

Federal Register – September 2022

[Consumer Financial Protection Circular 2022-04: Insufficient Data Protection or Security for Sensitive Consumer Information, 87 Federal Register 54346, September 6, 2022](#)

Consumer Financial Protection Circular 2022-04: The Consumer Financial Protection Bureau (Bureau or CFPB) has issued Consumer Financial Protection Circular 2022-04, titled, “Insufficient Data Protection or Security for Sensitive Consumer Information.” In this circular, the Bureau responds to the question, “Can entities violate the prohibition on unfair acts or practices in the Consumer Financial Protection Act (CFPA) when they have insufficient data protection or information security?” See Federal Register entry for details.

[Interpretive Bulletin Relating to the Independence of Employee Benefit Plan Accountants, 87 Federal Register 54368, September 6, 2022](#)

FINAL RULE: This document contains an Interpretive Bulletin (IB) setting forth guidelines for determining when a qualified public accountant is independent for purposes of auditing and rendering an opinion on the financial statements required to be included in the annual report filed with the Department of Labor (Department) under the Employee Retirement Income Security Act of 1974, as amended (ERISA). Under ERISA, a plan administrator is generally required to retain, on behalf of all plan participants, an “independent qualified public accountant” to conduct an annual examination of the plan's financial statements and to render an opinion as to whether the financial statements are presented fairly in conformity with generally accepted accounting principles (GAAP) and whether the schedules required to be included in the plan's annual report present fairly, and in all material respects the information contained therein when considered in conjunction with the financial statements taken as a whole. The purpose of this document is to revise and restate an IB the Department issued in 1975 on accountant independence in order to remove certain outdated and unnecessarily restrictive provisions and reorganize its provisions for clarity while continuing to ensure that the Department's interpretations foster proper auditor independence and access of employee benefit plan to highly qualified auditors and audit firms.

EFFECTIVE DATE: September 6, 2022

[Employment Authorization for Venezuelan F-1 Nonimmigrant Students Experiencing Severe Economic Hardship as a Direct Result of the Humanitarian Crisis in Venezuela, 87 Federal Register 55017, September 7, 2022](#)

NOTICE: This notice announces that the Secretary of Homeland Security (Secretary) is suspending certain regulatory requirements for F-1 nonimmigrant students whose country of citizenship is Venezuela, regardless of country of birth (or individuals having no nationality who last habitually resided in Venezuela), and who are experiencing severe economic hardship as a direct result of the humanitarian crisis in Venezuela. The Secretary is taking action to provide relief to those Venezuelan students who were in lawful F-1 nonimmigrant student status on April 22, 2021, and are currently maintaining F-1 nonimmigrant student status, 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. The U.S.

	<p>Department of Homeland Security (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: September 10, 2022 – March 10, 2024</p>
<p>Enforcement Policy Regarding Production Requirements for Standard Remote Identification Unmanned Aircraft, 87 Federal Register 55685, September 12, 2022</p>	<p>NOTIFICATION OF ENFORCEMENT POLICY: For noncompliance with the remote identification production requirements applicable to unmanned aircraft, which occurs on or before December 16, 2022, the FAA will consider all circumstances, in particular, the delay in the FAA's acceptance of a means of compliance, when exercising its discretion whether to take enforcement action.</p> <p>EFFECTIVE DATE: September 8, 2022</p>
<p>Agency Information Collection Activities; New Collection: e-Request Tool, 87 Federal Register 56968, September 16, 2022</p>	<p>NOTICE: Respondents will use this collection of information to notify USCIS that: their case is outside of normal processing times; they did not receive a notice; they did not receive a card or document by mail; to request an appointment accommodation; or to notify USCIS of a typographical error. USCIS will use the information provided by respondents to look up their case and determine an appropriate action in response to the inquiry.</p> <p>COMMENTS DUE: October 17, 2022</p>
<p>Americans With Disabilities Act Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act Accessibility Guidelines; Self-Service Transaction Machines and Self-Service Kiosks, 87 Federal Register 57662, September 21, 2022</p>	<p>ADVANCED NOTICE OF PROPOSED RULEMAKING: The Architectural and Transportation Barriers Compliance Board (“Access Board” or “Board”) is issuing this Advance Notice of Proposed Rulemaking (ANPRM) to begin the process of supplementing its accessibility guidelines for buildings and facilities covered by the Americans with Disabilities Act of 1990 and the Architectural Barriers Act of 1968 to address access to various types of self-service transaction machines (SSTMs), including electronic self-service kiosks, for persons with disabilities. By this ANPRM, the Access Board invites public comment on the planned approach to supplementing its ADA Accessibility Guidelines and ABA Accessibility Guidelines with new scoping and technical provisions for SSTMs and self-service kiosks. The Board will consider comments received in response to this ANPRM in its development of these guidelines for SSTMs and self-service kiosks in a future rulemaking.</p> <p>COMMENTS DUE: November 21, 2022</p>
<p>ED New Information Collection Activities; Comment Request; Build America, Buy America Act (BABAA) Domestic Sourcing Requirements Waiver-United States Department of Education BABAA Waiver Request Form, 87 Federal Register 57882, September 22, 2022</p>	<p>NOTICE: In accordance with section 70914 of the Build America Buy America Act (BABAA), grantees funded under the Dept's programs that allow funds to be used for infrastructure projects (i.e., construction and broadband infrastructure, may not use their grant funds for these infrastructure projects or activities unless they comply with the following BABAA sourcing requirements: (1) All iron and steel used in the infrastructure project or activity are produced in the United States, (2) All manufactured products used in the infrastructure project or activity are produced in the United States, and (3) All construction materials are manufactured in the United States.</p> <p>COMMENTS DUE: September 30, 2022</p>

