

Federal Register – May 2023

[HEERF No Cost Extension \(NCE\) Request Form, 88 Federal Register 26532, May 1, 2023](#)

NOTICE: On June 30, 2023, the project period for most HEERF grants will end and any remaining unliquidated grant funds will be returned to Treasury. Pursuant to 2 CFR 200.308(e)(2) and 34 CFR 75.261(a), grantees have the option to receive up to a twelve-month No-Cost Extension (NCE) of their grant project periods. The Department is requesting emergency approval of a new information collection to allow for HEERF grantees to request an extension beyond June 30, 2023 and ensure that grantees have a thought-out plan for using their remaining HEERF grant funds to address the lingering effects and impacts related to COVID-19.

COMMENTS DUE: June 30, 2023

[Copyright Claims Board: Agreement-Based Counterclaims, 88 Federal Register 27845, May 3, 2023](#)

NOTICE OF PROPOSED RULEMAKING: The U.S. Copyright Office is amending its regulations governing Copyright Claims Board proceedings to address the filing of agreement-based counterclaims and related discovery requirements.

COMMENTS DUE: June 20, 2023

[Department of Defense \(DoD\) Defense Industrial Base \(DIB\) Cybersecurity \(CS\) Activities, 88 Federal Register 27832, May 3, 2023](#)

PROPOSED RULE: The DoD is proposing revisions to the eligibility criteria for the voluntary Defense Industrial Base (DIB) Cybersecurity (CS) Program. These revisions will allow a broader community of defense contractors to benefit from bilateral information sharing as when this proposed rule is finalized all defense contractors who are subject to mandatory cyber incident reporting will be able to participate. DoD is also proposing changes to definitions and some technical corrections for readability.

COMMENTS DUE: June 20, 2023

[New Information Collection; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Foreign Gifts and Contracts Disclosures, 88 Federal Register 28533, May 4, 2023](#)

NOTICE: Federal Student Aid (FSA) is requesting a new information collection to collect the required information from institutions regarding foreign gifts and contracts as specified in the Higher Education Act of 1965 (HEA), as amended. Section 117 of the HEA, codified at 20 U.S.C. 1011f, provides that institutions of higher education must file a disclosure report with the Secretary of Education on January 31 or July 31, whichever is sooner, under certain circumstances. In June 2020, ED established a collection of information, Foreign Gifts and Contracts Disclosures, 1801-0006, through ED's Partner Enterprise Business Collaboration (PEBC) system. That collection is under an OMB control number for ED's Office of the General Counsel (OGC), which has worked closely with FSA in recent years with respect to administration of Section 117. With this request for a new collection, the Dep't would be returning the collection of this information to FSA, which is the office with primary responsibility for the administration of Section 117 within the Department going forward. At present, the Department plans to continue to collect this data through its PEBC system with only slight modifications based on public comment.

COMMENTS DUE: June 5, 2023

[FCC Digital Low Power Television – Rebroadcasts, 88 Federal Register 28547, May 4, 2023](#)

NOTICE: The Commission adopted on April 17, 2023, the Report and Order (R&O), In the Matter of Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations, Update of Parts 74 of the Commission's Rules Related to Low Power Television and Television Translator Stations, MB Docket Nos. 03–185 and 22–261, FCC 23–25. The Report and Order adopted the following revision to 47 CFR 74.784(b):

47 CFR 74.784(b) states that a licensee of a low power television or TV translator station shall not rebroadcast the programs of any other TV broadcast station without obtaining prior consent of the station whose signals or programs are proposed to be retransmitted. Section 74.784(b) requires licensees of low power television and TV translator stations to notify the Commission when rebroadcasting programs or signals of another station. This notification shall include the call letters of each station rebroadcast. The licensee of the low power television or TV translator station shall certify that written consent has been obtained from the licensee of the station whose programs are retransmitted. This notification shall be provided by email to TVRebroadcast@fcc.gov, the Media Bureau, Video Division's email box. This notice also includes reporting requirements for modification of transmission systems as well as a new electronic filing collections to replace paper collections.

