July 2011

Federal Mandate Report

January 15th, 2011

To

July 1st, 2011

Commonwealth of Virginia

Office of the Governor

Office of Intergovernmental Affairs

The Federal Mandate Report is published semiannually by the Office of Intergovernmental Affairs (OIA). This report provides reviews of federal legislation containing unfunded mandates that have become public law (Part I), or passed at least one chamber of Congress (Part II). The OIA relies on the Congressional Budget Office's (CBO) interpretations of the Federal Unfunded Mandate Reform Act (UMRA) to determine what legislation contains intergovernmental mandates. Descriptions of the mandates provided in this analysis are based upon, or excerpted from, these CBO documents and Congressional Research Service (CRS) reports.

The report also provides reviews of federal regulatory action completed that may impact the Commonwealth (Part III). The OIA relies on recommendations of the Regulatory Information Service Center (RISC) of the General Services Administration (GSA) to determine which federal regulatory actions may affect the states.

This edition of the Federal Mandate Report is intended to provide an overview of the legislative and regulatory requirements imposed upon the Commonwealth for the period of January 15, 2011 to July 1, 2011. Of the bills reviewed by the CBO, 0 have become public law, while 5 have passed at least one chamber of Congress.

Likewise, the RISC of GSA identified a total of 48 completed federal regulatory actions published in spring 2011.

Additional information can be obtained by contacting:
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Part I – Mandates in Public Laws

Title I of the Unfunded Mandate Reform Act (UMRA) of 1995 requires the Congressional Budget Office (CBO) to prepare mandate statements for bills approved by authorizing committees. In those statements, CBO must address whether a bill contains federal mandates and, if so, whether the direct costs of those mandates would be greater than the thresholds established in the law. The thresholds for 2011, which are adjusted annually for inflation, are $71 million for intergovernmental mandates (state, local, or tribal governments) and $142 million or more per year for the private sector.

Bill Number	Bill Title	Unfunded Mandate on the State	Bill Status

Part II – Mandates in Pending Legislation

Title I of the Unfunded Mandate Reform Act (UMRA) of 1995 requires the Congressional Budget Office (CBO) to prepare mandate statements for bills approved by authorizing committees. In those statements, CBO must address whether a bill contains federal mandates and, if so, whether the direct costs of those mandates would be greater than the thresholds established in the law. The thresholds for 2011, which are adjusted annually for inflation, are $71 million for intergovernmental mandates (state, local, or tribal governments) and $142 million or more per year for the private sector.

Bill Number	Bill Title	Unfunded Mandate on the State	Bill Status
S. 23	America Invents Act	S. 23 would amend the law that governs how the Patent and Trademark Office (PTO) awards patents. Among other things, the bill would alter the rule that prioritizes the award of a patent from the "first to invent" to the "first inventor to file." As a result, PTO would change certain procedures it follows in awarding patents and would establish new review procedures to enable individuals to challenge the validity of a patent. According to a CBO estimate dated March 1, 2011, S. 23 would impose both intergovernmental and private-sector mandates, as defined in UMRA, on certain patent applicants. The bill also would preempt the authority of state courts to hear certain patent cases. Based on information from PTO, CBO estimates that the costs of complying with those mandates would exceed the annual threshold for private-sector mandates established in UMRA ($142 million in 2011, adjusted annually for inflation) in each of the first five years the mandate is in effect. CBO estimates that the costs to state, local, and tribal governments would fall below the annual threshold established in UMRA ($71 million in 2011, adjusted annually for inflation).	1/25/2011 Introduced in Senate 2/3/2011 Committee on the Judiciary. Reported by Senator Leahy with amendments. Without written report. 3/8/2011 Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay. 95 - 5. Record Vote Number: 35. (Yea – Warner, Webb) 3/9/2011 Held at the desk.
H.R. 1249	Leahy-Smith America Invents Act	H.R. 1249 would amend the law that governs how the Patent and Trademark Office (PTO) awards patents. Among other things, the bill would alter the rule that prioritizes the award of a patent from the "first to invent" to the "first inventor to file." As a result, PTO would change certain procedures it follows in awarding patents. The bill also would establish new review procedures that would allow individuals to challenge the validity of a patent and would modify PTO's authority to collect and spend fees.	3/30/2011 Introduced in House 6/1/2011 Reported (Amended) by the Committee on Judiciary. H. Rept. 112-98, Part I. 6/1/2011 Committee on The Budget discharged.

		According to a May 26, 2011 CBO report, H.R.1249 would impose both intergovernmental and private-sector mandates, as defined in UMRA, on certain patent applicants and other entities. The bill also would preempt the authority of state courts to hear certain patent cases. Based on information from PTO, CBO estimates that the costs of complying with those mandates would exceed the annual threshold for private-sector mandates established in UMRA ($142 million in 2011, adjusted annually for inflation) in each of the first five years the mandate is in effect. CBO estimates that the costs to state, local, and tribal governments would fall below the annual threshold established in UMRA ($71 million in 2011, adjusted annually for inflation). CBO has broken down the mandates in the bill as follows: **Mandates That Apply to Both Public and Private Entities** **PTO fees.** H.R. 1249 would impose a mandate on both public and private entities by allowing PTO to set or adjust certain fees and by permanently extending other fee increases that are set to expire at the end of fiscal year 2011. The requirement to pay those fees is a mandate because the federal government controls the patent and trademark systems, and no reasonable alternatives to the systems exist. Based on information from PTO, CBO estimates that the total cost to comply with the mandate would range from about $220 million in 2013 to about $350 million in 2017, with less than $1 million of those costs accruing to public entities and the rest accruing to private entities. **Restricting Prior-Use Defense.** H.R. 1249 would prohibit public and private entities from using the prior-use defense to patent infringement claims for business processes brought by a university or technology-transfer organization. Consequently, public and private entities that have been using business processes which are later patented by a university or technology-transfer organization would no longer be eligible to use those processes without permission from the patent holder. That restriction would be an intergovernmental and private-sector mandate. The cost of the mandate would be the cost to purchase a license from the patent holder, or the amount of net income the entity would lose as a result of no longer being able to use that patent commercially. Based on the small number of	6/23/2011 6/28/2011	Passed/agreed to in House: On passage Passed by recorded vote: 304 - 117 (Roll no. 491). (Yea – Wittman, Rigell, Scott, Forbes, Hurt, Goodlatte, Cantor, Moran, Griffith, Connolly Nay – Wolf) Placed on Senate Legislative Calendar under General Orders. Calendar No. 87.

