

Federal Register – October 2023

[EEOC Proposed Enforcement Guidance on Harassment in the Workplace, 88 Federal Register 67750, October 2, 2023](#)

NOTICE: The EEOC is seeking public comments on all aspects of its proposed “Enforcement Guidance on Harassment in the Workplace” (proposed guidance) pursuant to 29 CFR part 1695. The proposed guidance presents a legal analysis of standards for harassment and employer liability applicable to claims of harassment under the equal employment opportunity statutes enforced by the Commission. The Commission posted and requested public input on a proposed guidance on workplace harassment in January 2017, which was not finalized. The contents of the final guidance document will not have the force and effect of law and are not meant to bind the public in any way. The document is intended only to provide clarity to the public regarding Commission policies and existing requirements under the law. The standards discussed under EEOC-enforced laws will not necessarily apply to allegations of unlawful harassment under other Federal laws or under State or local laws.

COMMENTS DUE: November 1, 2023

[Initiative To Protect Youth Mental Health, Safety & Privacy Online, 88 Federal Register 67733, October 2, 2023](#)

NOTICE: Preventing and mitigating any adverse health effects from use of online platforms on minors, while preserving benefits such platforms have on minors' health and well-being, are critical priorities of the Biden-Harris Administration. On behalf of the Department of Commerce and in conjunction with the other members of the United States government's Task Force on Kids Online Health & Safety, the National Telecommunications and Information Administration (NTIA) seeks broad input and feedback from stakeholders on current and emerging risks of health (including mental health), safety, and privacy harms to minors arising from use of online platforms. This request also seeks information about potential health, safety and privacy benefits stemming from minors' use of online platforms. Finally, we seek input on current and future industry efforts to mitigate harms and promote the health, safety and well-being of minors who access these online platforms. The data gathered through this process will be used to inform the Biden-Harris Administration's work to advance the health, safety, and privacy of minors.

COMMENTS DUE: November 16, 2023

[Federal Acquisition Regulation: Cyber Threat and Incident Reporting and Information Sharing, 88 Federal Register 68055, October 3, 2023](#)

PROPOSED RULE: DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to partially implement an Executive order on cyber threats and incident reporting and information sharing for Federal contractors and to implement related cybersecurity policies.

COMMENTS DUE: December 4, 2023

[Federal Acquisition Regulation: Standardizing Cybersecurity Requirements for Unclassified Federal](#)

PROPOSED RULE: DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to partially implement an Executive Order to standardize cybersecurity contractual

Information Systems, 88 Federal Register 68402, October 3, 2023	<p>requirements across Federal agencies for unclassified Federal information systems, and a statute on improving the Nation's cybersecurity.</p> <p>COMMENTS DUE: December 4, 2023</p>
OMB Guidance for Grants and Agreements, 88 Federal Register 69390, October 5, 2023	<p>NOTIFICATION OF PROPOSED GUIDANCE: The Office of Management and Budget (OMB) is proposing to revise sections of OMB Guidance for Grants and Agreements. This proposed revision reflects comments received from Federal agencies and those received in response to the OMB Notice of Request for Information published in the Federal Register in February 2023. In response to Federal agency and public input, OMB is proposing revisions intended in many cases to reduce agency and recipient burden. OMB proposes both policy changes and clarifications to existing guidance including plain language revisions. OMB also proposes to update the guidance to reflect recent OMB priorities related to Federal financial assistance. Finally, OMB is proposing revisions to improve Federal financial assistance management, transparency, and oversight through more accessible and readily comprehensible guidance.</p> <p>COMMENTS DUE: December 4, 2023</p>
Public Health Service Policies on Research Misconduct, 88 Federal Register 69583, October 6, 2023	<p>NOTICE OF PROPOSED RULEMAKING: In this Notice of Proposed Rulemaking (NPRM), the Department of Health and Human Services (HHS), Office of the Secretary, Office of the Assistant Secretary for Health (OASH), Office of Research Integrity (ORI) proposes to revise the Public Health Service (PHS) Policies on Research Misconduct. The proposed revisions are based on the experience ORI and institutions have gained with the regulation since it was released in 2005. This NPRM seeks comment from individuals, institutional officials, organizations, institutions, research funding agencies, and other members of the public on the proposed revisions and how to improve the clarity of substantive and non-substantive.</p> <p>COMMENTS DUE: December 5, 2023</p>
Financial Value Transparency and Gainful Employment, 88 Federal Register 70004, October 10, 2023	<p>FINAL RULE: The Secretary establishes and amends regulations related to gainful employment (GE) to address ongoing concerns about educational programs designed to prepare students for gainful employment in a recognized occupation, but that instead leave them with unaffordable amounts of student loan debt in relation to their earnings, or with no gain in earnings compared to others with no more than a high school education. The Secretary separately seeks to enhance transparency by providing information about financial costs and benefits to students at nearly all academic programs at postsecondary institutions that are eligible to participate in title IV of the Higher Education Act of 1965, as amended (HEA).</p> <p>EFFECTIVE DATE: July 1, 2024</p>
Employment Authorization for Cameroonian F-1 Nonimmigrant Students Experiencing Severe Economic Hardship as a Direct Result of the Current Armed Conflict and Current Humanitarian Crisis in Cameroon, 88 Federal Register 69939, October 10, 2023	<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 Cameroon, regardless of country of birth (or individuals having no nationality who last habitually resided in Cameroon), and who are experiencing severe economic hardship as a direct result of the current armed conflict and current</p>

