

Federal Register – December 2023

[HHS Solicitation of Proposals for New and Modified Safe Harbors and Special Fraud Alerts, 88 Federal Register 84116, December 4, 2023](#)

PROPOSED RULE: In accordance with section 205 of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), this annual notification solicits proposals and recommendations for developing new, or modifying existing, safe harbor provisions under section 1128B(b) of the Social Security Act (the Act), the Federal anti-kickback statute, as well as developing new OIG Special Fraud Alerts.

COMMENTS DUE: December 2, 2023

[FCC Protecting Consumers from SIM-Swap and Port-Out Fraud, 88 Federal Register 85794, December 8, 2023](#)

FINAL RULE: In this document, the Federal Communications Commission adopted a Report and Order that adopts measures designed to address two fraudulent practices bad actors use to take control of consumers' cell phone accounts and wreak havoc on people's financial and digital lives without ever gaining physical control of a consumer's phone. The Report and Order revises the Commission's Customer Proprietary Network Information (CPNI) and Local Number Portability (LNP) rules to require wireless providers to adopt secure methods of authenticating a customer before redirecting a customer's phone number to a new device or provider. The Report and Order also require wireless providers to immediately notify customers whenever a SIM change or port-out request is made on customers' accounts, and take additional steps to protect customers from SIM swap and port-out fraud.

EFFECTIVE DATE: January 8, 2024

[Proposed Collection; Comment Request; Generic Clearance for FEMA's Preparedness Grant Programs, 88 Federal Register 86141, December 12, 2023](#)

REQUEST FOR COMMENTS: FEMA's Office of Grants Administration was created to oversee the programmatic management, financial management, and administration of non-disaster grants. Non-disaster grant programs help make the country more resilient and support the nation's needs before, during, and after disasters. Non-disaster grants help develop and sustain capabilities at the state and local, tribal, and territorial levels to mitigate, prevent, protect against, respond to, and recover from terrorism or other high-consequence disasters and emergencies. Instruments in this collection are required to apply for FEMA funds; data collected via the instruments is used by FEMA to evaluate grant applications, assess applicant risk, monitor awards for compliance, and comply with Federal laws and regulations.

COMMENTS DUE: February 12, 2024

[FCC Protecting Consumers From SIM-Swap and Port-Out Fraud, Further Notice of Proposed Rulemaking, 88 Federal Register 86614, December 14, 2023](#)

PROPOSED RULE: The FCC seeks comment on whether to harmonize the existing requirements governing customer access to Customer Proprietary Network Information (CPNI) with the new Subscriber Identity Module (SIM) change authentication and protection measures that the Commission adopted; whether limitations on employee access to CPNI prior to customer authentication should be extended to all telecommunications carriers; what steps the Commission can take to harmonize government efforts to address SIM swap and port-out fraud; and

	<p>how providers should notify customers of failed authentication attempts.</p> <p>COMMENTS DUE: January 16, 2024</p>
<p>ED Foreign Institution Reporting Requirements Under the CARES Act, 88 Federal Register 86639, December 14, 2023</p>	<p>NOTICE: The Department of Education (the Department) is requesting a new information collection, 1845–NEW, Foreign Institution Reporting Requirements under the CARES Act. Section 3510(a) of the CARES Act, Public Law 116–136 (March 27, 2020), authorized the Secretary of Education to permit a foreign institution, in the case of a public health emergency, major disaster or emergency, or national emergency declared by the applicable government authorities in the country in which the foreign institution is located, to provide any part of an otherwise eligible program to be offered via distance education for the duration of such emergency or disaster and the following payment period for purposes of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.). Additionally, under section 3510(d) of the CARES Act, the Secretary may allow a foreign institution to enter into a written arrangement with an institution of higher education located in the United States that participates in the Federal Direct Loan Program under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) for the purpose of allowing a student of the foreign institution who is a borrower of a loan made under such part to take courses from the institution of higher education located in the United States. The CARES Act requires foreign institutions that use either type of authority described above to report such use to the Secretary. Institutions are required to report use of either distance education or written arrangements to the Department no later than 30 days after it begins offering coursework online to Direct Loan recipients. The Department must also collect specific information from a school that requests a waiver in order to determine if the school is eligible to receive the waiver. On May 12, 2020, Federal Student Aid, an Office of the Department, notified foreign institutions of the new authority and requested that any foreign institution who wished to utilize this new authority to respond with information specified in the email. This information collection was discontinued following the discontinuation of the national COVID–19 emergency status. However, due to other global situations we are now requesting a new collection to allow for the on-going use of the CARES Act waiver.</p> <p>COMMENTS DUE: February 12, 2024</p>
<p>FDA Institutional Review Board Waiver or Alteration of Informed Consent for Minimal Risk Clinical Investigations, 88 Federal Register 88228, December 21, 2023</p>	<p>FINAL RULE: The Food and Drug Administration (FDA, the Agency, or we) is issuing a final rule to amend its regulations to implement a provision of the 21st Century Cures Act (Cures Act). This final rule allows an exception from the requirement to obtain informed consent when a clinical investigation poses no more than minimal risk to the human subject and includes appropriate safeguards to protect the rights, safety, and welfare of human subjects. The final rule permits an institutional review board (IRB) to waive or alter certain informed consent elements or to waive the requirement to obtain informed consent, under</p>