COMMENTS DUE: July 3, 2023

[Agency Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; iEdison System revision, 88 Federal Register 28516, May 4, 2023](#)

NOTICE: The Bayh-Dole Act (35 U.S.C. 18) and its implementing regulations (37 CFR 401) allow for recipients of federal research funding (Contractors) to retain ownership of inventions developed under federal funding agreements. In exchange, the government retains certain rights to the invention, including a world-wide right to use by or on behalf of the U.S. government.... However, there has been an increased interest across the government in the impact of federally funded research and resulting inventions as well as compliance with the Bayh-Dole requirements, especially as it relates to domestic manufacturing requirements. As a result, the interagency working group for Bayh-Dole decided that all agencies would begin to request this information, and the questions would be amended and expanded upon so that the agencies could get a clear picture of the commercialization plans for subject inventions, what the licensing landscape looked like, what products were resulting, and where those products were being manufactured. Another data point of particular interest across government relates to gender, and specifically how gender disparity may be present within the inventing and commercialization space....

COMMENTS DUE: July 3, 2023

[Employment Authorization for Hong Kong F-1 Nonimmigrant Students Experiencing Severe Economic Hardship as a Direct Result of the Current Crisis in Hong Kong, 88 Federal Register 28584, May 4, 2023](#)

NOTICE: This notice announces that the Secretary of Homeland Security (Secretary) is suspending certain regulatory requirements for F–1 nonimmigrant students who are Hong Kong residents, regardless of country of birth, and who are experiencing severe economic hardship as a direct result of the

	<p>current crisis in Hong Kong. The Secretary is taking action to provide relief to those Hong Kong residents who were in lawful F–1 nonimmigrant student status as of January 26, 2023, so the students may request employment authorization, work an increased number of hours while school is in session, and reduce their course load while continuing to maintain their F–1 nonimmigrant student status. DHS will deem an F–1 nonimmigrant student who receives employment authorization by means of this notice to be engaged in a “full course of study” for the duration of the employment authorization, if the nonimmigrant student satisfies the minimum course load requirement described in this notice.</p> <p>EFFECTIVE DATES: January 26, 2023 – February 5, 2025</p>
<p>Notice of employment authorization for individuals covered by Deferred Enforced Departure (DED), 88 Federal Register 28589, May 4, 2023</p>	<p>NOTICE: ...This Notice provides information about Deferred Enforced Departure (DED) for eligible Hong Kong residents and provides information on how eligible individuals may apply for DED-based Employment Authorization Documents (EADs) with USCIS. Through this notice, DHS is providing employment authorization, including procedures for obtaining related documentation, for covered individuals through February 5, 2025, and automatically extending the validity of DED-based EADs bearing a Category Code of A11 and a “Card Expires” date of February 5, 2023 through February 5, 2025. Finally, this Notice provides instructions for DED-eligible Hong Kong residents on how to file for advance travel authorization....</p> <p>EFFECTIVE DATES: January 26, 2023 – February 5, 2025</p>
<p>FCC Call Authentication Trust Anchor, 88 Federal Register 29035, May 5, 2023</p>	<p>PROPOSED RULE: In this document, the Federal Communications Commission (Commission) seeks comment on additional measures to strengthen its caller ID authentication framework and further stem the tide of illegally spoofed calls. Specifically, this document seeks comment on the use of third-party caller ID authentication solutions, including whether any changes should be made to the Commission's rules to permit, prohibit, or limit their use. It also seeks comment on whether to eliminate the STIR/SHAKEN implementation extension for providers that cannot obtain Service Provider Code (SPC) tokens, which are necessary to participate in the STIR/SHAKEN caller ID authentication framework.</p> <p>EFFECTIVE DATE: June 5, 2023</p> <p>COMMENTS DUE: July 5, 2023</p>
<p>IRS Information Reporting and Transfer for Valuable Consideration Rules for Section 1035 Exchanges of Life Insurance and Certain Other Life Insurance Contract Transactions, 88 Federal Register 30058, May 10, 2023</p>	<p>PROPOSED RULE: This document contains proposed regulations providing guidance on the application of the transfer for valuable consideration rules and associated information reporting requirements for reportable policy sales of interests in life insurance contracts to exchanges of life insurance contracts qualifying for nonrecognition of gain or loss, as well as to certain acquisitions of interests in life insurance contracts in transactions that qualify as corporate reorganizations. The proposed regulations affect parties involved in these life insurance contract transactions, including with respect to payments of reportable death benefits. This document also invites comments on these proposed regulations.</p> <p>COMMENTS DUE: July 10, 2023</p>