	<p>humanitarian crisis in Cameroon. The Secretary is taking action to provide relief to these Cameroonian students who are in lawful 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. 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: December 8, 2023 – June 7, 2025</p>
<p>OMB Guidance for Grants and Agreements, 88 Federal Register 69390, October 13, 2023</p>	<p>PROPOSED RULE: The Office of Management and Budget (OMB) is proposing to revise sections of OMB Guidance for Grants and Agreements. This proposed revision reflects comments received from Federal agencies and those received in response to the OMB Notice of Request for Information published in the Federal Register in February 2023. In response to Federal agency and public input, OMB is proposing revisions intended in many cases to reduce agency and recipient burden. OMB proposes both policy changes and clarifications to existing guidance including plain language revisions. OMB also proposes to update the guidance to reflect recent OMB priorities related to Federal financial assistance. Finally, OMB is proposing revisions to improve Federal financial assistance management, transparency, and oversight through more accessible and readily comprehensible guidance.</p> <p>COMMENTS DUE: December 4, 2023</p>
<p>IRS Requirements for Type I and Type III Supporting Organizations, 88 Federal Register 71287, October 16, 2023</p>	<p>FINAL REGULATIONS: This document contains final regulations providing guidance on the prohibition on certain gifts or contributions to Type I and Type III supporting organizations from persons who control a supported organization and on certain other requirements for Type III supporting organizations. The regulations reflect changes to the law made by the Pension Protection Act of 2006. The regulations affect certain Type I and Type III supporting organizations and their supported organizations.</p> <p>EFFECTIVE DATE: October 16, 2023</p>
<p>Exemptions To Permit Circumvention of Access Controls on Copyrighted Works, 88 Federal Register 71287, October 19, 2023</p>	<p>NOTICE OF PROPOSED RULEMAKING: The United States Copyright Office is conducting the ninth triennial rulemaking proceeding under the Digital Millennium Copyright Act (“DMCA”), concerning possible temporary exemptions to the DMCA’s prohibition against circumvention of technological measures that control access to copyrighted works. In this proceeding, the Copyright Office is considering petitions for the renewal of exemptions that were granted during the eighth triennial rulemaking along with petitions for new exemptions to engage in activities not permitted by existing exemptions. On June 8, 2023, the Office published a Notification of Inquiry requesting petitions to renew existing exemptions and comments in response to those petitions, as well as petitions for new exemptions. Having carefully considered the renewal</p>

