

Federal Register – February 2024

[FAA Requests for Comments; Clearance of a New Approval of Information Collection: Unmanned Aircraft System \(UAS\) Integration at Airports and Necessary Planning, Design, and Physical Infrastructure Needs, 89 Federal Register 7435, February 2, 2024](#)

NOTICE: FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval for a new information collection. The collection involves conducting research in the form of interviews with aviation stakeholders (e.g., airport/droneport operators, private entities, original equipment manufacturers, unmanned aircraft system (UAS) industry vendors, academia, representatives of the military, aviation stakeholders, etc.) to catalog current and planned droneport planning, design, and infrastructure needs, as well as find out which airports are integrating UAS into the airport environment. During each interview, the FAA will ask the stakeholders a specific set of questions, and if necessary, fact-specific follow-up questions will be posed to clarify and enhance the respondent's answers to the specified set of questions. The information to be collected is necessary because it will allow the FAA to understand how aviation stakeholders are integrating UAS into existing airport design standards/infrastructure and standalone facilities also referred to as droneports.

COMMENTS DUE: April 2, 2024

[FMSCA Amendments to the Commercial Driver's License Requirements; Increased Flexibility for Testing and for Drivers After Passing the Skills Test, 89 Federal Register 7327, February 2, 2024](#)

PROPOSED RULE: FMCSA proposes to increase flexibility for State Driver Licensing Agencies (SDLAs) and commercial driver's license (CDL) applicants by expanding applicants' ability to take a CDL skills test in a State other than their State of domicile; permitting a commercial learner's permit (CLP) holder who has passed the CDL skills test to operate a commercial motor vehicle (CMV) on public roads without having a qualified CDL holder in the passenger seat; eliminating the requirement that an applicant wait at least 14 days to take the CDL skills test following initial issuance of the CLP. The NPRM also proposes to remove the requirement that CMV drivers must have a passenger (P) endorsement to transport CMVs designed to carry passengers, including school buses, when the vehicle is being transported in a driveaway-towaway operation and the vehicle is not carrying any passengers. Additionally, FMCSA proposes to require that third-party knowledge examiners be subject to the training, certification, and record check standards currently applicable to State knowledge examiners and third-party knowledge testers be subject to the auditing and monitoring requirements now applicable to third-party skills testers.

COMMENTS DUE: April 2, 2024

[OSHA Emergency Response Standard, 89 Federal Register 7774, February 5, 2024](#)

PROPOSED RULE: OSHA is proposing through this notice of proposed rulemaking (NPRM) to issue a new safety and health standard, titled Emergency Response, to replace the existing Fire Brigades Standard. The new standard would address a broader scope of emergency responders and would include programmatic elements to protect emergency responders from a variety of occupational hazards. The agency requests comments on all aspects of the proposed rule.

<p>DOL Information Collections Pertaining to Special Employment Under the Fair Labor Standards Act, 89 Federal Register 7743, February 5, 2024</p>	<p>COMMENTS DUE: May 6, 2024</p> <p>NOTICE: The Department of Labor (Department) is soliciting comments concerning a proposed revision of the information collection request (ICR) titled “Information Collections Pertaining to Special Employment Under the Fair Labor Standards Act.” This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA). The Department proposes to revise and extend the existing information collection with minor clarifying changes to the collection instruments. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.</p> <p>COMMENTS DUE: April 5, 2024</p>
<p>Evaluation of the National Science Foundation's (NSF) Broader Impacts Review Criterion, New Information Request, 89 Federal Register 8458, February 7, 2024</p>	<p>NOTICE: NSF is conducting an evaluation to assess (1) how NSF's Broader Impacts review criterion is applied across the Foundation and (2) its effectiveness in meeting the goals established in section 526 of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Reauthorization Act of 2010 (42 U.S.C. 1862p–14) (America COMPETES Reauthorization Act of 2010). This evaluation is congressionally directed in section 10341 of the Creating Helpful Incentives to Produce Semiconductors [CHIPS] for America Fund Act 2022. As part of the evaluation, NSF is conducting a literature review, document analysis, extant data analysis, interviews with NSF staff, and focus groups with NSF principal investigators (PIs) and reviewers. NSF will map findings from the evaluation activities to current NSF policies and practices to identify strategies for improving how NSF applies the review criterion.</p> <p>COMMENTS DUE: Within 30 days of publication of this Notice</p>
<p>Medicare and Medicaid Programs; Patient Protection and Affordable Care Act; Advancing Interoperability and Improving Prior Authorization Processes for Medicare Advantage Organizations, Medicaid Managed Care Plans, State Medicaid Agencies, Children's Health Insurance Program (CHIP) Agencies and CHIP Managed Care Entities, Issuers of Qualified Health Plans on the Federally-Facilitated Exchanges, Merit-Based Incentive Payment System (MIPS) Eligible Clinicians, and Eligible Hospitals and Critical Access Hospitals in the Medicare Promoting Interoperability Program, 89 Federal Register 8758, February 8, 2024</p>	<p>FINAL RULE: This final rule will improve the electronic exchange of health care data and streamline processes related to prior authorization through new requirements for Medicare Advantage (MA) organizations, state Medicaid fee-for-service (FFS) programs, state Children's Health Insurance Program (CHIP) FFS programs, Medicaid managed care plans, CHIP managed care entities, and Qualified Health Plan (QHP) issuers on the Federally-facilitated Exchanges (FFE). This final rule will also add new measures for eligible hospitals and critical access hospitals (CAHs) to report under the Medicare Promoting Interoperability Program and for MIPS eligible clinicians to report under the Promoting Interoperability performance category of the Merit-based Incentive Payment System (MIPS). These policies, taken together, will reduce overall payer and provider burden and improve patient access to health information while continuing CMS's drive toward interoperability in the health care market.</p> <p>EFFECTIVE DATE: April 8, 2024</p>

