

U.S. Federal Register Update: November 30 – December 4, 2020

The U.S. Federal Register Update contains summaries of entries in the U.S. Federal Register that may be of particular interest to the standards and conformity assessment community. This update is provided on a weekly basis by ANSI as a service to its members as part of the Institute's e-newsletter, *What's New?*

[Energy Conservation Program: Energy Conservation Standards for Direct Heating Equipment](#)

Published 12/1/2020

Reference ASME, AHAM, NFPA

The Energy Policy and Conservation Act, as amended (EPCA), prescribes energy conservation standards for various consumer products, including direct heating equipment (DHE). EPCA also requires the U.S. Department of Energy (DOE) to periodically determine whether more-stringent, amended standards would be technologically feasible and economically justified, and would result in significant energy savings. After carefully considering the available market and technical information for these products, DOE has tentatively concluded in this document that more-stringent standards for DHE would not save a significant amount of energy. Further, depending on the product class, more-stringent standards for DHE would not be technologically feasible or economically justified. As such, DOE has tentatively determined that amended energy conservation standards are not needed. DOE requests comment on this proposed determination, as well as the associated analyses and results. **DOE will hold a webinar on Monday, January 25, 2021, from 12:00 p.m. to 4:00 p.m. See section V, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants.**

[Fuels Regulatory Streamlining](#)

Published 12/4/2020

Reference ASTM, ISO, NIST

This action updates many of EPA's existing gasoline, diesel, and other fuel quality programs to improve overall compliance assurance and maintain environmental performance, while reducing compliance costs for industry and EPA. EPA is streamlining existing fuel quality regulations by removing expired provisions, eliminating redundant compliance provisions (e.g., duplicative registration requirements that are required by every EPA fuels program), removing unnecessary and out-of-date requirements, and replacing them with a single set of provisions and definitions that applies to all gasoline, diesel, and other fuel quality programs. This action does not change the stringency of the existing fuel quality standards. **This rule is effective on January 1, 2021, except for amendatory instructions 48, 51, and 52, which are effective on December 4, 2020, and amendatory instructions 16, 18, and 19, which are effective on January 1, 2022. The incorporation by reference of certain publications listed in this regulation is approved by the Director of the Federal Register as of December 4, 2020. The incorporation by reference of ASTM D86-12, D93-13, D445-12, D613-13, D4052-11, and D5186-03 (R2009) in part 1065 was approved by the Director of the Federal Register as of June 27, 2014.**

[Standard Steel Welded Wire Mesh From Mexico: Preliminary Affirmative Countervailing Duty Determination](#)

Published 12/3/2020

Reference ASTM

The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of standard steel welded wire mesh (wire mesh) from Mexico. The period of investigation is January 1, 2019 through December 31, 2019. Interested parties are invited to comment on this preliminary determination. **Applicable December 3, 2020.**

[Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review](#)

Published 12/2/2020

Reference ASTM

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with 19 CFR 351.213, that the Department of Commerce (Commerce) conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

All deadlines for the submission of comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting date.

[Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Reorganizations Service Guide and the Guide to the Fee Schedule](#)

Published 11/30/2020

Reference ISO

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) and Rule 19b-4 thereunder, notice is hereby given that on November 19, 2020, The Depository Trust Company (“DTC”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I, II and III below, which Items have been prepared by the clearing agency. DTC filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act and Rules 19b-4(f)(2) and (f)(4) thereunder. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[Framework for Automated Driving System Safety](#)

Published 12/3/2020

Reference ISO, SAE, UL

NHTSA is requesting comment on the development of a framework for Automated Driving System (ADS) safety. The framework would objectively define, assess, and manage the safety of ADS performance while ensuring the needed flexibility to enable further innovation. The Agency is seeking to draw upon existing Federal and non-Federal foundational efforts and tools in structuring the framework as ADS continue to develop. NHTSA seeks specific feedback on key components that can meet the need for motor vehicle safety while enabling innovative designs, in a manner consistent with agency authorities. **Written comments are due no later than February 1, 2021.**

[Wassenaar Arrangement 2018 Plenary Decisions Implementation; and Other Revisions Related to National Security Controls; Correction](#)

