number 84.116G. This notice relates to the approved information collection under OMB control number 1894-0006.

**DATES:**

*Applications Available:* May 2, 2022.

*Deadline for Transmittal of*

*Applications:* June 16, 2022.

*Deadline for Intergovernmental Review:* August 15, 2022.

**ADDRESSES:** For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on December 27, 2021, (86 FR 73264), and available at: [www.federalregister.gov/d/2021-27979](http://www.federalregister.gov/d/2021-27979). Please note that these Common Instructions supersede the version published on February 13, 2019, and, in part, describe the transition from the requirement to register in *SAM.gov* a Data Universal Numbering System (DUNS) number to the implementation of the Unique Entity Identifier (UEI). More information on the phase-out of DUNS numbers is available at <https://www2.ed.gov/about/offices/list/fof/docs/unique-entity-identifier-transition-fact-sheet.pdf>.

**FOR FURTHER INFORMATION CONTACT:**

Kelly Harris, U.S. Department of Education, 400 Maryland Avenue SW, Room 2B207, Washington, DC 20202. Telephone: (202) 453-7346. Email: [Kelly.Harris@ed.gov](mailto:Kelly.Harris@ed.gov).

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

## SUPPLEMENTARY INFORMATION:

### Full Text of Announcement

#### I. Funding Opportunity Description

*Purpose of Program:* The purpose of this program is to encourage institutions of higher education (IHEs) to develop model programs to support veteran student success in postsecondary education by coordinating services to address the academic, financial, physical, and social needs of veteran students.

*Priorities:* This notice contains one absolute priority and two competitive preference priorities. In accordance with 34 CFR 75.105(b)(2)(v), the absolute priority is from the activities specified in section 873 of the Higher Education Act of 1965, as amended (HEA), and the competitive preference priorities are from the Secretary's Supplemental Priorities and Definitions for Discretionary Grant Programs, published in the **Federal Register** on December 10, 2021 (86 FR 70612) (Supplemental Priorities).

*Absolute Priority:* For FY 2022 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we consider only applications that meet this priority.

This priority is:

Projects that include the following required activities:

(a) Establishing a Center of Excellence for Veteran Student Success on the campus of the institution to provide a single point of contact to coordinate comprehensive support services for veteran students;

(b) Establishing a veteran student support team, including representatives from the offices of the institution responsible for admissions, registration, financial aid, veterans' benefits, academic advising, student health, personal or mental health counseling, career advising, disabilities services, and any other office of the institution that provides support to veteran students on campus;

(c) Providing a coordinator whose primary responsibility is to coordinate the model program;

(d) Monitoring the rates of veteran student enrollment, persistence, and completion; and

(e) Developing a plan to sustain the Center of Excellence for Veteran Student Success after the grant period.

*Competitive Preference Priorities:* For FY 2022 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are

competitive preference priorities. Under 34 CFR 75.105(c)(2)(i), we award up to an additional 10 points to an applicant, depending on how well the application meets these priorities. Applicants may address one, both, or neither of the competitive priorities.

These priorities are:

**Competitive Preference Priority 1: Meeting Student Social, Emotional, and Academic Needs** (Up to 5 points).

Projects that are designed to improve students' social, emotional, academic, and career development, with a focus on underserved students, through developing and supporting educator and school capacity to support social and emotional learning and development that is trauma-informed, such as addressing exposure to community-based violence and trauma specific to military- or veteran-connected students (as defined in this notice).

**Competitive Preference Priority 2: Promoting Equity in Student Access to Educational Resources and Opportunities** (Up to 5 points).

Under this priority, an applicant must demonstrate that the project will be implemented by one of the following entities:

(1) Community colleges (as defined in this notice);

(2) Historically Black colleges and universities (as defined in this notice);

(3) Tribal Colleges and Universities (as defined in this notice); or

(4) Minority-serving institutions (as defined in this notice).

**Definitions:** The definitions of "demonstrates a rationale" and "evidence-based" are from 34 CFR 77.1 and the definitions of "community college," "Historically Black colleges and universities," "military- or veteran-connected student," "minority-serving institution" and "Tribal College or University" are from the Supplemental Priorities.

**Community college** means "junior or community college" as defined in section 312(f) of the HEA.

**Demonstrates a rationale** means a key project component included in the project's logic model is informed by research or evaluation findings that suggest the project component is likely to improve relevant outcomes.

**Evidence-based** means the proposed project component is supported by evidence that demonstrates a rationale. Logic model (also referred to as theory of action) means a framework that identifies key components of the proposed project, product (*i.e.*, the active "ingredients" that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational

relationships among the key project components and relevant outcomes.