		public entities that use business methods, CBO estimates that the cost to comply with the mandate would be small for public entities. According to information from industry experts, the prior-use defense has never been asserted in a recorded case and therefore it is likely that the use of such a defense would be uncommon. Consequently, CBO estimates that the cost to comply with the mandate for private entities would probably be small. **Mandate That Applies to Public Entities Only** H.R. 1249 would preempt the authority of state courts to hear certain patent cases. That provision would be an intergovernmental mandate as defined in UMRA. While it would limit the authority of state courts, CBO estimates that it would impose no duty on states that would result in additional spending. **Mandate That Applies to Private Entities Only** The bill also would impose a mandate on patent applicants by prohibiting certain tax strategies from being patented. The prohibition would apply to any application pending on the date of enactment and any application submitted for such a patent after that date. CBO has no basis for estimating the net income that would be forgone by a patent applicant for not receiving such a patent. Therefore, the cost to private entities to comply with this mandate is uncertain.	
H.R. 658	FAA Air Transportation Modernization and Safety Improvement Act	**Requirements for Next Generation Air Transportation System (NextGen) Equipment** The equipment currently costs at least $10,000 per aircraft; for jets and other large aircraft, the cost would amount to at least $100,000 per aircraft. Depending on FAA regulations, up to 240,000 aircraft could be affected, and most of the compliance costs would be incurred in the year that the equipment is required to be installed. Because of the relatively small number of public aircraft affected, CBO estimates the cost to state and local governments would be minimal. **Contingency Plans** The bill would require operators of large and medium airports, and airports	2/11/2011 Introduced in House 3/10/2011 Reported (Amended) by the Committee on 112-29, Part I. 3/16/2011 Supplemental report filed by the Committee on Transportation, H. Rept. 112-29, Part II. 3/23/2011 Committee on Science, Space, and Technology discharged.

		that accept diversion flights from those airports, to submit contingency plans to the Department of Transportation for emergency circumstances that ground aircraft. The bill also would require airports to update their plans every three or five years, respectively. All large and medium airports, and most of any other airports likely to be affected, are publicly owned and operated. CBO estimates that the costs to public entities would total between $5 million and $10 million in the first year of implementation, with smaller recurring costs for updates to the plans in later years. **Access to Criminal History Records** The bill would give the FAA the right to access criminal justice data maintained by the states. Although CBO cannot predict the extent to which the FAA would access state or local data systems, or make inquiries of state or local police officers, CBO estimates that the additional costs to state, local, and tribal governments of complying with the requests would be small **Noise Complaints** The bill would require large airports to publish a telephone number on the Internet where the public can make complaints about noise. Airports that receive 25 such complaints in the preceding year would be required to submit a report to the FAA regarding the nature of such complaints. The bill also would require operators of air ambulance services to submit annual reports to the FAA. CBO estimates the cost of those mandates to public and private entities would be small. *NOTE: There is no report outlining mandates in the Senate version, the FAA Reauthorization and Reform Act of 2011.*	3/23/2011 Committee on Judiciary discharged. 4/1/2011 Passed/agreed to in House: On passage Passed by recorded vote: 223 - 196 (Roll no. 220). (Yea – Wittman, Rigell, Forbes, Hurt, Goodlatte, Cantor, Griffith, Wolf Nay – Scott, Moran, Connolly) 4/7/2011 Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent. 5/5/2011 Resolving differences -- Senate actions: Senate appointed conferee(s) Isakson.
H.R. 910	Energy Tax Prevention Act of 2011	H.R. 910 would expand an existing preemption of state laws that regulate Greenhouse Gases (GHG's) from motor vehicles. Under current law, any state may obtain a waiver from the Environmental Protection Agency (EPA) to establish its own standard for GHGs from motor vehicles. Once EPA has approved the waiver, other states may adopt the California standard. The bill would prevent EPA from approving such waivers, thus expanding the preemption. Although the preemption would limit the application of state law, CBO estimates that it would impose no duty on state governments that	3/3/2011 Introduced in House 4/1/2011 Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 112-50. 4/7/2011 Passed/agreed to in House: On passage Passed by the Yeas and Nays: 255 - 172

