

#### 4.1.2 CFPB Issued a Bulletin on Unfair Returned Deposited Item Fee Assessment Practices

As described above, on October 26, 2022, the CFPB issued a bulletin<sup>25</sup> stating that blanket policies of charging returned deposited item fees to consumers for all returned transactions irrespective of the circumstances or patterns of behavior on the account are likely unfair under the CFPB.

#### 4.1.3 CFPB Issued an Advisory Opinion on Debt Collectors Collection of Pay To Pay Fees

On June 29, 2022, the CFPB issued an advisory opinion<sup>26</sup> affirming that Federal law often prohibits debt collectors from charging “pay-to-pay” fees. These charges, commonly described by debt collectors as “convenience fees,” are imposed on consumers who want to make a payment in a particular way, such as online or by phone.

### 5. Remedial Actions

#### 5.1 USASF Servicing

On August 2, 2023, the CFPB filed a lawsuit in Federal court against auto loan servicer USASF Servicing, alleging USASF engaged in a host of illegal practices that harmed individuals with auto loans.<sup>27</sup> These alleged practices include wrongfully disabling borrowers' vehicles, wrongfully activating late payment warning tones, improperly repossessing vehicles, double-billing borrowers for insurance premiums, misallocating consumer payments, and failing to return millions of dollars in unearned GAP premiums to consumers. The CFPB is seeking redress for consumers, civil money penalties, and to stop any future violations.

#### Rohit Chopra,

Director, Consumer Financial Protection Bureau.

[FR Doc. 2023–22869 Filed 10–16–23; 8:45 am]

**BILLING CODE 4810-AM-P**

<sup>25</sup> Bulletin 2022–06: Unfair Returned Deposited Item Fee Assessment Practices, available at: [https://files.consumerfinance.gov/f/documents/cfpb\\_returned-deposited-item-fee-assessment-practice-compliance-bulletin\\_2022-10.pdf](https://files.consumerfinance.gov/f/documents/cfpb_returned-deposited-item-fee-assessment-practice-compliance-bulletin_2022-10.pdf).

<sup>26</sup> Advisory Opinion on Debt Collectors' Collection of Pay-to-Pay Fees, available at: <https://www.consumerfinance.gov/compliance/advisory-opinion-program/>.

<sup>27</sup> Consumer Financial Protection Bureau v. USASF Servicing, LLC. The complaint is available at: <https://www.consumerfinance.gov/about-us/newsroom/cfpb-sues-usasf-servicing-for-illegally-disabling-vehicles-and-for-improper-double-billing-practices/>.

## DEPARTMENT OF EDUCATION

### Membership of the Performance Review Board

**AGENCY:** Office of Finance and Operations, Department of Education.

**ACTION:** Notice.

**SUMMARY:** The Secretary publishes a list of persons named to serve on the Performance Review Board that oversees the evaluation of performance appraisals for Senior Executive Service members of the Department of Education (Department).

**DATES:** These appointments are effective on October 17, 2023.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Geldhof, Director, Executive Resources Division, Office of Human Resources, Office of Finance and Operations, U.S. Department of Education, 400 Maryland Avenue SW, Room 210–00, LBJ, Washington, DC 20202–4573. Telephone: (202) 580–9669. Email: [Jennifer.Geldhof@ed.gov](mailto:Jennifer.Geldhof@ed.gov).

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

#### SUPPLEMENTARY INFORMATION:

##### Membership

Under the Civil Service Reform Act of 1978, Public Law 95–454 (5 U.S.C. 4314(c)(4)), the Department must publish in the **Federal Register** a list of persons named to serve on the Performance Review Board that oversees the evaluation of performance appraisals for Senior Executive Service members of the Department. The following persons are named to serve on the Performance Review Board:

Chapman, Christopher D.  
Clay, Jacqueline J.  
Eliadis, Pamela D.  
Juengst, Phillip R.  
Mitchell, Calvin J.  
St. Pierre, Tracey  
Toney, Lawanda

##### Alternate:

Burse, Tiwanda M.