	<p>petitions and comments received, in this Notice of Proposed Rulemaking (“NPRM”), the Office announces its intention to recommend all but one of the existing exemptions for renewal. This NPRM also initiates three rounds of public comment on the newly proposed exemptions. Interested parties are invited to make full legal and evidentiary submissions in support of or in opposition to the newly proposed exemptions.</p> <p>COMMENTS DUE: Comments in support of exemptions are due December 22, 2023; comments in opposition are due February 20, 2024</p>
<p>Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program, 88 Federal Register 72685, October 23, 2023</p>	<p>FINAL RULE: The Secretary is designating for early implementation the change to the process for a borrower re-enrolling in the Revised Pay As You Earn (REPAYE) repayment plan, which is now also known as the Saving on a Valuable Education (SAVE) repayment plan, after previously being enrolled in a different plan. Under current 34 CFR 685.209(c)(4)(vi)(D) and (E), a borrower returning to REPAYE must provide documentation of income for the years in which the borrower was not on REPAYE. Section 685.209(e) of the final rule, which will become effective on July 1, 2024, employs a simpler process that does not require documentation of prior years' income information. (See 88 FR 43820, 43901). On October 23, 2023, the Department will implement § 685.209(e), to the extent it eliminates the requirement for borrowers returning to SAVE after having previously been on REPAYE to provide prior years' income. The Secretary is designating only the removal of this requirement for early implementation, rather than all of § 685.209(e).</p> <p>IMPLEMENTATION DATE: October 23, 2023</p>
<p>Modernizing H-1B Requirements, Providing Flexibility in the F-1 Program, and Program Improvements Affecting Other Nonimmigrant Workers, 88 Federal Register 72870, October 23, 2023</p>	<p>PROPOSED RULE: The U.S. Department of Homeland Security (DHS) proposes to amend its regulations governing H–1B specialty occupation workers to modernize and improve the efficiency of the H–1B program, add benefits and flexibilities, and improve integrity measures. Among the proposed provisions, DHS... proposes to provide flexibilities, such as automatically extending the duration of F–1 status, and any employment authorization granted under 8 CFR 274a.12(c)(3)(i)(B) or (C), until April 1 of the relevant fiscal year, rather than October 1 of the same fiscal year, to avoid disruptions in lawful status and employment authorization for F–1 students changing their status to H–1B. Additionally, DHS is proposing to clarify the requirements regarding the requested employment start date on H–1B cap-subject petitions to permit filing with requested start dates that are after October 1 of the relevant fiscal year, consistent with current USCIS policy. DHS intends to finalize the proposals contained in this rulemaking through one or more final rules, depending on agency resources.</p> <p>COMMENTS DUE: December 22, 2023</p>
<p>Agency Information Collection Activities; New Collection: E-Verify NextGen, I-9NG, 88 Federal Register 73610, October 26, 2023</p>	<p>NOTICE: E-Verify NextGen, I–9NG, was developed as a demonstration project to further integrate the Form I–9, Employment Eligibility Verification, process with the E-Verify electronic employment eligibility confirmation process to create</p>

	<p>a more secure and less burdensome employment eligibility verification process overall for employees and employers.</p> <p>COMMENTS DUE: November 27, 2023</p>
<p>NRC Draft Regulatory Guide: Suspicious Activity Reports, 88 Federal Register 73769, October 27, 2023</p>	<p>DRAFT GUIDE: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft Regulatory Guide (DG), DG–5082, “Suspicious Activity Reports.” This DG–5082 is proposed Revision 1 of Regulatory Guide (RG) 5.87 of the same name. This DG provides an approach acceptable to the NRC staff for licensees to use for reporting suspicious activity under NRC regulations, “Physical Protection of Plants and Materials,” to local law enforcement, the Federal Bureau of Investigation, the NRC, and the Federal Aviation Administration.</p> <p>COMMENTS DUE: December 11, 2023</p>
<p>NRC Draft Regulatory Guide: Physical Security Event Notifications, Reports, and Records, 88 Federal Register 73769, October 27, 2023</p>	<p>DRAFT GUIDE: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft Regulatory Guide (DG), DG–5082, “Suspicious Activity Reports.” This DG–5082 is proposed Revision 1 of Regulatory Guide (RG) 5.87 of the same name. This DG provides an approach acceptable to the NRC staff for licensees to use for reporting suspicious activity under NRC regulations, “Physical Protection of Plants and Materials,” to local law enforcement, the Federal Bureau of Investigation, the NRC, and the Federal Aviation Administration.</p> <p>COMMENTS DUE: December 11, 2023</p>
<p>NLRB Standard for Determining Joint Employer Status, 88 Federal Register 73946, October 27, 2023</p>	<p>FINAL RULE: The National Labor Relations Board has decided to issue this final rule for the purpose of carrying out the National Labor Relations Act (NLRA or Act) by rescinding and replacing the final rule entitled “Joint Employer Status Under the National Labor Relations Act,” which was published on February 26, 2020, and took effect on April 27, 2020. The final rule establishes a new standard for determining whether two employers, as defined in the Act, are joint employers of particular employees within the meaning of the Act. The Board believes that this rule will more explicitly ground the joint-employer standard in established common-law agency principles and provide guidance to parties covered by the Act regarding their rights and responsibilities when more than one statutory employer possesses the authority to control or exercises the power to control particular employees' essential terms and conditions of employment. Under the final rule, an entity may be considered a joint employer of another employer's employees if the two share or codetermine the employees' essential terms and conditions of employment.</p> <p>EFFECTIVE DATE: December 26, 2023</p>
<p>CFPB Personal Financial Data Rights, 88 Federal Register 74796, October 31, 2023</p>	<p>PROPOSED RULE: The Consumer Financial Protection Bureau (CFPB) is proposing a rule to implement personal financial data rights under the Consumer Financial Protection Act of 2010 (CFPA). The proposed rule would require depository and nondepository entities to make available to consumers and authorized third parties certain data relating to consumers' transactions and accounts; establish obligations for third parties accessing a consumer's data, including important privacy protections for that data; provide basic standards for data access; and promote fair, open, and inclusive industry standards.</p>