**Note:** In developing logic models, applicants may want to use resources such as the Regional Educational Laboratory Program's (REL Pacific) Education Logic Model Application, available at <https://ies.ed.gov/ncee/edlabs/regions/pacific/elm.asp>. Other sources include: [https://ies.ed.gov/ncee/edlabs/regions/pacific/pdf/REL\\_2014025.pdf](https://ies.ed.gov/ncee/edlabs/regions/pacific/pdf/REL_2014025.pdf), [https://ies.ed.gov/ncee/edlabs/regions/pacific/pdf/REL\\_2014007.pdf](https://ies.ed.gov/ncee/edlabs/regions/pacific/pdf/REL_2014007.pdf), and [https://ies.ed.gov/ncee/edlabs/regions/northeast/pdf/REL\\_2015057.pdf](https://ies.ed.gov/ncee/edlabs/regions/northeast/pdf/REL_2015057.pdf).

**Historically Black colleges and universities** means colleges and universities that meet the criteria set out in 34 CFR 608.2.

**Military- or veteran-connected student** means a student who is a member of the uniformed services, a veteran of the uniformed services, or the spouse of a service member or veteran.

**Minority-serving institution** means an institution that is eligible to receive assistance under sections 316 through 320 of part A of title III, under part B of title III, or under title V of the HEA.

**Tribal College or University** has the meaning ascribed it in section 316(b)(3) of the HEA.

**Program Authority:** 20 U.S.C. 1161t; 20 U.S.C. 1138–1138d; and the Consolidated Appropriations Act, 2022 (Pub. L. 117–103).

**Note:** Projects will be awarded and must be operated in a manner consistent with the nondiscrimination requirements contained in Federal civil rights laws.

**Applicable Regulations:** (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The Supplemental Priorities.

## II. Award Information

**Type of Award:** Discretionary grants.  
**Estimated Available Funds:** \$8,415,000.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in subsequent years from the list of

unfunded applications from this competition.

**Estimated Range of Awards:** \$550,000 to \$601,071 for up to 36 months.

**Estimated Average Size of Awards:** \$525,000 for up to 36 months.

**Maximum Award:** We will not make an award exceeding \$601,071 for a 36-month period.

**Estimated Number of Awards:** 16.

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

**Project Period:** Up to 36 months.

## III. Eligibility Information

1. **Eligible Applicants:** IHEs and consortia of IHEs.

2. a. **Cost Sharing or Matching:** This program does not require cost sharing or matching.

b. **Administrative Cost Limitation:** This program does not include any program-specific limitation on administrative expenses. All administrative expenses must be reasonable and necessary and conform to Cost Principles described in 2 CFR part 200 subpart E of the Uniform Guidance.

3. **Subgrantees:** A grantee under this competition may not award subgrants to entities to directly carry out project activities described in its application.

## IV. Application and Submission Information

1. **Application Submission Instructions:** Applicants are required to follow the Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on December 27, 2021 (86 FR 73264), and available at [www.federalregister.gov/d/2021-27979](http://www.federalregister.gov/d/2021-27979), which contain requirements and information on how to submit an application. Please note that these Common Instructions supersede the version published on February 13, 2019, and, in part, describe the transition from the requirement to register in *SAM.gov* a DUNS number to the implementation of the UEI. More information on the phaseout of DUNS numbers is available at <https://www2.ed.gov/about/offices/list/fofo/docs/unique-entity-identifier-transition-fact-sheet.pdf>.

2. **Intergovernmental Review:** This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this program.

3. **Funding Restrictions:** We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

4. *Recommended Page Limit*: The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 50 pages and (2) use the following standards:

- A “page” is 8.5” x 11”, on one side only, with 1” margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions as well as all text in charts, tables, figures, and graphs.

- Use a font that is either 12 point or larger, and no smaller than 10 pitch (characters per inch).

- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the one-page abstract and the bibliography. However, the recommended page limit does apply to all of the application narrative.

*Note*: The Budget Information-Non-Construction Programs Form (ED 524) Sections A–C are not the same as the narrative response to the Budget section of the selection criteria.

## V. Application Review Information

1. *Selection Criteria*: The selection criteria for this competition are from 34 CFR 75.210. Applicants should address each of the following selection criteria separately for each proposed activity. The selection criteria are worth a total of 100 points, and applications may receive up to 10 additional points under the competitive preference priorities, for a total score of up to 110 points. The maximum score for each criterion is noted in parentheses.

(a) *Need for project*. (Up to 10 points) The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers:

(1) The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project.

(2) The extent to which the proposed project will provide services or otherwise address the needs of students at risk of educational failure.

