

Federal Register – November 2020

[Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Higher Education Emergency Relief Fund \(HEERF\) Data Collection Form, 85 Federal Register 69324, November 2, 2020](#)

NOTICE: This information collection supports the annual collection of data pertaining to the uses of funds under the Higher Education Emergency Education Relief Fund (HEER Fund). Section 18004(a) of the CARES Act, Public Law 116-136 (March 27, 2020), authorized the Secretary of Education to allocate formula grant funds to participating institutions of higher education (IHEs). Section 18004(c) of the CARES Act allows IHEs to use up to one-half of the total funds received to cover any costs associated with the significant changes to the delivery of instruction due to the coronavirus (with specific exceptions). This information collection request includes the reporting requirements in order to comply with the requirements of the CARES Act and obtain information on how the funds were used. The information will be reviewed by U.S. Department of Education (Department) employees to ensure that HEER funds are used in accordance with section 18004 of the CARES Act, and will be shared with the public to promote transparency regarding the allocation and uses of funds.

COMMENTS DUE: December 2, 2020

[Request for Information \(RFI\): Inviting Comments and Suggestions on the NIH-Wide Strategic Plan for COVID-19 Research, 85 Federal Register 69335, November 2, 2020](#)

NOTICE: This Request for Information (RFI) is intended to gather broad public input on the National Institutes of Health (NIH)-Wide Strategic Plan for COVID-19 Research. Because of the urgency and evolving nature of the pandemic, NIH intends this plan to be a living document, which will be continually updated to reflect new challenges presented by COVID-19. To ensure that it remains in step with public needs, this RFI invites stakeholders throughout the scientific research, advocacy, and clinical practice communities, as well as the general public to comment on the NIH-Wide Strategic Plan for COVID-19 Research. Organizations are strongly encouraged to submit a single response that reflects the views of their organization and their membership as a whole.

COMMENTS DUE: December 7, 2020

[Establishing the President's Advisory 1776 Commission, 85 Federal Register 70951, November 5, 2020](#)

EXECUTIVE ORDER #13958: This document establishes a President's Advisory 1776 Commission (composed of not more than 20 members appointed by the President) which, unless extended, shall terminate 2 years from the date of this order. The 1776 Commission shall 1) produce a report for the President regarding the core principles of the American founding, 2) make recommendations for celebrating the 250th anniversary of American Independence, 3) develop and implement a Presidential 1776 award to recognize student knowledge of the American founding, 4) advise agencies with regard to their efforts to ensure patriotic education for the public, 5) advice agencies on prioritizing the American founding in Federal grants and initiatives. Also in this order is the statement that "all federal agencies shall monitor compliance with PL 108-447 which provides that 'each educational institution that receives

	<p>Federal fundsshall hold an educational program on the US Constitution on September 17', including by verifying compliance with each educational institution that receives Federal funds. All relevant agencies shall take action, as appropriate, to enhance compliance with that law."</p>
<p>DOD, GSA, NASA Information Collection; Alternatives to Government-Unique Standards, 85 Federal Register 70622, November 5, 2020</p>	<p>NOTICE: This clearance covers the information that offerors must submit to comply with the provision at Federal Acquisition Regulation (FAR) 52.211-7, Alternatives to Government-Unique Standards. This solicitation provision permits offerors to propose alternatives to Government-unique standards in response to Government solicitations. If an alternative standard is proposed, the offeror must furnish data and/or information regarding the alternative in sufficient detail for the Government to determine if it meets the Government's requirements. The information collected from offerors will be used by Federal agencies to determine if voluntary consensus standards will satisfy the Government's needs for a particular solicitation, in order to comply with OMB Circular A-119, Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities, and Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (Pub. L. 104-113, 15 U.S.C. 272 note).</p> <p>COMMENTS DUE: January 4, 2021</p>
<p>Conformance of the Cost Accounting Standards to Generally Accepted Accounting Principles for Operating Revenue and Lease Accounting, 85 Federal Register 70572, November 5, 2020</p>	<p>ADVANCED NOTICE OF PROPOSED RULEMAKING: The Office of Federal Procurement Policy (OFPP), Cost Accounting Standards Board (Board), is publishing this document to announce the availability of an advance notice of proposed rulemaking to address the potential conformance of the Cost Accounting Standards (CAS) to Generally Accepted Accounting Principles (GAAP) for operating revenue and lease accounting. This ANPRM follows the issuance of a Staff Discussion Paper (SDP) published on March 13, 2019.</p> <p>COMMENTS DUE: January 4, 2021</p>
<p>Proposed Collection; Comment Request for Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery, 85 Federal Register 70712, November 5, 2020</p>	<p>NOTICE: The Internal Revenue Service published a document in the Federal Register of October 28, 2020, concerning requests for comments on the REG-118412-10 forms (https://www.federalregister.gov/documents/2020/10/28/2020-23787/proposed-collection-comment-request-for-generic-clearance-for-the-collection-of-qualitative-feedback)</p> <p>The document was inadvertently titled Request for Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery. The correct title is Interim Final Rules for Group Health Plans and Health Insurance Coverage Relating to Status as a Grandfathered Health Plan under the Patient Protection and Affordable Care Act.</p> <p>COMMENTS DUE: December 28, 2020</p>
<p>Additional Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency, 85 Federal Register 71142, November 6, 2020</p>	<p>INTERIM FINAL RULE: Among other things, this rule amends regulations regarding coverage of preventive health services to implement section 3203 of the CARES Act, which shortens the timeframe within which non-grandfathered group health plans and health insurance issuers offering non-grandfathered group or individual health insurance coverage must begin to cover without cost sharing qualifying coronavirus preventive services,</p>