<p>Freedom of Information Act and the Privacy Act, 87 Federal Register 57840, September 22, 2022</p>	<p>PROPOSED RULE: The Office of the Intellectual Property Enforcement Coordinator (IPEC) is issuing its implementing regulations for the Freedom of Information Act (FOIA) and the Privacy Act. The proposed rule describes how to make a FOIA request with IPEC and how IPEC processes requests for records. The proposed rule also states IPEC's Privacy Act Policies and Procedures. The proposed rule describes how individuals can find out if an IPEC system of records contains information about them and, if so, how to access or amend a record. IPEC seeks comments on all aspects of the proposed rule and will thoroughly consider all comments that are submitted on time.</p> <p>COMMENTS DUE: October 24, 2022</p>
<p>Asylum Application, and Employment Authorization for Applicants; Implementation of Vacatur, 87 Federal Register 57795, September 22, 2022</p>	<p>FINAL RULE: This final rule removes changes to regulatory text resulting from two final rules issued in June 2020, which were vacated by a Federal district court in February 2022. This final rule implements the vacatur by removing certain regulatory text governing asylum applications, interviews, and eligibility for employment authorization and an employment authorization document (EAD) based on a pending asylum application. It also reinserts various regulatory provisions as they appeared prior to the effective dates of the two final rules issued in June 2020.</p> <p>EFFECTIVE DATE: February 7, 2022</p>
<p>DOD, GSA, NASA Federal Acquisition Regulations, 87 Federal Register 58218, September 23, 2022</p>	<p>FINAL RULES: For the actual revisions and/or amendments made by these FAR rules, refer to the specific item numbers and subjects set forth in the documents following these item summaries. FAC 2022-08 amends the FAR as follows: Item I— Policy on Joint Ventures (FAR Case 2017-019), Item II— Construction Contract Administration (FAR Case 2018-020), Item III—Update of Historically Underutilized Business Zone Program (FAR Case 2019-007), Item IV—Certification of Women-Owned Small Businesses (FAR Case 2020-013), Item V—Technical Amendments</p> <p>EFFECTIVE DATES: See separate documents in Federal Register</p>
<p>Apprenticeship Programs, Labor Standards for Registration, 87 Federal Register 58269, September 26, 2022</p>	<p>FINAL RULE: The U.S. Department of Labor (DOL or the Department) is issuing this final rule to rescind its 2020 regulation that established a process under which the Department's Office of Apprenticeship (OA) Administrator (Administrator) was authorized to grant recognition to qualified third-party entities, known as Standards Recognition Entities (SREs), which in turn were authorized to evaluate and extend recognition to Industry-Recognized Apprenticeship Programs (IRAPs). This final rule also makes necessary conforming changes to the regulations governing the registration of apprenticeship programs by the Department.</p> <p>EFFECTIVE DATE: November 25, 2022</p>
<p>Employment Authorization for Burmese F-1 Nonimmigrant Students Experiencing Severe Economic Hardship as a Direct Result of the Current Crisis in Burma (Myanmar), 87 Federal Register 58509, September 27, 2022</p>	<p>NOTICE: This notice announces that the Secretary of Homeland Security (Secretary) is suspending certain regulatory requirements for F-1 nonimmigrant students whose country of citizenship is Burma, regardless of country of birth (or individuals having no nationality who last habitually resided in Burma), and who are experiencing severe economic hardship as a direct result of the current crisis in Burma. The Secretary is taking action to provide relief to these Burmese students who are</p>