		would result in additional spending.	(Roll No. 249). (Yea – Wittman, Rigell, Forbes, Hurt, Goodlatte, Cantor, Griffith, Wolf Nay – Scott, Moran, Connolly) 4/8/2011 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
H.R. 1309	Flood Insurance and Reform Act of 2011	**Flood Insurance** Current law prohibits lenders from making loans for real estate in areas at high risk for flood damage unless the property is covered by flood insurance. H.R. 1309 would require lenders to accept flood insurance from a private company if the policy fulfills all federal requirements for flood insurance. Under current law, lenders also are required to purchase flood insurance on behalf of the homeowner if, at any time during the life of a loan, they determine that a homeowner does not have a current policy in place. The bill would require lenders to terminate those policies within 30 days of being notified that the homeowner has purchased another policy. Lenders also would have to refund any premium payments and fees made by the homeowner for the time when both policies were in effect. Based on information from industry sources on current practice, CBO estimates that the cost of complying with those mandates would be small **Disclosure Requirements** Current law requires mortgage lenders that make federally related mortgages	4/1/2011 Introduced in House 6/9/2011 Reported (Amended) by the Committee on Financial Services. H. Rept. 112-102. 7/12/2011 Passed/agreed to in House: On passage Passed by recorded vote: 406 - 22 (Roll no. 562). (Yea – Wittman, Rigell, Scott, Forbes, Hurt, Goodlatte, Cantor, Moran, Griffith, Wolf, Connolly)

		(as defined in title 12, U.S.C. 2602) to provide a good-faith estimate of the amount or range of charges the borrower is likely to incur for specific settlement services. (To the extent that state agencies issue loans or other credit instruments that would be subject to the requirements of the Real Estate Settlement Procedures Act, the bill also would impose intergovernmental mandates.) The bill would require such mortgage lenders to include specific information about the availability of flood insurance in each good-faith estimate. The mandate would require small changes in existing disclosure requirements. Consequently, CBO estimates that the cost of the mandate to public and private mortgage lenders would be small. **Other Impacts** State, local, and tribal governments would benefit if funds authorized to be appropriated for mitigation and outreach activities related to flood hazards were made available in the future. Any costs to those governments, including matching funds, would be incurred voluntarily	7/13/2011 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.

Part III - Federal Regulatory Mandates

The Regulatory Information Service Center of the General Services Administration identified 48 completed federal regulatory actions published in the spring of 2011 that may affect states, many which may impact the Commonwealth of Virginia.

Title: Food Stamp Program: Clarifications and Corrections to Recipient Claim Establishment and Collection Standards
RIN: 0584-AD25
Agency: Department of Agriculture (USDA)
Abstract: Section 13 of the Food Stamp Act of 1977, as amended, requires State agencies to pursue collection of recipient over-issuances in the Food Stamp Program. On July 6, 2000, FNS published a major rule that revised many of the processes and procedures in this area. This final rule provides clarifications and corrections to the July 6, 2000, rulemaking (02-003).

Title: Direct Certification of Children in Food Stamp Households and Certification of Homeless, Migrant, and Runaway Children for Free Meals in the NSLP, SBP, and SMP
RIN: 0584-AD60
Agency: Department of Agriculture (USDA)
Abstract: In response to Public Law 108-265, which amended the Richard B. Russell National School Lunch Act, 7 CFR 245, Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools, will be amended to establish categorical (automatic) eligibility for free meals and free milk upon documentation that a child is (1) homeless as defined by the McKinney-Vento Homeless Assistance Act; (2) a runaway served by grant programs under the Runaway and Homeless Youth Act; or (3) migratory as defined in section 1309(2) of the Elementary and Secondary Education Act. The rule also requires phase-in of mandatory direct certification for children who are members of households receiving food stamps and continues discretionary direct certification for other categorically eligible children (04-018).

Title: Food Distribution Program on Indian Reservations: Amendments Related to the Food, Conservation, and Energy Act of 2008
RIN: 0584-AD95
Agency: Department of Agriculture (USDA)
Abstract: This final rule would amend regulations in 7 CFR part 253 for the Food Distribution Program on Indian Reservations (FDPIR) to be consistent with regulations for the Supplemental Nutrition Assistance Program (SNAP) by: * Excluding combat pay from income. This amendment is in response to section 4101 of the Food, Conservation, and Energy Act of 2008 (Farm Bill), which permanently excludes additional pay earned as a result of deployment to a combat zone (i.e., combat pay) as income when determining eligibility for SNAP. Pursuant to Public Law 110-161, the Consolidated Appropriations Act of 2008, combat pay was temporarily excluded as income for SNAP during fiscal year (FY) 2008. For consistency, such payments were also excluded for FDPIR. * Clarifying the standard deduction and net income. Section 4102 of the Farm Bill sets the standard deduction for SNAP in FY 2009 at no less than $144 for the continental United States and $246 for Alaska. Starting in FY 2010, this standard deduction is indexed by the Bureau of Labor Statistics Consumer Price Index for All Urban Consumers for items other than food for the 12-month period ending the preceding June 30 (adjusted to the lower dollar increment). FDPIR regulations use the established SNAP income standard. This provision clarifies that the FDPIR regulations are referring to the net SNAP income standard, not the gross income standard. * Amending the dependent care deduction. Current FDPIR regulations state that the dependent care deduction cannot exceed the maximum allowable under the SNAP. Section 4103 of the Farm Bill eliminated the maximum dollar limit on dependent care deduction in SNAP, allowing participants to claim their actual dependent care expenses. This provision is to clarify that FDPIR households can claim the actual allowable dependent care expenses for each child or other dependent and that the maximum deduction has been eliminated. * Excluding from resources, household funds that are held in education and/or retirement accounts. Section 4104 of the Farm Bill excludes from resources any funds held in qualified education and/or retirement savings accounts when determining eligibility for SNAP. This provision excludes funds held in a qualified tuition program account from financial resources when determining eligibility for FDPIR. Qualified tuition programs include those described in section 529 of the Internal Revenue Code of 1986 (the Code) or a Coverdell education savings account under section 530 of the Code. It also excludes from financial resources any funds held in qualified retirement accounts (09-006).