	<p>limited conditions, for certain FDA-regulated minimal risk clinical investigations.</p> <p>EFFECTIVE DATE: January 22, 2024</p>
<p>Request for Information (RFI) Related to NIST's Assignments Under Sections 4.1, 4.5 and 11 of the Executive Order Concerning Artificial Intelligence (Sections 4.1, 4.5, and 11), 88 Federal Register 88368, December 21, 2023</p>	<p>NOTICE: The National Institute of Standards and Technology (NIST) is seeking information to assist in carrying out several of its responsibilities under the Executive order on Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence issued on October 30, 2023. Among other things, the E.O. directs NIST to undertake an initiative for evaluating and auditing capabilities relating to Artificial Intelligence (AI) technologies and to develop a variety of guidelines, including for conducting AI red-teaming tests to enable deployment of safe, secure, and trustworthy systems.</p> <p>COMMENTS DUE: February 2, 2024</p>
<p>Cybersecurity Maturity Model Certification (CMMC) Program, 88 Federal Register 89058, December 26, 2023</p>	<p>PROPOSED RULE: DoD is proposing to establish requirements for a comprehensive and scalable assessment mechanism to ensure defense contractors and subcontractors have, as part of the Cybersecurity Maturity Model Certification (CMMC) Program, implemented required security measures to expand application of existing security requirements for Federal Contract Information (FCI) and add new Controlled Unclassified Information (CUI) security requirements for certain priority programs. DoD currently requires covered defense contractors and subcontractors to implement the security protections set forth in the National Institute of Standards and Technology (NIST) Special Publication (SP) 800–171 Rev 2 to provide adequate security for sensitive unclassified DoD information that is processed, stored, or transmitted on contractor information systems and to document their implementation status, including any plans of action for any NIST SP 800–171 Rev 2 requirement not yet implemented, in a System Security Plan (SSP). The CMMC Program provides the Department the mechanism needed to verify that a defense contractor or subcontractor has implemented the security requirements at each CMMC Level and is maintaining that status across the contract period of performance, as required.</p> <p>COMMENTS DUE: February 26, 2024</p>
<p>Cybersecurity Maturity Model Certification (CMMC) Program Guidance, 88 Federal Register 89139, December 26, 2023</p>	<p>NOTICE: The Department of Defense announces the availability of eight guidance documents for the CMMC Program. These documents provide additional guidance for the CMMC model, assessments, scoring, and hashing.</p> <p>COMMENTS DUE: February 26, 2024</p>
<p>Notice of Proposed Information Collection Requests: Collection of Information To Assess the Current State of Library and Museum Infrastructure To Identify Infrastructure Needs, 88 Federal Register 88980, December 26, 2023</p>	<p>NOTICE: This notice proposes the Collection of Information to Assess the Current State of Library and Museum Infrastructure to Identify Infrastructure Needs recommended by the U.S. Congress in Reports 117–403 and S.4659. This evaluation will enable IMLS to make well-informed decisions about potential future investments and funding allocations to strategically address areas with the greatest need. The proposed collection of primary data from key stakeholders will lead to an understanding of the diversity of library and museum facilities. This study will inform IMLS as to the most critical needs of library</p>