	<p>lawful F-1 nonimmigrant students 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. The U.S. Department of Homeland Security (DHS) will deem an F-1 nonimmigrant student granted 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: November 26, 2022- May 25, 2024</p>
<p>FDA Proposed Rule; Institutional Review Boards; Cooperative Research, 87 Federal Register 58752, September 28, 2022</p>	<p>PROPOSED RULE: The Food and Drug Administration (FDA or we) is proposing to replace current requirements for FDA-regulated cooperative research with new requirements that would require any institution located in the United States participating in FDA-regulated cooperative research to rely on review and approval by a single institutional review board (IRB) for that portion of the research that is conducted in the United States, with some exceptions. FDA is also proposing an IRB recordkeeping requirement for research that takes place at an institution in which IRB oversight is conducted by an IRB that is not operated by the institution. FDA is proposing these revisions to streamline the IRB review process and decrease administrative burdens and inefficiencies for investigators and IRBs without compromising human subject protections. This proposed rule would harmonize FDA's requirements for cooperative research and IRB records, to the extent practicable and consistent with statutory provisions, with the “Federal Policy for the Protection of Human Subjects” (revised Common Rule) and is being issued in accordance with a provision of the 21st Century Cures Act (Cures Act).</p> <p>COMMENTS DUE: November 28, 2022</p>
<p>FDA Protection of Human Subjects and Institutional Review Boards, 87 Federal Register 58733, September 28, 2022</p>	<p>PROPOSED RULE: The Food and Drug Administration (FDA or Agency) is proposing to amend its regulations to modernize, simplify, and enhance the current system for oversight of FDA-regulated human subject research. This proposed rule, if finalized, would harmonize certain sections of FDA's regulations on human subject protection and institutional review boards (IRBs), to the extent practicable and consistent with other statutory provisions, with the revised Federal Policy for the Protection of Human Subjects (the revised Common Rule), in accordance with the 21st Century Cures Act (Cures Act). We believe the proposed changes, if finalized, will reduce regulatory burden on IRBs, sponsors, and investigators. In addition, we propose related changes to the investigational device exemption (IDE) regulations to clarify and update the requirements for the submission of progress reports.</p> <p>COMMENTS DUE: November 28, 2022</p>
<p>Minimum Wage for Federal Contracts Covered by Executive Order 13658, Notice of Rate Change in Effect as of January 1, 2023, 87 Federal Register 59468, September 30, 2022</p>	<p>NOTICE: The Wage and Hour Division (WHD) of the U.S. Department of Labor (the Department) is issuing this notice to announce the applicable minimum wage rate for workers performing work on or in connection with federal contracts covered by Executive Order 13658, Establishing a Minimum</p>

	<p>Wage for Contractors (the Executive Order or the order), beginning January 1, 2023. Beginning on that date, the Executive Order 13658 minimum wage rate that generally must be paid to workers performing work on or in connection with covered contracts will increase to \$12.15 per hour, while the required minimum cash wage that generally must be paid to tipped employees performing work on or in connection with covered contracts will increase to \$8.50 per hour. Covered contracts that are entered into on or after January 30, 2022, or that are renewed or extended (pursuant to an option or otherwise) on or after January 30, 2022, are generally subject to a higher minimum wage rate established by Executive Order 14026 of April 27, 2021, Increasing the Minimum Wage for Federal Contractors.</p> <p>EFFECTIVE DATE: January 1, 2023</p>
<p>Minimum Wage for Federal Contracts Covered by Executive Order 14026, Notice of Rate Change in Effect as of January 1, 2023, 87 Federal Register 59464, September 30, 2022</p>	<p>NOTICE: The Wage and Hour Division (WHD) of the U.S. Department of Labor (the Department) is issuing this notice to announce the applicable minimum wage rate for workers performing work on or in connection with federal contracts covered by Executive Order 14026, Increasing the Minimum Wage for Federal Contractors (the Executive Order or the order). Beginning on January 1, 2023, the Executive Order 14026 minimum wage rate that generally must be paid to workers performing work on or in connection with covered contracts will increase to \$16.20 per hour, while the required minimum cash wage that generally must be paid to tipped employees performing work on or in connection with covered contracts will increase to \$13.75 per hour. Similar contracts that were entered into, renewed, or extended prior to January 30, 2022, are generally subject to a lower minimum wage rate established by Executive Order 13658 of February 12, 2014, Establishing a Minimum Wage for Contractors.</p> <p>EFFECTIVE DATE: January 1, 2023</p>
<p>Virginia Register – September 2022</p>	
<p>No entries relevant to higher ed</p>	