Published 12/4/2020

Reference ISO, SAE

In this rule, the Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) by making corrections to address errors that were inadvertently introduced with the September 11, 2020, Federal Register publication of “Wassenaar Arrangement 2018 Plenary Decisions Implementation; and Other Revisions Related to National Security Controls (Final Rule)”. **This rule is effective December 4, 2020.**

[Monthly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations](#)

Published 12/1/2020

Reference NFPA

Pursuant to section 189.a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular monthly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration (NSHC), notwithstanding the pendency before the Commission of a request for a hearing from any person. This monthly notice includes all amendments issued, or proposed to be issued, from October 16, 2020, to November 12, 2020. The last notice was published on November 3, 2020. **Comments must be filed by December 31, 2020. A request for a hearing or a petition for leave to intervene must be filed by February 1, 2021.**

[National Conference on Weights and Measures Annual and Interim Meeting](#)

Published 12/1/2020

Reference NIST

The combined 105th Annual and 2021 Interim Meeting of the National Conference on Weights and Measures (NCWM) will be held using a virtual meeting platform and in-person at the Sirata Beach Hotel & Conference Center, St. Pete Beach, Florida, from Sunday, January 10, 2021, through Friday, January 15, 2021. This notice contains information about significant items on the NCWM Committee agendas but does not include all agenda items. As a result, the items are not consecutively

numbered. **The 105th Annual Meeting will be held from Sunday, January 10, 2021, through Tuesday, January 12, 2021. The 2021 Interim Meeting will follow on Wednesday, January 13, 2021 through Friday, January 15, 2021. The meeting schedule will be available on the NCWM website at www.ncwm.com.**

[Privacy Act of 1974; System of Records](#)

Published 12/1/2020

Reference NIST

Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes to modify an existing system of records, entitled BGFRS-33, “FRB—Telephone Call Detail Records” to reflect changes in the format, location, and source of its wireless phone records. The Board also proposes to rename the system of records BGFRS-33, “FRB—Wired and Wireless Telephone Records,” as it stores information on the use of Board telephones, both wired and wireless. **Comments must be received on or before December 31, 2020. This modified system of records will become effective December 31, 2020, without further notice, unless comments dictate otherwise.**

[Medicare and State Health Care Programs: Fraud and Abuse; Revisions to Safe Harbors Under the Anti-Kickback Statute, and Civil Monetary Penalty Rules Regarding Beneficiary Inducements](#)

Published 12/2/2020

Reference NIST

This final rule amends the safe harbors to the Federal anti-kickback statute by adding new safe harbors and modifying existing safe harbors that protect certain payment practices and business arrangements from sanctions under the anti-kickback statute. This rule is issued in conjunction with the Department of Health and Human Services' (HHS's) Regulatory Sprint to Coordinated Care and focuses on care coordination and value-based care. This rule also amends the civil monetary penalty (CMP) rules by codifying a revision to the definition of “remuneration” added by the Bipartisan Budget Act of 2018 (Budget Act of 2018). **These regulations are effective January 19, 2021.**

[Medicare Program; Modernizing and Clarifying the Physician Self-Referral Regulations](#)

Published 12/2/2020

Reference NIST

This final rule addresses any undue regulatory impact and burden of the physician self-referral law. This final rule is being issued in conjunction with the Centers for Medicare & Medicaid Services' (CMS) Patients over Paperwork initiative and the Department of Health and Human Services' (the Department or HHS) Regulatory Sprint to Coordinated Care. This final rule establishes exceptions to the physician self-referral law for certain value-based compensation arrangements between or among physicians, providers, and suppliers. It also establishes a new exception for certain arrangements under which a physician receives limited remuneration for items or services actually provided by the physician; establishes a new exception for donations of cybersecurity technology and related services; and amends the existing exception for electronic health records (EHR) items and services. This final rule also provides critically necessary guidance for physicians and health care providers and suppliers whose financial relationships are governed by the physician self-referral statute and regulations. **These regulations are effective on January 19, 2021, except for amendment number 3, which further amends section 411.352(i), which is effective January 1, 2022.**