<p>ED Financial Responsibility, Administrative Capability, Certification Procedures, Ability To Benefit (ATB), 88 Federal Register 74568, October 31, 2023</p>	<p>COMMENTS DUE: December 29, 2023</p> <p>FINAL REGULATIONS: The Secretary amends the regulations implementing title IV of the Higher Education Act of 1965, as amended (HEA), related to financial responsibility, administrative capability, certification procedures, and ATB. We amend the financial responsibility regulations to increase the Department of Education's (Department) ability to identify high-risk events at institutions of higher education and require financial protection as needed. We amend and add administrative capability provisions to enhance the capacity for institutions to demonstrate their ability to continue to participate in the financial assistance programs authorized under title IV of the HEA (title IV, HEA programs). Additionally, we amend the certification procedures to create a more rigorous process for certifying institutional eligibility to participate in the title IV, HEA programs. Finally, we amend the ATB regulations related to student eligibility for non-high school graduates.</p> <p>EFFECTIVE DATE: July 1, 2024</p>
<p>Exchange Visitor Program, 88 Federal Register 74555, October 31, 2023</p>	<p>NOTICE: In accordance with the General Provisions of the Exchange Visitor Program regulations, the Assistant Secretary for Educational and Cultural Affairs (ECA), U.S. Department of State extends the waiver and modification of certain regulatory requirements with respect to a temporary educational and cultural exchange program established pursuant to an arrangement between the Government of the United States and the Government of Ukraine. Under the original arrangement for Special Student Relief, eligible Ukrainian college and university students on J–1 visas who have continuously resided in the United States since April 11, 2022, could carry lighter course loads and work full- or part- time, on or off campus until October 23, 2023. Under the modified and extended arrangement, eligible Ukrainian college and university students on J–1 visas who have continuously resided in the United States since August 16, 2023, may carry lighter course loads and work full- or part-time, on or off campus until April 19, 2025. This arrangement was established to ameliorate these students' financial and other hardships due to the Russian invasion of Ukraine.</p> <p>EFFECTIVE DATES: October 20, 2023 until April 19, 2025</p>

Virginia Register – October 2023

<p>18VAC110-20. Regulations Governing the Practice of Pharmacy (amending 18VAC110-20-110; adding 18VAC110-20-113), Virginia Register of Regulations, Volume 40, Issue 5, October 23, 2023</p>	<p>REGULATION: ...the amendments add a new section addressing pharmacy work environments, including to ensure (i) that the decisions of the pharmacist are not overridden by the pharmacy permit holder, including staffing decisions and the decision of whether pharmacy staff can safely provide vaccines at a given time; (ii) that pharmacy permit holders provide sufficient staffing levels to avoid interference with a pharmacist's ability to practice with reasonable competence and safety; (iii) that a pharmacist and pharmacy personnel are provided with proper and functioning equipment; (iv) pharmacists and pharmacy staff are not burdened with external factors that may inhibit the</p>
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	<p>ability to provide services to the public; (v) staff are properly trained to provide the services with which they are tasked; (vi) pharmacists are provided appropriate breaks while maintaining drug stock integrity and providing required consultation services to the public; (vii) pharmacists are provided adequate time to perform professional duties; and (viii) the existence of a reporting mechanism for staffing concerns.</p> <p>EFFECTIVE DATES: September 29, 2023 – March 28, 2025</p>
<p>Guidance Documents, Virginia Register of Regulations, Volume 40, Issue 5, October 23, 2023</p>	<p>Radiation Safety Practices for Non-medical Devices</p> <p>VA Board of Pharmacy Inspection Deficiency Monetary Penalty Guide</p>