(3) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the

nature and magnitude of those gaps or weaknesses.

(b) *Significance*. (Up to 10 points) The Secretary considers the significance of the proposed project. In determining the significance of the proposed project, the Secretary considers:

(1) The extent to which the proposed project is likely to build local capacity to provide, improve, or expand services that address the needs of the target population.

(2) The importance or magnitude of the results or outcomes likely to be attained by the proposed project.

(c) *Quality of the project design*. (Up to 30 points) The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers:

(1) The extent to which the proposed project demonstrates a rationale (as defined in this notice).

(2) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

(3) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs.

(4) The extent to which the proposed project is designed to build capacity and yield results that will extend beyond the period of Federal financial assistance.

(d) *Quality of project personnel*. (Up to 15 points) The Secretary considers the quality of the personnel who will carry out the proposed project.

(1) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(2) In addition, the Secretary considers:

(i) The qualifications, including relevant training and experience, of the project director or principal investigator.

(ii) The qualifications, including relevant training and experience, of key project personnel.

*Note*: As stated in the absolute priority for this competition, a proposed Center of Excellence for Veteran Student Success must have a coordinator whose primary responsibility is to coordinate the model program. In response to this selection criterion, the application should describe the qualifications of this individual, the members of the veteran student support team described

in the absolute priority, and any other individuals who will help carry out the proposed project. The grant project director may or may not be the coordinator of the Center of Excellence for Veteran Student Success. Applicants should consider emphasizing how the training and experience of veteran employees staffing the project, if applicable, will support the goals of the project.

(e) *Adequacy of resources*. (Up to 20 points) The Secretary considers the adequacy of resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers:

(1) The adequacy of support, including facilities, equipment, supplies, and other resources, from the applicant organization or the lead applicant organization.

(2) The extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits.

(3) The potential for continued support of the project after Federal funding ends, including, as appropriate, the demonstrated commitment of appropriate entities to such support.

*Note*: A budget summary and budget narrative attached to your proposal should itemize the support you are requesting through the CEVSS Program.

(f) *Quality of the project evaluation*. (Up to 15 points) The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers:

(1) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.

(2) The extent to which the methods of evaluation provide for examining the effectiveness of the project implementation strategies.

(3) The extent to which the methods of evaluation will provide timely guidance for quality assurance.

2. *Review and Selection Process*: We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant’s use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires

various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

A panel of two non-Federal reviewers will review and score each application in accordance with the selection criteria. A rank order funding slate will be made from this review. Awards will be made in rank order according to the average score received from the peer review and from the competitive preference priorities addressed by the applicant.

If the Secretary has insufficient funding to award multiple applications with the same score, consistent with section 873(d)(2)(A) and (B) of the HEA, in making a selection, the Secretary will consider the number of veteran students enrolled at each IHE and award funding to the applicant(s) with the highest number of enrolled veteran students. If a tie still exists after applying the first tiebreaker, the Secretary will consider the need for model programs to address the needs of veteran students at a wide range of IHEs, including the need to provide (i) an equitable distribution of such grants to IHEs of various types and sizes; (ii) an equitable geographic distribution of such grants; and (iii) an equitable distribution of such grants among rural and urban areas.

**3. Risk Assessment and Specific Conditions:** Consistent with 2 CFR 200.206, before awarding grants under this program the Department conducts a review of the risks posed by applicants. Under 2 CFR 200.208, the Secretary may impose specific conditions and, under 2 CFR 3473.10, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

**4. Integrity and Performance System:** If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$250,000), under 2 CFR 200.206(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity

Information System (FAPIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

**5. In General:** In accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Department will review and consider applications for funding pursuant to this notice inviting applications in accordance with:

(a) Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR 200.205);

(b) Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. 115—232) (2 CFR 200.216);

(c) Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR 200.322); and

(d) Terminating agreements in whole or in part to the greatest extent authorized by law if an award no longer effectuates the program goals or agency priorities (2 CFR 200.340).

## VI. Award Administration Information

**1. Award Notices:** If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

**2. Administrative and National Policy Requirements:** We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

**3. Open Licensing Requirements:** Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

**4. Reporting:** (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to [www.ed.gov/fund/grant/apply/appforms/appforms.html](http://www.ed.gov/fund/grant/apply/appforms/appforms.html).

**5. Performance Measures:** Under 34 CFR 75.110, the Secretary has established the following performance measures for the CEVSS Program: (1) The extent to which the project is institutionalized at the end of the project period; and (2) The extent to which funded projects increase enrollment, persistence, and completion rates of veteran students at their institutions.