**Accessible Format:** On request to the program contact 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.

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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.

**Miguel A. Cardona,**

Secretary of Education.

[FR Doc. 2023–22825 Filed 10–16–23; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF EDUCATION

[Docket ID ED–2023–IES–0182]

### Request for Information on Potential New Program, From Seedlings to Scale (S2S); Correction

**AGENCY:** Institute of Education Sciences, Department of Education.

**ACTION:** Notice; correction.

**SUMMARY:** On October 12, 2023, the Department of Education (Department) published in the **Federal Register** a request for information (RFI) on a potential new program, From Seedlings to Scale (S2S). We are correcting the docket identification number. All other information in the RFI remains the same.

**DATES:** This correction is applicable October 17, 2023.

**FOR FURTHER INFORMATION CONTACT:** Erin Higgins, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202. Telephone: (202) 987–1531. Email: [Erin.Higgins@ed.gov](mailto:Erin.Higgins@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:** On October 12, 2023, the Department published a RFI on S2S, a potential new program. (88 FR 70652). We are correcting the docket identification number.

**Accessible Format:** On request to the contact 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, audiotape, or compact disc, or other accessible format.

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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.

#### Correction

In FR Doc. No. 2023–22482, appearing on pages 70652–70654 of the **Federal Register** of October 12, 2023, we make the following correction:

On page 70652, in the heading, remove “[Docket ID ED–2023–IES–0011]” and add, in its place, “[Docket ID ED–2023–IES–0182]”.

**Mark Schneider,**

*Director, Institute of Education Sciences.*

[FR Doc. 2023–22898 Filed 10–16–23; 8:45 am]

**BILLING CODE 4000–01–P**

## DEPARTMENT OF ENERGY

### Public Availability of the Department of Energy’s FY 2021 Service Contract Inventory

**AGENCY:** Office of Acquisition Management, Department of Energy.

**ACTION:** Notice of public availability of FY 2021 service contract inventory.

**SUMMARY:** In accordance with Division C of the Consolidated Appropriations Act of 2010 and Office of Management and Budget (OMB) guidance, the Department of Energy (DOE) is publishing this notice to advise the public on the availability of the FY 2021 Government-Wide Service Contract Inventory, FY2021 DOE Service Contract Inventory Analysis Plan and FY 2020 DOE Service Contract Inventory Analysis. This inventory provides information on

service contract actions over \$150,000 that DOE completed in FY 2021. The inventory has been developed in accordance with guidance issued by the Office of Management and Budget’s Office of Federal Procurement Policy (OFPP). The FY 2021 government-wide service contract inventory can be found at [www.acquisition.gov/service-contract-inventory](http://www.acquisition.gov/service-contract-inventory). The Department of Energy’s service contract inventory data is included in the government-wide inventory posted on the above link and the government-wide inventory can be filtered to display the inventory data for the Department. DOE has posted its FY 2020 Service Contract Inventory Analysis and FY 2021 Service Contract Inventory Analysis Plan at: <https://energy.gov/management/downloads/service-contract-inventory>.

#### FOR FURTHER INFORMATION CONTACT:

Questions regarding the service contract inventory should be directed to Lance Nyman in the Strategic Programs Division at (240) 474–7960 or [Lance.Nyman@hq.doe.gov](mailto:Lance.Nyman@hq.doe.gov).

#### Signing Authority

This document of the Department of Energy was signed on October 10, 2023, by Berta Schreiber, Director, Office of Acquisition Management, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on October 12, 2023.

**Treana V. Garrett,**

*Federal Register Liaison Officer, U.S. Department of Energy.*

[FR Doc. 2023–22863 Filed 10–16–23; 8:45 am]

**BILLING CODE 6450–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

#### Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt

of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. This filing may be viewed on the Commission’s website at <http://www.ferc.gov> using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.