	<p>including recommended COVID-19 immunizations. This IFC also revises regulations to set forth flexibilities in the public notice requirements and post award public participation requirements for State Innovation Waivers under section 1332 of the Patient Protection and Affordable Care Act (PPACA) during the public health emergency for COVID-19.</p> <p>EFFECTIVE DATE: November 2, 2020</p>
<p>Correction: Direct Grant Programs, State-Administered Formula Grant Programs, Non Discrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, Developing Hispanic-Serving Institutions Program, Strengthening Institutions Program, Strengthening Historically Black Colleges and Universities Program, and Strengthening Historically Black Graduate Institutions Program, 85 Federal Register 70975, November 6, 2020</p>	<p>FINAL RULE- CORRECTION: In FR Doc. 2020-20152 appearing on page 59916 of the Federal Register of September 23, 2020, the following corrections are made:</p> <ol style="list-style-type: none"> 1. On page 59919, in the first column, the sentence, “Consequently, there is a new Regulation Identification Number (RIN) for this rule (1840-AD45).” is removed. § 76.784 [Corrected] 2. On page 59980, in the third column, instruction 10 is corrected to read “Section 76.784 is added to subpart G to read as follows:”. <p>EFFECTIVE DATE: November 23, 2020</p>
<p>Revision and Renewal of DOD, GSA, NASA Preaward Survey Forms (Standard Forms 1403, 1404, 1405, 1406, 1407, and 1408), 85 Federal Register 71653, November 10, 2020</p>	<p>NOTICE: These standard forms are being converted into a common form. The General Services Administration is the sponsor agency of this common form. All executive agencies covered by the Federal Acquisition Regulation will use this common form. Each executive agency will report their agency burden separately, and the reported information will be available at Reginfo.gov.</p> <p>COMMENTS DUE: December 10, 2020</p>
<p>RIN 1250-AA10 Office of Federal Contract Compliance Programs, 85 Federal Register 71553, November 10, 2020</p>	<p>FINAL RULE: The U.S. Department of Labor (“the Department”) publishes this final rule to codify procedures that the Office of Federal Contract Compliance Programs (“OFCCP” or “the agency”) uses to resolve potential discrimination and other material violations of the laws and regulations administered by OFCCP applicable to Federal contractors and subcontractors, add clarifying definitions to specify the types of evidence OFCCP uses to support its discrimination findings, and correct the title of OFCCP's agency head.</p> <p>EFFECTIVE DATE: December 10, 2020</p>
<p>EBSA, HHS, IRS Transparency in Coverage, 85 Federal Register 72158, November 12, 2020</p>	<p>FINAL RULE: The final rules set forth requirements for group health plans and health insurance issuers in the individual and group markets to disclose cost-sharing information upon request to a participant, beneficiary, or enrollee (or his or her authorized representative), including an estimate of the individual's cost-sharing liability for covered items or services furnished by a particular provider. Under the final rules, plans and issuers are required to make this information available on an internet website and, if requested, in paper form, thereby allowing a participant, beneficiary, or enrollee (or his or her authorized representative) to obtain an estimate and understanding of the individual's out-of-pocket expenses and effectively shop for items and services. The final rules also require plans and issuers to disclose in-network provider negotiated rates, historical out-of-network allowed amounts, and drug pricing information through three machine-readable files posted on an internet</p>