Title: Radiation Sources on Army Land

RIN: 0702-AA58
Agency: Department of Defense (DOD)
Abstract: The Department of the Army amended its regulation to title 32 Code of Federal Regulations section 655.10. The Army requires non-Army agencies (including civilian contractors) to obtain an Army Radiation Permit (ARP) from the installation commander to use, store, or possess ionizing radiation sources on an Army Installation. For the purpose of this paragraph, "ionizing radiation source" means any source that, if held or owned by an Army organization, would require a specific Nuclear Regulatory Commission (NRC) license or Army Radiation Authorization (ARA). The purpose of the ARP is to protect the public, civilian employees, and military personnel on an installation from potential exposure to radioactive sources. The U.S. Army Safety Office, who is the proponent for the Army Radiation Safety Program, revised the regulation to reflect the Nuclear Regulatory Commission's changes to licensing of Naturally Occurring or Accelerator Produced Material (NARM).

Title: Children's Health Insurance Program (CHIP); Allotment Methodology and States' Fiscal Years 2009 through 2015 CHIP Allotments (CMS-2291-F)
RIN: 0938-AP53
Agency: Department of Health and Human Services (HHS)
Abstract: This final rule describes the implementation of certain funding provisions under the Social Security Act (the Act), the Children's Health Insurance Program (CHIP), as amended by the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), by the Medicare, Medicaid, and SCHIP Extension Act of 2007 (MMSEA), and by other related CHIP legislation. Specifically, this rule addresses methodologies and procedures for determining States' FY 2009 through FY 2015 allotments and payments in accordance with sections 2104 and 2105 of the Act, as amended by CHIPRA and the Affordable Care Act.

Title: Civil Money Penalties for Nursing Homes (CMS-2435-F)
RIN: 0938-AQ02
Agency: Department of Health and Human Services (HHS)
Abstract: This rule revises and expands current Medicare and Medicaid regulations regarding the imposition of civil money penalties by CMS when nursing homes are not in compliance with Federal participation requirements.

Title: State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2011 (CMS-2318-N)
RIN: 0938-AQ42
Agency: Department of Health and Human Services (HHS)
Abstract: This notice sets forth final allotments available to States to pay the Medicare Part B premiums for Qualifying Individuals (QIs) for the Federal fiscal year (FY) 2010 and the preliminary QI allotments for FY 2011.

Title: Final FY 2009 and 2010 and Preliminary FY 2011 Disproportionate Share Hospital (DSH) Payment Allotments and Institutions for Mental Disease DSH Limits (CMS-2321-N)
RIN: 0938-AQ44
Agency: Department of Health and Human Services (HHS)
Abstract: This notice sets forth the States' final and preliminary fiscal year disproportionate share hospital (DSH) payment allotments and States' institutions for mental disease (IMD) DSH limits under the Medicaid program.

Title: Home and Community-Based Services (HCBS) State Plan Services Program and 5-Year Approvals and Renewals for Waivers and Demonstration Projects (CMS-2249-P2)
RIN: 0938-AO53
Agency: Department of Health and Human Services (HHS)
Abstract: In 2008, CMS issued a proposed rule that would define and describe State plan home and community-based services (HCBS) under the Deficit Reduction Act. This rule would allow States, at their option, to provide home and community-based services (HCBS) under their regular State Medicaid plans. This proposed rule revises the 2008 proposed rule to implement provisions of the Affordable Care Act that require oversight and assessment of the administration of home and community based services. In addition, this rule would respond to public comments received on the previous proposed rule pertaining to the HCBS benefit under the Medicaid State plan. Finally, this proposed rule would clarify that Medicaid waivers that provide services for individuals dually eligible for Medicare and Medicaid could be authorized for as long as 5 years. Any waiver that provides medical assistance for dual eligible individuals (including any waivers under which non-dual eligible individuals may be enrolled) may be conducted for a period of 5 years and, upon request by the State, may be extended for additional 5-year periods.

Title: Internal Claims, Appeals, and External Review Processes Under the Affordable Care Act (CMS-9993-IFC2)
RIN: 0938-AQ66
Agency: Department of Health and Human Services (HHS)
Abstract: The Affordable Care Act provides consumers with the right to appeal decisions made by their health carrier to an outside, independent decision maker, regardless on the State of residence or type of health insurance. Under interim final regulations issued earlier this year, non-grandfathered plans and issuers must comply with a State external review process or the Federal external review process. This rule would finalize the regulation and provide an opportunity to respond to public comments.

Title: Requirements To Implement American Health Benefit Exchanges and Other Provisions of the Affordable Care Act (CMS-9989-P)
RIN: 0938-AQ67
Agency: Department of Health and Human Services (HHS)
Abstract: The Affordable Care Act requires the establishment of health insurance exchanges –new, competitive, consumer-centered health insurance marketplaces – that will put greater control and greater choice in the hands of individuals and small businesses. The exchanges will make purchasing health insurance easier by providing eligible consumers and businesses with "one-stop-shopping" where they can compare and purchase health insurance coverage. The Affordable Care Act authorized grants to the states to help them design and establish exchanges in time for millions of Americans to choose their coverage for 2014. This proposed rule would establish the requirements for exchanges.

