

### Performance and Program Evaluation

Recipients and subrecipients are also encouraged to incorporate program evaluation, including associated data collection activities from the outset of their program design and implementation, to meaningfully document and measure their progress towards meeting an agency priority goal(s). Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Public Law 115–435 (2019) urges Federal awarding agencies and Federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.” 5 U.S.C. 311. Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A–11, Part 6 Section 290).

For grant recipients receiving an award, evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such costs may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation. (2 CFR part 200).

### 3. Reporting

#### a. Progress Reporting on Grant Activity

Each applicant selected for a grant will be required to comply with all standard FRA reporting requirements, including quarterly progress reports, quarterly Federal financial reports, and interim and final performance reports, as well as all applicable auditing, monitoring and close out requirements. Reports may be submitted electronically. Pursuant to 2 CFR 170.210, non-Federal entities applying under this NOFO must have the necessary processes and systems in place to comply with the reporting requirements should they receive Federal funding.

#### b. Additional Reporting

Applicants selected for funding are required to comply with all reporting requirements in the standard terms and conditions for FRA grant awards including 2 CFR 180.335 and 2 CFR 180.350.

If the Federal share of any Federal award under this NOFO may include

more than \$500,000 over the period of performance, applicants are informed of the post award reporting requirements reflected in—Award Term and Condition for Recipient Integrity and Performance Matters.

#### c. Performance Reporting

Each applicant selected for funding must collect information and report on the project’s performance using measures mutually agreed upon by FRA and the grantee to assess progress in achieving strategic goals and objectives.

#### H. Federal Awarding Agency Contacts

For further information related to this notice, please contact Douglas Gascon, Office of Policy and Planning, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W38–212, Washington, DC 20590; [douglas.gascon@dot.gov](mailto:douglas.gascon@dot.gov); 202–493–0239.

#### I. Other Information

All information submitted as part of or in support of any application shall use publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards, to the extent possible. If the application includes information the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) Note on the front cover that the submission “Contains Confidential Business Information (CBI)”; (2) mark each affected page “CBI”; and (3) highlight or otherwise denote the CBI portions.

The DOT regulations implementing the Freedom of Information Act (FOIA) are found at 49 CFR part 7 Subpart C—Availability of Reasonably Described Records under the Freedom of Information Act and sets forth rules for FRA to make requested materials, information and records publicly available under FOIA. Unless prohibited by law and to the extent permitted under the FOIA, contents of application and proposals submitted by successful applicants may be released in response to FOIA requests.

In addition, following the completion of the selection process and announcement of awards consistent with 49 U.S.C 22909(i), FRA will post online a list of all eligible applicants submitting an application, a list of all proposed projects and applicants that FRA determines are ineligible, and a list of the grant recipients that were selected to receive grant funding under the RCE Program on an annual basis. Except for information withheld under the previous paragraph, FRA may also make application narratives publicly available

or share application information within DOT or with other Federal agencies if FRA determines that sharing is relevant to the respective program’s objectives.

Issued in Washington, DC.

**Amitabha Bose,**

*Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2022–0052]

#### Advisory Committee on Underride Protection

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Solicitation of nominations for appointment to the advisory committee on Underride Protection (ACUP).

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**SUMMARY:** NHTSA is soliciting applications for appointment to the U.S. Department of Transportation’s (DOT) ACUP. The purpose of ACUP is to provide advice and recommendations to the Secretary of Transportation on safety regulations to reduce underride crashes and fatalities relating to underride crashes.

**DATES:** Applications for membership must be received by NHTSA on or before 5 p.m. EST, August 5, 2022.

**ADDRESSES:** If you wish to apply for membership, your application should be submitted to:

- *Email:* [ACUP@dot.gov](mailto:ACUP@dot.gov).
- *Mail:* Use only overnight mail and

*send to:* U.S. Department of Transportation, National Highway Traffic Safety Administration, Office of Rulemaking, Attn: ACUP, 1200 New Jersey Avenue SE, NRM–130, Washington, DC 20590.

The ACUP charter can be found in the docket to this notice.

**FOR FURTHER INFORMATION CONTACT:** James Myers, Chief, Special Vehicles and Systems Division, Office of Rulemaking, National Highway Traffic Safety Administration, U.S. Department of Transportation, [James.Myers@dot.gov](mailto:James.Myers@dot.gov) or 202–493–0031. Any committee related questions should be sent to the person listed in this section.

