

Federal Register – October 2021

[Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Higher Education Emergency Relief Fund \(HEERF\) I, II and III Data Collection Form, 86 Federal Register 55832, October 7, 2021](#)

NOTICE: This information collection requests approval for a revision to a previously approved collection that includes annual reporting requirements for the Higher Education Emergency Relief Fund (HEERF) program and obtains information on how the funds were used. Under the current unprecedented national health emergency, the legislative and executive branches of government have come together to offer relief to those individuals and industries affected by the COVID-19 virus under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), and the American Rescue Plan (ARP). Targeted relief to institutions of higher education (IHEs) has been made available under the HEERF program. HEERF, originally established by Section 18004(a) of the CARES Act, [Public Law 116-136](#) (March 27, 2020) and expanded through CRRSAA and ARP, authorizes the Secretary of Education to allocate formula grant funds to participating IHEs to address impacts of the COVID-19 virus.

COMMENTS DUE: November 8, 2021

[Controlled Substances and Alcohol Testing: State Driver's Licensing Agency Non-Issuance/Downgrade of Commercial Driver's License, 86 Federal Register 55718, October 7, 2021](#)

FINAL RULE: FMCSA is amending its regulations to establish requirements for State Driver's Licensing Agencies (SDLAs) to access and use information obtained through the Drug and Alcohol Clearinghouse (DACH or Clearinghouse), an FMCSA-administered database containing driver-specific controlled substance (drug) and alcohol records. SDLAs must not issue, renew, upgrade, or transfer a commercial driver's license (CDL), or commercial learner's permit (CLP), as applicable, for any individual prohibited under FMCSA's regulations from performing safety-sensitive functions, including driving a commercial motor vehicle (CMV), due to one or more drug and alcohol program violations. Further, SDLAs must remove the CLP or CDL privilege from the driver's license of an individual subject to the CMV driving prohibition, which would result in a downgrade of the license until the driver complies with return-to-duty (RTD) requirements. This rule also requires States receiving Motor Carrier Safety Assistance Program (MCSAP) grant funds to adopt a compatible CMV driving prohibition applicable to CLP and CDL holders who violate FMCSA's drug and alcohol program requirements and makes clarifying and conforming changes to current regulations. The final rule will help keep unsafe drivers off the road by increasing compliance with the CMV driving prohibition.

EFFECTIVE DATE: November 8, 2021

[Requirements Related to Surprise Billing; Part II, 86 Federal Register 55980, October 7, 2021](#)

INTERIM FINAL RULE: This document sets forth interim final rules implementing certain provisions of the No Surprises Act, which was enacted as part of the Consolidated Appropriations Act, 2021. These interim final rules implement provisions of the No Surprises Act that provide for a Federal independent dispute

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| | <p>resolution (IDR) (Federal IDR) process to permit group health plans and health insurance issuers offering group or individual health insurance coverage and nonparticipating providers, facilities, and providers of air ambulance services to determine the out-of-network rate for items and services that are emergency services, nonemergency services furnished by nonparticipating providers at participating facilities, and air ambulance services furnished by nonparticipating providers of air ambulance services, under certain circumstances. The Department of Health and Human Services (HHS), the Department of Labor (DOL), and the Department of the Treasury (collectively, the Departments) are issuing these interim final rules with largely parallel provisions that apply to group health plans and health insurance issuers offering group or individual health insurance coverage and certified IDR entities, providers, facilities, and providers of air ambulance services.</p> <p>EFFECTIVE DATE: October 7, 2021</p> |
| <p>Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Application for New Grants Under the Ronald E. McNair Postbaccalaureate Achievement Program, 86 Federal Register 56258, October 8, 2021</p> | <p>NOTICE: The Department of Education is requesting a reinstatement with change of the application for grants under the Ronald E. McNair Postbaccalaureate Achievement (McNair) Program. The Department is requesting a reinstatement with change because the previous McNair application expired in December 2019 and the application will be needed for a Fiscal Year (FY) 2022 competition for new awards. The Department expects an increase in respondents for the FY 2022 competition for new awards.</p> <p>COMMENTS DUE: November 8, 2021</p> |
| <p>Remote Document Examination for Form I-9, Employment Eligibility Verification: Request for Public Input, 86 Federal Register 59183, October 26, 2021</p> | <p>REQUEST FOR INPUT: The Department of Homeland Security (DHS) is seeking input from the public regarding document examination practices associated with the Form I-9, Employment Eligibility Verification. DHS solicits this input to better understand employers' and employees' experiences with this process and to examine the impacts of remote document examination conducted during the Coronavirus disease (COVID-19) pandemic. DHS especially seeks to understand the potential costs and benefits of allowing for future remote document examination flexibilities.</p> <p>COMMENTS DUE: December 27, 2021</p> |
| <p>National Cybersecurity Center of Excellence (NCCoE) Trusted Internet of Things (IoT) Device Network-Layer Onboarding and Lifecycle Management, 86 Federal Register 59149, October 26, 2021</p> | <p>NOTICE: The National Institute of Standards and Technology (NIST) invites organizations to provide letters of interest describing products and technical expertise to support and demonstrate security platforms for the Trusted Internet of Things (IoT) Device Network-Layer Onboarding and Lifecycle Management project. This notice is the initial step for the National Cybersecurity Center of Excellence (NCCoE) in collaborating with technology companies to address cybersecurity challenges identified under the Trusted Internet of Things (IoT) Device Network-Layer Onboarding and Lifecycle Management project. Participation in the project is open to all interested organizations.</p> <p>DATE COLLABORATIVE ACTIVITIES BEGIN: No earlier than November 27, 2021</p> |