Title: Rate Review (CMS-9999-F)
RIN: 0938-AQ68
Agency: Department of Health and Human Services (HHS)
Abstract: The Affordable Care Act requires the Secretary to work with states to establish an annual review of unreasonable rate increases, to monitor premium increases and to award grants to states to carry out their rate review process. This rule implements the rate review process.

Title: Medical Loss Ratios (CMS-9998-F)
RIN: 0938-AQ71
Agency: Department of Health and Human Services (HHS)
Abstract: The Affordable Care Act requires health insurance issuers offering individual or group coverage to submit annual reports to the Secretary on the percentages of premiums that the coverage spends on reimbursement for clinical services and activities that improve health care quality, and to provide rebates to enrollees if this spending does not meet minimum standards for a given plan year. This final rule implement the definition and methodology associated with the calculation of the Medical Loss Ratio (MLR) provisions of the Affordable Care Act and the calculation of the rebate to consumers for plans that do not satisfy the MLR.

Title: Transparency Reporting (CMS-9985-P)
RIN: 0938-AQ72
Agency: Department of Health and Human Services (HHS)
Abstract: The Affordable Care Act requires group health plans and health insurance issuers to submit specific information to the Secretary, the State insurance commissioner, and to make the information available to the public. This includes information on claims payment policies, the number of claims denied, data on rating practices and other information as determined by the Secretary. The provision also requires plans and issuers to provide to individuals upon request the amount of cost sharing that the individual would be responsible for paying for a specific item or service provided by a participating provider. This interim final rule would implement information disclosure provisions in section 2715A of the Public Health Service Act, as added by the Affordable Care Act.

Title: Affordable Care Act Waiver for State Innovation; Review and Approval Process (CMS-9987-F)
RIN: 0938-AQ75
Agency: Department of Health and Human Services (HHS)
Abstract: The Affordable Care Act requires that the Secretary issue regulations regarding the Waiver for State Innovation. This regulation provides a process for public notice and comment at the State level, including public hearings, sufficient to ensure a meaningful level of public input; a process for the submission of an application that ensures the disclosure of the provisions of law that the state involved seeks to waive and the specific plans of the State to ensure that the waiver will be in compliance with subsection (b) of section 1332 of the Affordable Care Act; a process for providing public notice and comment after the application is received by the Secretary, that is sufficient to ensure a meaningful level of public input and that does not impose

requirements that are in addition to, or duplicative of, requirements imposed under the Administrative Procedures Act, or requirements that are unreasonable or unnecessarily burdensome with respect to state compliance; a process for the submission to the Secretary of periodic reports by the state concerning the implementation of the program under the waiver; and a process for the periodic evaluation by the Secretary of the program under the waiver.

Title: Advance Planning Document Reform
RIN: 0970-AC33
Agency: Department of Health and Human Services (HHS)
Abstract: This rule updates existing regulations at 45 CFR 95 to make conforming changes reflecting transfer of HHS grant authority from 45 CFR 74 to part 92; to make technical updates to accurately reflect current terminology such as HCFA to CMS; and to make revisions designed to reduce the amount of Federal oversight and monitoring based on risk.

Title: Modifications to the HIPAA Privacy, Security, Enforcement, and Breach Notification Rules
RIN: 0991-AB80
Agency: Department of Health and Human Services (HHS)
Abstract: The Department of Health and Human Services Office for Civil Rights will issue final rules to modify the HIPAA Privacy, Security, Enforcement, and Breach Notification Rules as necessary to implement the privacy, security, enforcement, and breach notification provisions of Subtitle D of the Health Information Technology for Economic and Clinical Health Act (Title XIII of the American Recovery and Reinvestment Act of 2009), and will modify the HIPAA Privacy Rule as required by Section 105 of the Genetic Information Nondiscrimination Act of 2008.

Title: Additional Screening, Application Fees, and Temporary Moratoria for Providers and Suppliers (CMS-6028-F)
RIN: 0938-AQ20
Agency: Department of Health and Human Services (HHS)
Abstract: This rule implements additional provider and supplier enrollment requirements under the Affordable Care Act of 2010. This rule reduces fraud, waste, and abuse in the Medicare program and significantly improves the screening mechanism to prevent questionable providers and suppliers from entering the program.

Title: Reporting and Paying Royalties on Federal Leases on Takes or Entitlement Basis
RIN: 1010-AC29
Agency: Department of the Interior (DOI)
Abstract: This rule addresses reporting and payment requirements for oil and gas production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.

Title: Debt Collection and Administrative Offset for Monies Due the Federal Government
RIN: 1012-AA03 (transferred to RIN: 1010-AD36)
Agency: Department of the Interior (DOI)
Abstract: Current Office of Natural Resources Revenue(ONRR)regulations do not contain a debt collection rule as required by the Federal Claims Collection Act of 1966 (Pub. L. 89-508, 80 Stat. 308), as amended by the Debt Collection Act of 1982 and the Debt Collection Improvement Act of 1996. This rulemaking will satisfy these statutory requirements and include provisions for administrative offset.

Title: Valuation of Federal Coal for Advance Royalty Purposes
RIN: 1010-AD37 (transferred to RIN 1012-AA04)
Agency: Department of the Interior (DOI)
Abstract: This rulemaking would comply with a requirement of the Energy Policy Act of 2005, which changes the way coal is valued on Federal leases for purposes of determining advance royalty in lieu of continued operations. This rulemaking would update the regulations to implement this change in the governing law.