#### SUPPLEMENTARY INFORMATION:

##### Background

ACUP is established pursuant to Section 23011(d) of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act,

Public Law 117–58, which requires the creation of an advisory committee on override protection, and in accordance with the Federal Advisory Committee Act, 5 U.S.C. app. 2. ACUP provides information, advice, and recommendations to the Secretary of Transportation on safety regulations to reduce override crashes and fatalities relating to override crashes.

#### Description of Duties

The Committee shall act solely in an advisory capacity. Duties include the following:

- a. Gather information as necessary to discuss issues presented by the Designated Federal Officer (DFO).
- b. Deliberate on issues relevant to safety regulations related to override crashes and fatalities from override crashes.
- c. Provide written consensus advice to the Secretary on override protection to reduce override crashes and fatalities relating to override crashes.
- d. Submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a biennial report that—
  - i. describes the advice and recommendations made to the Secretary; and
  - ii. includes an assessment of progress made by the Secretary in advancing safety regulations relating to override crashes.

#### Membership

In accordance with BIL, ACUP will comprise not more than 20 members who are qualified to serve on the Committee because of their expertise, training, or experience. The Committee shall include two representatives from each of the following categories:

- Truck and trailer manufacturers.
- Motor carriers, including independent owner-operators.
- Law enforcement.
- Motor vehicle engineers.
- Motor vehicle crash investigators.
- Truck safety organizations.
- The insurance industry.
- Emergency medical service providers.
- Families of override crash victims.
- Labor organizations.

To ensure the recommendations of the Committee have considered the needs of diverse groups served by the Department, the membership of the Committee shall, to the extent practicable, include persons with lived experience and knowledge of the needs of underrepresented groups with regard to race, ethnicity, religion, disability,

sexual orientation, gender identity, and other factors.

The Secretary of Transportation shall appoint each member for the duration of the charter, which is 2 years, unless otherwise renewed in accordance with FACA. The Secretary may reappoint a member or terminate any member's tenure at his discretion. The Secretary may extend appointments and may appoint replacements for members who have resigned outside a stated term, as necessary. If a member's status as a representative of an identified category materially changes after appointment, the member's representative status will be terminated, unless certain requirements are met. These requirements include the following: (1) continued active involvement in the identified category, (2) the concurrence by the NHTSA Administrator with the representative's continued participation, (3) the member's continued participation is consistent with applicable statutory authorities and Presidential directives, and the (4) the member's continued participation is deemed essential for the fulfillment of the committee's mission.

ACUP members will not receive pay or other compensation from NHTSA for their ACUP service, but are entitled to reimbursement of their travel expenses, including per diem. The ACUP shall meet at least once a year.

#### Qualifications

Members will be selected for their expertise, training, or experience and their ability to represent one of the identified categories.

#### Materials To Submit

Qualified individuals interested in serving on the ACUP are invited to apply for appointment by submitting a resume or curriculum vitae along with letters of recommendation to one of the locations listed in the **ADDRESSES** section by the deadline listed in the **DATES** section. Please include your full legal name and date of birth in your application. Each applicant must identify the category that he or she seeks to represent. Nominations are open to all individuals without regard to race, color, religion, sex, national origin, age, mental or physical disability, marital status, or sexual orientation. Evaluations will be based on the materials submitted.

*Authority:* Issued under authority in 49 CFR 1.95 and 501.8.

#### Raymond R. Posten,

*Associate Administrator for Rulemaking.*

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**BILLING CODE 4910–59–P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Requesting Comments on Regulation Project

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning final regulations in Treasury Decision (TD) 8458 relating to real estate mortgage investment conduits.

**DATES:** Written comments should be received on or before September 6, 2022 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to [pra.comments@irs.gov](mailto:pra.comments@irs.gov). Include OMB Control No. 1545–1276 in the subject line of the message.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of this collection should be directed to Jon Callahan, (737) 800–7639, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at [jon.r.callahan@irs.gov](mailto:jon.r.callahan@irs.gov).

**SUPPLEMENTARY INFORMATION:** The IRS is currently seeking comments concerning the following information collection tools, reporting, and record-keeping requirements:

*Title:* Real Estate Mortgage Investment Conduits.

*OMB Number:* 1545–1276.

*Regulation Project:* TD 8458.

*Abstract:* Internal Revenue Code (IRC) section 860G provides definitions and special rules pertaining to real estate mortgage investment conduits (REMIC). IRC section 860E outlines the treatment of income in excess of daily accruals on residual interests and imposes an excise tax on the transfer of a residual interest in a REMIC to a disqualified organization. Treasury Regulations section 1.860E–2(a)(5) requires the REMIC to furnish, on request of the party responsible for the tax and to the Internal Revenue Service (IRS), information sufficient to compute the present value of the anticipated excess