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| <p>Exemption to Prohibition on Circumvention of Copyright Protection Systems for Access Control Technologies, 86 Federal Register 59627, October 28, 2021</p> | <p>FINAL RULE: In this final rule, the Librarian of Congress adopts exemptions to the provision of the Digital Millennium Copyright Act (“DMCA”) that prohibits circumvention of technological measures that control access to copyrighted works. As required under the statute, the Register of Copyrights, following a public proceeding, submitted a recommendation concerning proposed exemptions to the Librarian of Congress (“Register’s Recommendation”). After careful consideration, the Librarian adopts final regulations based upon the Register’s Recommendation.</p> <p>EFFECTIVE DATE: October 28, 2021</p> |
| <p>Federal-State Relationship Agreements, Federal Pell Grant Program, Academic Competitiveness Grant, and National Science and Mathematics Access To Retain Talent Grant, 86 Federal Register 59619, October 28, 2021</p> | <p>FINAL RULE: The Secretary amends the regulations implementing the Federal Pell Grant Program to conform with changes made by the Department of Education Appropriations Act, 2012 and the Department of Education Appropriations Act, 2017. The Secretary also removes obsolete regulations for Federal-State Relationship Agreements and the Academic Competitiveness Grant (ACG) and National Science and Mathematics Access to Retain Talent Grant (National SMART Grant) programs. These regulations also make technical corrections and delete references to programs that are no longer authorized or funded.</p> <p>EFFECTIVE DATE: October 28, 2021</p> |
| <p>Advancing the Safe Resumption of Global Travel During the COVID-19 Pandemic, 86 Federal Register 59603, October 28, 2021</p> | <p>EXECUTIVE PROCLAMATION #10294: “...I have determined that it is in the interests of the United States to move away from the country-by-country restrictions previously applied during the COVID-19 pandemic and to adopt an air travel policy that relies primarily on vaccination to advance the Start Printed Page 59604 safe resumption of international air travel to the United States. This proclamation governs the entry into the United States of noncitizen nonimmigrants—that is, noncitizens who are visiting the United States or otherwise being admitted temporarily—traveling to the United States by air. It suspends the entry of unvaccinated noncitizen nonimmigrants, except in limited circumstances, and it ensures that the entry of unvaccinated noncitizen nonimmigrants is consistent with applicable health and safety determinations made by the Director of the CDC, including a requirement that, where appropriate, such individuals agree and arrange to become fully vaccinated against COVID-19 upon their arrival. My Administration has also taken action, apart from this proclamation, to ensure that noncitizen immigrants are vaccinated prior to air travel to the United States.....”</p> |
| <p>NEA Tribal Consultation Policy, 86 Federal Register 59759, October 28, 2021</p> | <p>NOTICE: The National Endowment for the Arts (NEA) is an independent federal agency whose funding helps to support cultural programs nationwide. Established in 1965, the NEA’s budget appropriation in FY21 was \$167.5 million, which is utilized in the form of project and partnership grants, special initiatives, and honorific fellowships to support arts learning, affirm and celebrate America’s rich and diverse cultural heritage, and to extend and promote equal access to the arts in every community.</p> |

Virginia Register – October 2021

No relevant regulations.