Title: Civil Penalty and Appeals Regulations
RIN: 1010-AD67 (Transferred to **RIN:** 1012-AA05)
Agency: Department of the Interior (DOI)
Abstract: The Office of Natural Resources Revenue(ONRR) is adjusting civil penalty amounts for inflation to comply with the Federal Civil Penalty Inflation Adjustment Act of 1990 (Inflation Adjustment Act). The rule also would codify new civil penalty authority for solid mineral and geothermal leases, and publish ONRR's civil penalty assessment table.

Title: Refuge-Specific Hunting and Sport Fishing Regulations, 2010 to 2011
RIN: 1018-AX20
Agency: Department of the Interior (DOI)
Abstract: The Department of interior (DOI) made additions to refuge-specific regulations for the 2010-2011 hunting season. This action is part of an annual

update for the National Wildlife Refuge System that ensures adequate public notice of openings and changes. DOI operates hunting and fishing programs on refuges to implement the National Wildlife Refuge System Improvement Act of 1996 directives to facilitate compatible priority wildlife-dependent recreational opportunities.

Title: Applicability of the Sex Offender Registration and Notification Act
RIN: 1105-AB22
Agency: Department of Justice (DOJ)
Abstract: The Department of Justice is publishing this rule to specify that the requirements of the Sex Offender Registration and Notification Act, title I of Public Law 109-248, apply to sex offenders convicted of the offense for which registration is required before the enactment of that Act. These requirements include registration by a sex offender in each jurisdiction in which the sex offender resides, is an employee, or is a student. The Attorney General has the authority to make this specification pursuant to sections 112(b) and 113(d) of the Sex Offender Registration and Notification Act.

Title: Supplemental Guidelines for Sex Offender Registration and Notification
RIN: 1105-AB36
Agency: Department of Justice (DOJ)
Abstract: The Sex Offender Registration and Notification Act (SORNA), 42 U.S.C. 16901 et seq., establishes minimum national standards for sex offender registration and notification. The Attorney General issued the National Guidelines for Sex Offender Registration and Notification ("SORNA Guidelines" or "Guidelines"), 73 FR 38029 et seq., on July 2, 2008, to provide guidance and assistance to jurisdictions in implementing the SORNA standards in their sex offender registration and notification programs. These supplemental guidelines augment or modify certain features of the SORNA Guidelines in order to make a change required by the KIDS Act, 42 U.S.C. 16915a, and to address other issues arising in jurisdictions' implementation of the SORNA requirements. The matters addressed include certain aspects of public website posting of sex offender information, interjurisdictional tracking and information sharing regarding sex offenders, the review process concerning jurisdictions' SORNA implementation, the classes of sex offenders to be registered by jurisdictions retroactively, and the treatment of Indian tribes newly recognized by the federal government subsequent to the enactment of SORNA.

Title: Trade Adjustment Assistance for Workers Program; Regulations
RIN: 1205-AB57
Agency: Department of Labor (DOL)
Abstract: The Trade and Globalization Assistance Act of 2009 (Act), division B, title I, subtitle I of the American Recovery and Reinvestment Act of 2009, reauthorized the Trade Adjustment Assistance for Workers program. Effective February 13, 2011, the Act has expired and program administration has reverted to prior law. Therefore, the Department is withdrawing this Notice of Proposed Rulemaking from the Regulatory Agenda.

Title: Amendments to the Fair Labor Standards Act
RIN: 1235-AA00
Agency: Department of Labor (DOL)
Abstract: Small Business Job Protection Act of 1996 (H.R. 3448) enacted on August 20, 1996 (Pub. L. 104-188, title II), amended the Portal-to-Portal Act (PA) and the Fair Labor Standards Act (FLSA). The U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Pub. L. 110-28) also amended the FLSA by increasing the minimum wage in three steps: to $5.85 per hour effective July 24, 2007; to $6.55 per hour effective July 24, 2008; and to $7.25 per hour effective July 24, 2009. Changes will be required in the regulations to reflect these amendments. Other updates will address needed clarifications to additional sections of the regulations, including sections affected by Public Law 106-151, section 1 (Dec. 9, 1999), 113 Stat. 1731, and Public Law 106-202 (May 18, 2000), 114 Stat. 308.

Title: Revised Funding Formula for Jobs for Veterans State Grants
RIN: 1293-AA17
Agency: Department of Labor (DOL)
Abstract: VETS does not intend to undertake further rulemaking for this item. VETS sought input on revisions suitable for implementation, within the very narrow range of Secretarial authority established by the governing statute. In response to the publication of the ANPRM, only six comments were received, five of which were submitted by State agencies with workforce responsibilities. These five State agencies reflected a regional concentration of States from the West and Southwest. There was no clear consensus among the comments received. Therefore, VETS intends to consider the possibility of implementing some of the suggestions received, within the administrative flexibility available under existing statutory and regulatory authority.

Title: Department of Homeland Security Implementation of OMB Guidance on Drug-Free Workplace Requirements
RIN: 1601-AA62
Agency: Department of Homeland Security (DHS)
Abstract: The Department of Homeland Security (DHS) is issuing a regulation to adopt the Office of Management and Budget (OMB) guidance on drug-free workplaces, now codified at 2 CFR part 182. This regulatory action implements OMB's initiative to streamline and consolidate into one title of the CFR all Federal regulations on drug-free workplace requirements for financial assistance.