	<p>website, thereby allowing the public to have access to health coverage information that can be used to understand health care pricing and potentially dampen the rise in health care spending. The Department of Health and Human Services (HHS) also finalizes amendments to its medical loss ratio (MLR) program rules to allow issuers offering group or individual health insurance coverage to receive credit in their MLR calculations for savings they share with enrollees that result from the enrollees shopping for, and receiving care from, lower-cost, higher-value providers.</p> <p>EFFECTIVE DATE: January 11, 2020</p>
<p>IRS Proposed Collection; Comment Request for Exempt Organization Forms: 990, 990-BL, 990-EZ, 990-N, 990-PF, 990-T, 990-W, 990 SCH E, 990 SCH I, 990 SCH M, 990 SCH D, 990 SCH F, 990 SCH H, 990 SCH J, 990 SCH K, 990 SCH R, 990/990-EZ SCH A, 990/990-EZ SCH C, 990/990-EZ SCH G, 990/990-EZ SCH L, 990/990-EZ SCH N, 990/990-EZ SCH O, 990/990-EZ/990-PF SCH B, 1023, 1023-EZ, 1023-Interactive, 1024, 1024-A, 1028, 1120-POL, 4720, 5578, 5884-C, 6069, 6497, 8038, 8038-B, 8038-CP, 8038-G, 8038-GC, 8038-R, 8038-T, 8038-TC, 8282, 8328, 8330, 8453-E.O., 8453-X, 8718, 8868, 8870, 8871, 8872, 8879-E.O., 8886-T, 8899, and Related Attachments, 85 Federal Register 71992, November 12, 2020</p>	<p>NOTICE: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and continuing information collections, as required by the Paperwork Reduction Act of 1995 (PRA). This notice requests comments on all forms used by tax-exempt organizations. With this notice, the IRS is also announcing significant changes to (1) the manner in which tax forms used by tax-exempt organizations will be approved under the PRA and (2) its method of estimating the paperwork burden imposed on all tax-exempt organizations.</p> <p>COMMENTS DUE: January 11, 2020</p>
<p>NASA Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 85 Federal Register 71815, November 12, 2020</p>	<p>FINAL RULE: This direct final rule amends NASA's regulations on Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, to align with the Office of Management and Budget's (OMB) recent amendments to its regulations on Grants and Agreements.</p> <p>COMMENTS DUE: December 14, 2020</p>
<p>The Department's Enforcement Authority for Failure to Adequately Report Under Section 117 of the Higher Education Act of 1965, as Amended, 85 Federal Register 72567, November 13, 2020</p>	<p>NOTICE: The U.S. Department of Education (Department) issues this interpretation to clarify the Department's enforcement authority for failure to adequately report under section 117 (foreign gift/contract disclosure) of the Higher Education Act of 1965, as amended (HEA). Under 20 U.S.C. 1094(a), the Department has authority to implement a range of corrective measures for an institution that violates its PPA, including termination of the institution's Title IV participation. For institutions that receive Title VI funds, 20 U.S.C. 1132-7 imposes a reporting obligation that is similar to Section 117. While the monetary threshold is almost identical in Section 117 and 20 U.S.C. 1132-7, they reference different time periods.</p> <p>COMMENTS DUE: December 14, 2020</p> <p>EFFECTIVE DATE: November 13, 2020</p>
<p>New Information Collection: NASA STEM Gateway Performance Management and Third-Party Experience, 85 Federal Register 72702, November 13, 2020</p>	<p>NOTICE: The NASA STEM Gateway (NASA's universal registration and data management system) is a comprehensive tool designed to allow learners (i.e., students and educators) to apply to NASA STEM engagement opportunities (e.g., internships, fellowships, challenges, educator professional development, experiential learning activities, etc.) in a single location. NASA personnel manage the selection of applicants and implementation of engagement opportunities within the NASA STEM Gateway. In addition to supporting student</p>