	<p>and museum infrastructures and where to allocate funding for the most significant impact.</p> <p>COMMENTS DUE: February 24, 2024</p>
<p>Agency Information Collection Activities; Submission for OMB Review; Comment Request; U.S. Business Income Tax Return, 88 Federal Register 89053, December 26, 2023</p>	<p>NOTICE: There have been changes in regulatory guidance related to various forms approved under this approval package during the past year. There have been additions and removals of forms included in this approval package. It is anticipated that these changes will have an impact on the overall burden and cost estimates requested for this approval package. This approval package is being submitted for renewal purposes.</p> <p>COMMENTS DUE: January 25, 2024</p>
<p>Sentencing Guidelines for United States Courts, 88 Federal Register 89142, December 26, 2023</p>	<p>NOTICE: The United States Sentencing Commission is considering promulgating amendments to the sentencing guidelines, policy statements, and commentary. This notice sets forth the proposed amendments and, for each proposed amendment, a synopsis of the issues addressed by that amendment. This notice also sets forth several issues for comment, some of which are set forth together with the proposed amendments, and one of which (regarding retroactive application of proposed amendments) is set forth in the SUPPLEMENTARY INFORMATION section of this notice.</p> <p>COMMENTS DUE: February 22, 2024</p>

Virginia Register – December 2023

<p>13VAC5-51. Virginia Statewide Fire Prevention Code (repealing 13VAC5-51-11 through 13VAC5-51-155).</p> <p>13VAC5-52. Virginia Statewide Fire Prevention Code (adding 13VAC5-52-10 through 13VAC5-52-680), Virginia Register of Regulations, Volume 40, Issue 9, December 18, 2023</p>	<p>FINAL REGULATION: The Statewide Fire Prevention Code (SFPC) is a regulation governing the maintenance of the fire protection aspects of existing structures and operational functions relating to fire safety wherever located, including the regulation of the use of explosives and blasting and fireworks displays. The SFPC uses a nationally recognized model code produced by the International Code Council as the basis for the technical provisions of the regulation. Every three years, new editions of the model codes become available. At that time, the Board of Housing and Community Development (BHCD) initiates a regulatory action to incorporate the newest editions of the model codes into the regulation and accepts proposals for changes to the regulation from stakeholders and the public.</p> <p>EFFECTIVE DATE: January 18, 2024</p>
<p>13VAC5-63. Virginia Uniform Statewide Building Code (amending 13VAC5-63-10, 13VAC5-63-20, 13VAC5-63-30, 13VAC5-63-70, 13VAC5-63-80, 13VAC5-63-100, 13VAC5-63-130, 13VAC5-63-160, 13VAC5-63-170, 13VAC5-63-180, 13VAC5-63-200, 13VAC5-63-210, 13VAC5-63-220, 13VAC5-63-230, 13VAC5-63-240 through 13VAC5-63-280, 13VAC5-63-295, 13VAC5-63-300 through 13VAC5-63-360, 13VAC5-63-380, 13VAC5-63-400 through 13VAC5-63-440, 13VAC5-63-450, 13VAC5-63-470, 13VAC5-63-485, 13VAC5-63-490, 13VAC5-63-510, 13VAC5-63-530 through 13VAC5-63-549; repealing 13VAC5-63-226), Register of Regulations, Volume 40, Issue 9, December 18, 2023</p>	<p>FINAL REGULATION: The Uniform Statewide Building Code (USBC) is a regulation governing the construction, maintenance, and rehabilitation of new and existing building and structures. The USBC uses nationally recognized model building codes and standards produced by the International Code Council (ICC) and other standard-writing groups as the basis for the technical provisions of the regulation. Every three years, new editions of the model codes become available. At that time, the Board of Housing and Community Development (BHCD) initiates a regulatory action to incorporate the newest editions of the model codes into the regulation and accepts proposals for changes to the regulation from stakeholders and the public. See entry for summary of changes.</p> <p>EFFECTIVE DATE: January 18, 2024</p>