<p>Facilitating the LIBOR Transition Consistent With the LIBOR Act (Regulation Z), 88 Federal Register 30598, May 11, 2023</p>	<p>INTERIM FINAL RULE: The Consumer Financial Protection Bureau (CFPB or Bureau) is issuing an interim final rule amending Regulation Z, which implements the Truth in Lending Act (TILA), to reflect the enactment of the Adjustable Interest Rate (LIBOR) Act (the LIBOR Act or Act) and its implementing regulation promulgated by the Board of Governors of the Federal Reserve System (Board). This interim final rule further addresses the planned cessation of most U.S. Dollar (USD) LIBOR tenors after June 30, 2023, by incorporating the Board-selected benchmark replacement for consumer loans into Regulation Z. This interim final rule conforms the terminology from the LIBOR Act and the Board's implementing regulation into relevant Regulation Z open-end and closed-end credit provisions and also addresses treatment of the 12-month USD LIBOR index and its replacement index, including permitting creditors to use alternative language in change-in-terms notice content requirements for situations where the 12-month tenor of the LIBOR index is being replaced consistent with the LIBOR Act. The CFPB requests public comment on this interim final rule.</p> <p>EFFECTIVE DATE: May 15, 2023 COMMENTS DUE: June 12, 2023</p>
<p>Notice of End to Requirement for Air Passengers To Provide Proof of COVID-19 Vaccination Before Boarding a Flight to the United States, 88 Federal Register 30749, May 12, 2023</p>	<p>NOTICE: The Centers for Disease Control and Prevention (CDC), within the Department of Health and Human Services (HHS), announces that CDC's Amended Order: Implementing Presidential Proclamation on Safe Resumption of Global Travel During the COVID–19 Pandemic no longer will be in effect beginning at 12:01 a.m. eastern daylight time on May 12, 2023. Consequently, noncitizen, nonimmigrant air passengers will no longer be required to show proof of being fully vaccinated with an accepted COVID–19 vaccine before boarding a flight to the United States.</p> <p>EFFECTIVE DATE: May 12, 2023</p>
<p>Revoking the Air Travel COVID–19 Vaccination Requirement, 88 Federal Register 30889, May 15, 2023</p>	<p>PRESIDENTIAL PROCLAMATION 10575: ...The unrestricted entry of persons described in section 2 of Proclamation 10294 is no longer detrimental to the interests of the United States. I therefore hereby proclaim the partial Revocation of Proclamation 10294, except sections 1, 6, 7, and 8.</p> <p>EFFECTIVE DATE: May 12, 2023</p>
<p>ED Financial Value Transparency and Gainful Employment (GE), Financial Responsibility, Administrative Capability, Certification Procedures, Ability to Benefit (ATB), 88 Federal Register 32300, May 19, 2023</p>	<p>PROPOSED RULE: The Secretary is proposing new regulations to promote transparency, competence, stability, and effective outcomes for students in the provision of postsecondary education. Using the terminology of past regulatory proposals, these regulations seek to make improvements in the areas of gainful employment (GE); financial value transparency; financial responsibility; administrative capability; certification procedures; and Ability to Benefit (ATB).</p> <p>COMMENTS DUE: June 20, 2023</p>
<p>Procedures for Previously Exempt State and Local Government Employee Complaints of Employment Discrimination Under Section 304 of the Government Employee Rights Act of 1991, 88 Federal Register 32154, May 19, 2023</p>	<p>PROPOSED RULE: The Equal Employment Opportunity Commission (EEOC or Commission) is proposing to amend its existing regulations by which state and local government employees who were previously exempt from coverage under Title VII of the Civil Rights Act of 1964 may bring claims of employment discrimination pursuant to the Government</p>