	<p>selection, student-level data will enable NASA Office of STEM Engagement (OSTEM) to fulfill federally mandated performance and evaluation reporting on its STEM engagement activities and report relevant demographic information as needed for Agency performance goals and success criteria (annual performance indicators). Information collected will be used by the NASA OSTEM to establish better defined goals, outcomes, and standards for measuring progress and also to evaluate the outcomes of NASA's STEM Engagement programs and activities. This process of improvement will enhance NASA's strategic planning, performance planning, and performance reporting efforts as required by the GPRA Modernization Act of 2010 and Evidence-Based Policymaking Act of 2018.</p> <p>COMMENTS DUE: December 14, 2020</p>
<p>Department of Agriculture Regulations for Grants and Agreements; Update of Citations, 85 Federal Register 72912, November 16, 2020</p>	<p>NOTICE: The Office of Management and Budget (OMB) revised sections of its Guidance for Grants and Agreements in August 2020. This final rule amends the regulations of several United States Department of Agriculture agencies to reflect the revised OMB guidance and make technical corrections to the Department's grants and agreements regulations.</p> <p>EFFECTIVE DATE: November 16, 2020</p>
<p>EBSA Registration Requirements for Pooled Plan Providers, 85 Federal Register 72934, November 16, 2020</p>	<p>FINAL RULE: This final regulation establishes the requirements for registering with the Department of Labor as a “pooled plan provider” for “pooled employer plans” under the Employee Retirement Income Security Act of 1974, as amended (ERISA). The Setting Every Community Up for Retirement Enhancement Act of 2019 (SECURE Act) provides that newly permitted pooled plan providers can begin offering pooled employer plans on January 1, 2021, but requires such persons to register with the Secretary of Labor before beginning operations. This final regulation also establishes a new form—EBSA Form PR (Pooled Plan Provider Registration)—as the required filing format for pooled plan provider registrations. The Form PR must be filed electronically with the Department of Labor. Filing the Form PR with the Department of Labor also satisfies the SECURE Act requirement to register with the Department of the Treasury. This final regulation affects persons wishing to serve as pooled plan providers, defined contribution pension benefit plans that are operated as pooled employer plans, employers participating in such plans, and participants and beneficiaries covered by such plans.</p> <p>EFFECTIVE DATE: November 16, 2020</p>
<p>FCC Call Authentication Trust Anchor, 85 Federal Register 73360, November 17, 2020</p>	<p>FINAL RULE: In this document, the Federal Communications Commission (Commission) adopts rules implementing the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act), promoting the deployment of caller ID authentication technology, and combatting the practice of illegal caller ID spoofing. In doing so, the Second Report and Order adopts rules governing intermediate providers and caller ID authentication in non-IP networks, implementing the exceptions and extensions established by the TRACED Act, and prohibiting line-item charges for caller ID authentication.</p> <p>EFFECTIVE DATE: December 17, 2020</p>

<p>IRS Review of Regulatory and Other Relief To Support Economic Recovery, 85 Federal Register 73252, November 17, 2020</p>	<p>REQUEST FOR COMMENTS: On May 19, 2020, the President signed Executive Order 13924, Executive Order On Regulatory Relief to Support Economic Recovery, to direct agencies to consider principles of fairness in administrative enforcement and adjudication and to consider rescinding, modifying, or waiving any regulations and other requirements that may inhibit the ongoing economic recovery from the Coronavirus Disease 2019 pandemic. In furtherance of E.O. 13924, this document invites members of the public to submit comments to the Internal Revenue Service concerning regulations and other requirements that can be rescinded, modified, or waived to assist business and individual taxpayers with the ongoing economic recovery from the Coronavirus Disease 2019 pandemic.</p> <p>COMMENTS DUE: January 4, 2021</p>
<p>IRS Proposed Collection: Comment Request for Forms 945, 945-A, 945-X and TD 8672, 85 Federal Register 73352, November 17, 2020</p>	<p>NOTICE: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Form 945 Annual Return of Withheld Federal Income Tax, Form 945-A Annual Record of Federal Tax Liability, Form 945-X Adjusted Annual Return of Withheld Federal Income Tax or Claim for Refund and TD 8672 Reporting of Non-payroll Withheld Tax Liabilities.</p> <p>COMMENTS DUE: January 19, 2021</p>
<p>Defense Acquisition Regulations System Revision; Comment Request, 85 Federal Register 74322, November 20, 2020</p>	<p>NOTICE: This information collection includes requirements relating to DFARS part 251, Contractor Use of Government Supply Sources, and the clause at DFARS 252.251-7000, Ordering from Government Supply Sources. This information collection permits contractors to place orders from Government supply sources, including Federal Supply Schedules, requirements contracts, and Government stock. Contractors are required to provide a copy of their written authorization to use Government supply sources with their order. The authorization is used by the Government source of supply to verify that a contractor is authorized to place such orders and under what conditions. The clause at DFARS 252.251-7000, Ordering from Government Supply Sources, requires a contractor to provide a copy of the authorization when placing an order under a Federal Supply Schedule, a Personal Property Rehabilitation Price Schedule, or an Enterprise Software Agreement.</p> <p>COMMENTS DUE: December 21, 2020</p>
<p>Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Provision and Clause on Reserve Officer Training Corps and Military Recruiting on Campus (DFARS Case 2020-D002), 85 Federal Register 74610, November 23, 2020</p>	<p>FINAL RULE: DFARS provision 252.209-7003, Reserve Officer Training Corps and Military Recruiting on Campus-Representation, and DFARS clause 252.209-7005, Reserve Officer Training Corps and Military Recruiting on Campus, are included in all solicitations and contracts with institutions of higher education. The DoD Task Force reviewed the requirements of these provisions and determined that DFARS coverage would not be necessary, and recommended removal, contingent upon a similar clause being implemented in the FAR that is available for use by all Federal agencies, when applicable.</p> <p>EFFECTIVE DATE: November 23, 2020</p>