These measures constitute the Department's indicators of success for this program. Consequently, we advise an applicant for a grant under this program to give careful consideration to these measures in conceptualizing the approach and evaluation for its proposed project.

If funded, you will be required to collect and report data in your project's annual performance report (34 CFR 75.590).

## VII. Other Information

**Accessible Format:** On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document and a copy of the application package 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, audiotape, 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 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](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Michelle Asha Cooper,**

*Acting Assistant Secretary for the Office of Postsecondary Education.*

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BILLING CODE 4000-01-P

## DEPARTMENT OF ENERGY

### Instructions for Requesting an Exception From the Secretary of Energy Under Presidential Proclamation Relating to the Regulation of the Anchorage and Movement of Russian-Affiliated Vessels to United States Ports

**AGENCY:** Office of Nuclear Energy, Department of Energy (DOE).

**ACTION:** Notice.

**SUMMARY:** Per Proclamation 10371, “Declaration of National Emergency and Invocation of Emergency Authority Relating to the Regulation of the Anchorage and Movement of Russian-Affiliated Vessels to United States Ports” (“the Proclamation”), DOE is providing instructions for requesting an exception from the Secretary of Energy to the prohibition set forth in the Proclamation.

**FOR FURTHER INFORMATION CONTACT:** Mr. John Krohn, Office of Nuclear Energy, Department of Energy, Phone: (202) 586-7246, Email: [shipmentwaiver@nuclear.energy.gov](mailto:shipmentwaiver@nuclear.energy.gov).

**SUPPLEMENTARY INFORMATION:** The policies and actions of the Government of the Russian Federation to continue the premeditated, unjustified, unprovoked, and brutal war against Ukraine constitute a national emergency by reason of a disturbance or threatened disturbance of international relations of the United States. In order to address this national emergency and secure the observance of the rights and obligations of the United States, President Biden, by his authority under the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 *et seq.*) and section 1 of title II of Public Law 65-24, ch. 30, June 15, 1917, as amended (Magnuson Act) (46 U.S.C. 70051), has authorized the Secretary of Homeland Security to make and issue such rules and regulations as appropriate to regulate the anchorage and movement of Russian-affiliated vessels, and delegated to the Secretary of Homeland Security the authority to approve such rules and regulations, as authorized by the Magnuson Act.

### Prohibition

Pursuant to the Proclamation, Russian-affiliated vessels are prohibited from entering into United States ports effective April 28, 2022, subject to two limited exceptions. One such exception (Sec. 2(a) of the Proclamation) applies to Russian-affiliated vessels used in the transport of source material, special nuclear material (SNM), and byproduct material for which, and for such time as, the Secretary of Energy, in consultation with the Secretaries of State and Commerce, determines that there is no viable source of supply available that would not require transport by Russian-affiliated vessels.

### Application for Secretarial Determination

This notice sets forth the instructions to request an exception pursuant to

Section 2(a) of the prohibition set forth in Section 1 of Proclamation 10371.

1. Applicants requesting a determination from the Secretary of Energy for a Section 2(a) exception to the Section 1 prohibition should submit their request to John Krohn, Office of Nuclear Energy, Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, phone: 202-586-7246 email: [shipmentwaiver@nuclear.energy.gov](mailto:shipmentwaiver@nuclear.energy.gov). It is recommended that requests be submitted electronically via email.

2. The request should contain the following information:

Name, address, and contact information of Applicant.

a. Date of anticipated entry into a U.S. port.

b. Description of the source material, special nuclear material, or nuclear byproduct material, including name and contact information of end-user, end use of material, and location of end use if different from the Applicant.

c. Explanation of why there is no viable source of supply of such material(s), which is either available domestically or does not require transport on a Russian-affiliated vessel.

d. Impact if material(s) requested cannot enter the United States on a Russian-affiliated vessel.

e. Any other information that could assist the Secretary of Energy in making this determination.

3. Confidential Business Information. Pursuant to 10 CFR 1004.11, any person submitting information that he or she believes to be confidential and exempt by law from public disclosure should submit via email two well-marked copies: One copy of the document marked confidential including all the information believed to be confidential, and one copy of the document marked non-confidential with the information believed to be confidential deleted. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

### Definitions

Pursuant to Section 3 of Proclamation 10371, the term “Russian-affiliated vessels” means:

(i) Vessels of Russian registry (*i.e.*, the vessel is Russian flagged);

(ii) Vessels that are Russian owned (*i.e.*, the legal title of ownership of the vessel that appears on the ship's registration documents is the Government of the Russian Federation or a Russian company, citizen, or permanent resident); or

(iii) Vessels that are Russian operated (*i.e.*, a Russian company, citizen, or