Title: Energy Efficiency Standards for Residential Central Air Conditioners and Heat Pumps
RIN: 1904-AB47
Agency: Department of Energy (DOE)
Abstract: DOE is reviewing and updating energy efficiency standards, as required by the Energy Policy and Conservation Act, to reflect technological advances. All amended standards must be technologically feasible and economically justified. This is the second review of the statutory standards for residential central air conditioners and air conditioning heat pumps.

Title: Test Procedures for Walk-In Coolers and Walk-In Freezers
RIN: 1904-AB85
Agency: Department of Energy (DOE)
Abstract: The Energy Independence and Security Act of 2007 amendments to the Energy Policy and Conservation Act require that DOE establish test procedures for walk-in coolers and walk-in freezers.

Title: Energy Conservation Program for Consumer Products: Test Procedure for Fluorescent Lamp Ballasts
RIN: 1904-AB99
Agency: Department of Energy (DOE)
Abstract: As required by the Energy Policy and Conservation Act, as amended by National Appliance Energy Conservation Amendments of 1987, DOE is reviewing and updating energy conservation standards to reflect technological advances. All energy efficiency standards must be technologically feasible and economically justified. DOE is amending the existing test procedure for fluorescent lamp ballasts in support of the ongoing energy conservation standard rulemaking.

Title: Test Procedures for Room Air Conditioners and Clothes Dryers, Active Mode, and Standby and Off Mode
RIN: 1904-AC02
Agency: Department of Energy (DOE)
Abstract: Section 302 of the Energy Independence and Security Act (EISA) of 2007 amends the Energy Policy and Conservation Act (EPCA) to require that test procedures for all covered products (including room air conditioners and clothes dryers) be reviewed at least once every 7 years. EISA also amends the EPCA to require the test procedures for clothes dryers and room air-conditioners be amended to include standby mode and off mode consumption.

Title: Test Procedures for Residential Dishwashers, Dehumidifiers, and Conventional Cooking Products-Standby and Off Mode
RIN: 1904-AC27
Agency: Department of Energy (DOE)
Abstract: The Energy Independence and Security Act of 2007 amends the Energy Policy and Conservation Act to require the test procedures for dishwashers, dehumidifiers, and ranges and ovens be amended to include standby mode and off mode energy consumption.

Title: Federal Requirements under the Underground Injection Control (UIC) Program for Carbon Dioxide (CO2) Geologic Sequestration (GS) Wells
RIN: 2040-AE98
Agency: Environmental Protection Agency (EPA)
Abstract: The Safe Drinking Water Act (SDWA) requires EPA to regulate the injection of fluid, including gases such as carbon dioxide (CO2), to prevent the endangerment of underground sources of drinking water (USDWs). EPA finalized regulations for geologic sequestration (GS) wells on December 10, 2010 (75 FR 77230). New regulations for GS wells provide a consistent framework for permitting GS wells to ensure that CO2 injection does not endanger underground sources of drinking water.

Title: Identification of Non-Hazardous Secondary Materials That Are Solid Wastes
RIN: 2050-AG44
Agency: Environmental Protection Agency (EPA)
Abstract: The Agency is defining which non-hazardous secondary materials burned in combustion units are solid wastes under the Resource Conservation and Recovery Act (RCRA). This in turn will assist the Agency in determining which non-hazardous secondary materials will be subject to either the emissions standards under sections 112 or 129 of the Clean Air Act (CAA). If the secondary material is considered a "solid waste," the unit that burns the non-hazardous secondary material would be subject to the CAA section 129 requirements. The meaning of "solid waste" as defined under RCRA is

important because CAA section 129, which regulates emissions from sources that combust solid wastes, states that the term "solid waste" shall have the meaning "established by the Administrator [pursuant to RCRA]."

Title: National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers
RIN: 2060-AM44
Agency: Environmental Protection Agency (EPA)
Abstract: The Clean Air Act (CAA) requires that EPA develop standards for toxic air pollutants, also known as hazardous air pollutants or air toxics for certain categories of sources. These pollutants are known or suspected to cause cancer and other serious health and environmental effects. This regulatory action will develop emission standards for boilers located at area sources. An area source facility emits or has the potential to emit less than 10 tons per year (tpy) of any single air toxic or less than 25 tpy of any combination of air toxics. Boilers burn coal and other substances such as oil or biomass (e.g., wood) to produce steam or hot water, which is then used for energy or heat. Industrial boilers are used in manufacturing, processing, mining, refining, or any other industry. Commercial and institutional boilers are used in commercial establishments, medical centers, educational facilities and municipal buildings. The majority of area source boilers covered by this proposed rule are located at commercial and institutional facilities and are generally owned or operated by small entities. EPA estimates that there are approximately 183,000 existing area source boilers at 91,000 facilities in the United States and that approximately 6,800 new area source boilers will be installed over the next 3 years. The rule will cover boilers located at area source facilities that burn coal, oil, biomass, or secondary "non-waste" materials. Natural gas-fired area source boilers are not part of the categories to be regulated. The rule will reduce emissions of a number of toxic air pollutants including mercury, metals, and organic air toxics. The standards for area sources must be technology-based. Standards for area sources can be based on either generally available control technology (GACT), or maximum achievable control technology (MACT). To determine GACT, we look at methods, practices and techniques that are commercially available and appropriate for use by the sources in the category. We consider the economic impacts on sources in the category and the technical capabilities of the firms to operate and maintain the emissions control systems. MACT can be based on the emissions reductions achievable through application of measures, processes, methods, systems, or techniques, but must at least meet minimum control levels as defined in the Clean Air Act. Economic impacts cannot be considered when determining those minimum control levels.