[ED Unified Agenda of Federal Regulatory and Deregulatory Actions, 89 Federal Register 9568, February 9, 2024](#)

Semiannual Regulatory Agenda: The Secretary of Education publishes a semiannual agenda of Federal regulatory and deregulatory actions. The agenda is issued under the authority of section 4(b) of Executive Order 12866, "Regulatory Planning and Review." The purpose of the agenda is to encourage more effective public participation in the regulatory process by providing the public with early information about the regulatory actions we plan to take.

[Information Collection Being Reviewed by the Federal Communications Commission, 89 Federal Register 10075, February 13, 2024](#)

NOTICE: The Commission adopted requirements for Participating CMS Providers to log the basic attributes of alerts they receive at their Alert Gateway, to maintain those logs for at least 12 months, to make those logs available upon request to the Commission and FEMA, and to emergency management agencies that offer confidentiality protection at least equal to that provided by federal FOIA. The Commission also requires Participating CMS Providers to disclose information regarding their capabilities for geo-targeting Alert Messages initiated by that emergency management agency, and information regarding the results of WEA Performance and Public Awareness Testing. These recordkeeping and reporting requirements have potential to increase emergency managers' confidence that WEA will work as intended when needed. This increased confidence in system availability encourages emergency management agencies that do not currently use WEA to become authorized. These reporting and recordkeeping requirements also help to ensure a fundamental component of system integrity against which future iterations of WEA can be evaluated. Without records that can be used to describe the quality of system integrity, and the most common causes of message transmission failure it would be difficult to evaluate how any changes to WEA may effect system integrity.

COMMENTS DIThe Commission adopted requirements for Participating CMS Providers to log the basic attributes of alerts they receive at their Alert Gateway, to maintain those logs for at least 12 months, to make those logs available upon request to the Commission and FEMA, and to emergency management agencies that offer confidentiality protection at least equal to that provided by federal FOIA. The Commission also requires Participating CMS Providers to disclose information regarding their capabilities for geo-targeting Alert Messages initiated by that emergency management agency, and information regarding the results of WEA Performance and Public Awareness Testing. These recordkeeping and reporting requirements have potential to increase emergency managers' confidence that WEA will work as intended when needed. This increased confidence in system availability encourages emergency management agencies that do not currently use WEA to become authorized. These reporting and recordkeeping requirements also help to ensure a fundamental component of system integrity against which future iterations of WEA can be evaluated. Without records that can be used to describe the quality of system integrity, and the most common causes of message transmission failure it would

	<p>be difficult to evaluate how any changes to WEA may effect system integrity.</p> <p>COMMENTS DUE: April 15, 2024</p>
<p>Inventorship Guidance for AI-Assisted Inventions, 89 Federal Register 10043, February 13, 2024</p>	<p>GUIDANCE: The United States Patent and Trademark Office (USPTO or Office) is issuing inventorship guidance for inventions assisted by artificial intelligence (AI). The guidance provides clarity for USPTO stakeholders and personnel, including the Central Reexamination Unit and the Patent Trial and Appeal Board (PTAB or Board), on how the USPTO will analyze inventorship issues as AI systems, including generative AI, play a greater role in the innovation process. This guidance explains that while AI-assisted inventions are not categorically unpatentable, the inventorship analysis should focus on human contributions, as patents function to incentivize and reward human ingenuity. Patent protection may be sought for inventions for which a natural person provided a significant contribution to the invention, and the guidance provides procedures for determining the same. Finally, the guidance discusses the impact these procedures have on other aspects of patent practice. The USPTO is seeking public comments on this inventorship guidance for AI-assisted inventions.</p> <p>EFFECTIVE DATE: February 13, 2024</p> <p>COMMENTS DUE: May 13, 2024</p>
<p>Gainful Employment/Financial Value Transparency New Reporting Requirements, 89 Federal Register 13059, February 21, 2024</p>	<p>NOTICE: The regulations in § 668.408 in Subpart Q—Financial Value Transparency, that were negotiated in 2022 and the Final Rule published in 2023, establish reporting requirements for postsecondary institutions who participate in the title IV programs under the Higher Education Act of 1965, as amended, to report on their students who enroll in, complete, or withdraw from a gainful employment (GE) program or an eligible non-GE program in specified award years. The new regulations also define the timeframes for institutions to report the required information. This is a request for a new collection to allow the Department to obtain the required information and assess the burden on institutions.</p> <p>COMMENTS DUE: April 22, 2024</p>
<p>Workforce Innovation and Opportunity Act Effectiveness in Serving Employers Performance Indicator, 89 Federal Register 13814, February 23, 2024</p>	<p>JOINT FINAL RULE: The Workforce Innovation and Opportunity Act (WIOA) establishes six primary indicators of performance and defines five of those performance indicators. With this final rule, the U.S. Departments of Labor and Education (Departments) define the sixth performance indicator—effectiveness in serving employers—as Retention with the Same Employer and require it be reported by one WIOA core program on behalf of all six WIOA core programs within each State. This final rule incorporates two changes from the notice of proposed rulemaking (NPRM): the final rule does not limit the type of wage information that must be used, thereby permitting the use of supplemental wage information in the definition of the effectiveness in serving employers performance indicator, and it specifies that the definition is measuring retention in unsubsidized employment.</p> <p>EFFECTIVE DATE: March 25, 2024</p>