	<p>Employee Rights Act of 1991. The EEOC proposes to amend the regulations to explicitly provide for digital transmission of documents, to update the regulation based upon the text of other regulations or statutes, and to make a number of editorial revisions to improve clarity and correct errors.</p> <p>COMMENTS DUE: July 18, 2023</p>
<p>OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements, 88 Federal Register 32621, May 22, 2023</p>	<p>NOTICE: This document announces the availability of the 2023 Compliance Supplement (2023 Supplement) for the Office of Management and Budget's uniform administrative requirements, cost principles, and audit requirements regulations. This document also offers interested parties an opportunity to comment on the 2023 Supplement.</p> <p>EFFECTIVE DATE: The 2023 Supplement replaces the 2022 Supplement (issued in May 2022). The Supplement applies to fiscal year audits that cover any period beginning after June 30, 2022.</p>
<p>Post-9/11 Improvements, Fry Scholarship, and Interval Payments Amendments, 88 Federal Register 33672, May 24, 2023</p>	<p>PROPOSED RULE: The Department of Veterans Affairs (VA) is proposing to amend the Veteran Readiness and Employment and Education regulations to implement the provisions of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, which modified the manner in which payments of educational assistance are determined and expanded the types of programs students may pursue under the Post-9/11 GI Bill. VA is also proposing to implement section 1002 of the Supplemental Appropriations Act, 2009, which authorized the “Marine Gunnery Sergeant John David Fry Scholarship,” and a select number of provisions of the Harry W. Colmery Veterans Educational Assistance Act of 2017. This proposed rule would include the rules necessary to implement provisions of other legislative enactments that affect the provision of educational assistance to veterans and their eligible dependents and beneficiaries.</p> <p>COMMENTS DUE: July 24, 2023</p>
<p>UAS Beyond Visual Line-of-Sight Operations, 88 Federal Register 33855, May 25, 2023</p>	<p>REQUEST FOR COMMENT: As the FAA reviews the recommendations of the UAS Beyond Visual Line-of-Sight (BVLOS) Operations Aviation Rulemaking Committee (ARC), the FAA is considering the expansion of BVLOS operations in certain operating environments with the appropriate safety mitigations to ensure no adverse safety impact. The FAA is seeking comment to gather additional technical input on key concepts and potential approaches that the FAA is contemplating for use in future exemptions.</p> <p>COMMENTS DUE: June 14, 2023</p>
<h2>Virginia Register – May 2023</h2>	
<p>4VAC5-20. Regulations Governing the Licensing and Operation of Airports and Aircraft and Obstructions to Airspace in the Commonwealth of Virginia (amending 24VAC5-20-10; adding 24VAC5-20-410 through 24VAC5-20-450), Volume 39, Issue 19, Virginia Register of Regulations, May 8, 2023</p>	<p>PROPOSED REGULATION: Part VIII, Unmanned Aircraft, of Regulations Governing the Licensing and Operation of Airports and Aircraft and Obstructions to Airspace in the Commonwealth of Virginia (24VAC5-20) allows certain local political subdivisions to (i) regulate when take-offs and landings may be done on subdivision lands; (ii) identify areas of increased public safety or environmental concern where extra information must be provided by a potential user prior to a take-off or landing; (iii)</p>

require a demonstration of safety by the operator of an unmanned aircraft that weighs more than 55 pounds prior to launching or landing the aircraft; (iv) delineate the process for local adoption of regulations; and (v) provide exceptions for landings due to malfunctions of the aircraft or its operating equipment; public safety officer or emergency services personnel use in performing required duties; operations by the United States government; and launching or landing to address declared emergencies as well as the authority to allow the sole occupant of more than one-half acre of public land for an event to launch and land unmanned aircraft related to the occupant's use. Advantages of the regulation to the public include that it will help localities and certain political subdivisions reduce the risk of injuries or damage to property related to launching or landing unmanned aircraft, particularly in recreational properties, such as parks. The regulation also reduces the likelihood of persons launching drones on local properties. Disadvantages of the regulation to the public include that it limits the current, unfettered ability of unmanned aircraft operators to launch and land the aircraft on public properties.

COMMENTS DUE: July 7, 2023