<p>Notice of Availability; Proposed Updated Compliance Manual on Religious Discrimination, 85 Federal Register 74719, November 23, 2020</p>	<p>NOTICE: The Equal Employment Opportunity Commission (EEOC or Commission) is announcing the availability of a draft updated guidance, entitled “Proposed Updated Compliance Manual on Religious Discrimination.” The proposed updated guidance explains a variety of issues applicable to religious discrimination claims, discusses typical scenarios in which religious discrimination and requests for religious accommodation may arise, and provides guidance to employers on how to balance the needs of individuals in a diverse religious climate. The proposed guidance, when finalized, will supersede the Commission’s Compliance Manual on Religious Discrimination issued on July 22, 2008. (Proposed Updated Compliance Manual on Religious Discrimination 11-17-20)</p> <p>COMMENTS DUE: December 17, 2020</p>
<p>Cost of Living Adjustment to Public Broadcasters Compulsory License Royalty Rate, 85 Federal Register 74883, November 24, 2020</p>	<p>FINAL RULE: The Copyright Royalty Judges announce a cost of living adjustment (COLA) to the royalty rate that noncommercial radio stations at certain colleges, universities, and other educational institutions that are not affiliated with National Public Radio must pay for the use in 2021 of published nondramatic musical compositions in the SESAC repertory pursuant to the statutory license under the Copyright Act for noncommercial broadcasting.</p> <p>EFFECTIVE DATE: December 9, 2020</p>
<p>Information Collection; Federal Acquisition Regulation Part 3: Improper Business Practices and Personal Conflicts of Interest, 85 Federal Register 75325, November 25, 2020</p>	<p>NOTICE: DoD, GSA, and NASA are combining OMB Control Nos. for the Federal Acquisition Regulation (FAR) by FAR part. This consolidation is expected to improve industry’s ability to easily and efficiently identify all burdens associated with a given FAR part. OMB Control No. 9000-0018 is combined with previously approved information collections under OMB Control No. 9000-0091, with the new title “Federal Acquisition Regulation Part 3: Improper Business Practices and Personal Conflicts of Interest.” Upon approval of this consolidated information collection, OMB Control No. 9000-0091 will be discontinued.</p> <p>COMMENTS DUE: January 25, 2020</p>
<p>ED Notice of Reporting Process, 85 Federal Register 75310, November 25, 2020</p>	<p>NOTICE: The Department publishes this notice to inform public institutions of higher education how to submit to the Secretary a copy of a final, non-default judgment by a State or Federal court that the public institution or an employee of the public institution, acting in his or her official capacity, violated the First Amendment to the U.S. Constitution, as required under 34 CFR 75.500(b) and 34 CFR 76.500(b) of the Final Rule, 85 FR 59,916 (Sept. 23, 2020). The Department also publishes this notice to inform private institutions of higher education how to submit to the Secretary a copy of a final, non-default judgment by a State or Federal court to the effect that the private institution or an employee of the private institution, acting on behalf of the private institution, violated its stated institutional policy regarding freedom of speech or academic freedom, as required under 34 CFR 75.500(c) and 34 CFR 76.500(c) of the Final Rule. Finally, the Department publishes this notice to inform the public how a person may report a violation of newly promulgated regulations in the Final Rule, 34 CFR 75.500(d) and</p>

	34 CFR 76.500(d), that ensure equal treatment of religious student organizations at public institutions of higher education.
Debt Collection Practices (Regulation F), 85 Federal Register 76734, November 30, 2020	<p>FINAL RULE: The Bureau of Consumer Financial Protection (Bureau) is issuing this final rule to revise Regulation F, which implements the Fair Debt Collection Practices Act (FDCPA) and currently contains the procedures for State application for exemption from the provisions of the FDCPA. The Bureau is finalizing Federal rules governing the activities of debt collectors, as that term is defined in the FDCPA. The Bureau's final rule addresses, among other things, communications in connection with debt collection and prohibitions on harassment or abuse, false or misleading representations, and unfair practices in debt collection.</p> <p>EFFECTIVE DATE: November 30, 2020</p>
<h2>Virginia Register – November 2020</h2>	
No relevant entries this month	