<p>Reporting for Qualified Tuition and Related Expenses, Education Tax Credits; Comment Period Reopening, 89 Federal Register 14008, February 26, 2024</p>	<p>PROPOSED RULE: The Department of the Treasury and the IRS are reopening the comment period for REG–131418–14, relating to the reporting requirements for qualified tuition and related expenses under Section 6050S, as well as to the proposed amendments to the regulations on the education tax credits under section 25A.</p> <p>COMMENTS DUE: April 26, 2024</p>
<p>Dual Use Foundation Artificial Intelligence Models With Widely Available Model Weights, 89 Federal Register 14059, February 26, 2024</p>	<p>NOTICE: On October 30, 2023, President Biden issued an Executive order on “Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence,” which directed the Secretary of Commerce, acting through the Assistant Secretary of Commerce for Communications and Information, and in consultation with the Secretary of State, to conduct a public consultation process and issue a report on the potential risks, benefits, other implications, and appropriate policy and regulatory approaches to dual-use foundation models for which the model weights are widely available. Pursuant to that Executive order, the National Telecommunications and Information Administration (NTIA) hereby issues this Request for Comment on these issues. Responses received will be used to submit a report to the President on the potential benefits, risks, and implications of dual-use foundation models for which the model weights are widely available, as well as policy and regulatory recommendations pertaining to those models.</p> <p>COMMENTS DUE: March 27, 2024</p>

Virginia Register – February 2024

<p>16VAC15-60. Regulation Governing On-The-Job Training Programs or Other Training Programs (adding 16VAC15-60-10, 16VAC15-60-20), Virginia Register of Regulations, Volume 40, Issue 13, February 12, 2024</p>	<p>FINAL REGULATION: In response to Chapters 1204 and 1242 of the 2020 Acts of Assembly and pursuant to § 40.1-28.10 of the Code of Virginia, the new regulation provides the standards required for any employer on-the-job training program or other training program established in accordance with the requirements of § 40.1-28.10 and includes (i) the period for which the employee can be paid the training wage; (ii) the lowest the employer can pay an employee while training; (iii) when an employee, who is trained or substantially trained to do the job does not need the training, prohibition of the employer paying reduced wages simply by calling the first 90 days of employment a training period; (iv) prohibiting an employer from reducing the work of or firing current employees and replacing them with trainees at a reduced wage; and (v) what comprises an established training program. Two nonsubstantive clarifications were added since the proposed regulation.</p> <p>EFFECTIVE DATE: March 13, 2024</p>
<p>18VAC5-22. Board of Accountancy Regulations (amending 18VAC5-22-60, 18VAC5-22-70, 18VAC5-22-80), Virginia Register of Regulations, Volume 40, Issue 13, February 12, 2024</p>	<p>FAST-TRACK REGULATION: These amendments update education requirements that impact Virginia CPA applicants. The Uniform CPA Exam is a nationally administered exam. There are model rules known as the Uniform Accountancy Act (UAA), which the board follows for significant matters. Not related to the changes in UAA, these amendments are updating the accreditation organizations to the current approved organizations. This is a housekeeping issue. The board has the authority to approve accreditation organizations but took this</p>

opportunity to clean up the ones listed. Based on the UAA and the new CPA exam, the materials in the exam blueprint now require Accounting Information System in place of the prior requirement of Management Accounting. The amendments also allow for three credits of introductory accounting courses to count towards the education requirements. Finally, the 55 jurisdictions that license and regulate CPAs are moving the credit expiration from 18 months to 30 months. The primary advantage to the public is continued mobility with other states in taking the CPA exam. Educational institutions may need to update their curricula.

COMMENTS DUE: March 13, 2024