Title: Methods for Measurement of Filterable PM10 and PM2.5 and Measurement of Condensable Particulate Matter Emissions From Stationary Sources
RIN: 2060-AO58
Agency: Environmental Protection Agency (EPA)
Abstract: This action adds new procedures to two methods required in State Implementation Plans to measure fine PM or PM 2.5 with condensable emissions. Method 201a is amended to add procedures and equipment specifications for use of a 2.5 micron size cut cyclone which may be used in conjunction with the current 10 micron size cut cyclone if measuring both PM10 and PM2.5 or may be used alone if only PM2.5 is to be measured. Method 202 is amended to add procedures and equipment specifications to be followed when the measurement of fine PM which includes condensable emissions is required. These amendments improve the accuracy and precision of the former version of Method 202.

Title: Revision to Pb Ambient Air Monitoring Requirements
RIN: 2060-AP77
Agency: Environmental Protection Agency (EPA
Abstract: On 12/14/2010, EPA revised the ambient monitoring requirements for measuring lead (Pb) in the air. These amendments expand the nation's lead monitoring network to better assess compliance with the revised National Ambient Air Quality Standards (NAAQS) for lead issued in 2008. EPA is changing the emission threshold that state monitoring agencies must use to determine if an air quality monitor should be placed near an industrial facility that emits lead. The new emission threshold is 0.5 tons per year (tpy), reduced from the previous threshold of 1.0 tpy. Any new monitors located near an emissions source must be operational no later than one year after this rule is published in the Federal Register. EPA is maintaining a 1.0 tpy lead emission threshold for airports. However, EPA is requiring a 1-year monitoring study of 15 additional airports (beyond those currently required to monitor at the existing 1.0 tpy emission threshold). The study will help EPA determine whether airports that emit less than 1.0 tpy have the potential to cause the surrounding areas to exceed the lead NAAQS of 0.15 micrograms per cubic meter (• g/m3). The monitors participating in the study must be operational no later than one year after this rule is published in the Federal Register. EPA is also requiring lead monitoring in large urban areas (Core

Based Statistical Areas, or CBSAs, with a population of 500,000 people or more). Monitors will be located along with multi-pollutant ambient monitoring sites (known as the "NCore network"). Lead monitoring at these sites will begin January 1, 2012. The NCore network will consist of approximately 80 monitoring sites, of which 63 will be in large urban areas. The requirement to add these monitors replaces an existing requirement to place lead monitors in each CBSA with a population of 500,000 or more people. EPA estimates that a net increase of up to 76 lead monitors will be required to satisfy the revised monitoring requirements: Increase of 114 source-oriented monitors; o Increase of 63 monitors at urban NCore network sites; Decrease of 101 non-source-oriented monitors previously required in CBSA's with a population of 500,000 or more.

Title: Action to Ensure Authority to Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Substantial Inadequacy and SIP Call
RIN: 2060-AQ08
Agency: Environmental Protection Agency (EPA)
Abstract: EPA finalized actions that may authorize state, local, or tribal air permitting authorities (collectively "states") or the EPA to issue permits under the CAA New Source Review PSD program for sources of GHGs as early as January 2, 2011, which is when some of those sources will be required to obtain PSD permits in order to undertake construction or modification projects. These actions apply to states whose SIP PSD programs fail to apply to GHG sources. For each of these states, EPA, acting pursuant to the authority of the CAA provisions governing requirements for SIPs, proposed to issue a finding that the state's PSD SIP is substantially inadequate to comply with the CAA PSD requirements, and EPA proposes to require the state (through a "SIP call") to revise its SIP as necessary to correct such inadequacies. Such a SIP revision, when approved by EPA, would authorize the state to issue PSD permits to GHG sources. In a companion notice, EPA finalized a federal implementation plan ("FIP"), which EPA would finalize if a state fails to make the required SIP submission and which would authorize EPA to issue the PSD permits to the GHG sources.

Title: National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial & Institutional Boilers and Process Heaters
RIN: 2060-AQ25
Agency: Environmental Protection Agency (EPA)
Abstract: Section 112 of the Clean Air Act (CAA) outlines the statutory requirements for EPA's stationary source air toxics program. Section 112 mandates that EPA develop standards for hazardous air pollutants (HAP) for both major and area sources listed under section 112(c). This regulatory action will finalize emission standards for boilers and process heaters located at major sources. Section 112(d)(2) requires that emission standards for major sources be based on the maximum achievable control technology (MACT). Industrial boilers and institutional/commercial boilers are on the list of section 112(c)(6) source categories. In this rulemaking, EPA will finalize standards for these source categories.

Title: Action to Ensure Authority to Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions Federal Implementation Plan
RIN: 2060-AQ45
Agency: Environmental Protection Agency (EPA)
Abstract: EPA finalized a federal implementation plan (FIP) to apply in any state that is unable to submit, by its specified deadline, a corrective state implementation plan (SIP) revision to ensure that the state has authority to issue permits under the Clean Air Act's New Source Review Prevention of Significant Deterioration ("PSD") program for sources of greenhouse gases ("GHGs"). This final action is a companion rulemaking to RIN 2060-AQ08 "Action to Ensure Authority to Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Substantial Inadequacy and SIP Call," which was signed and published on the same schedule; EPA finalized a finding of substantial inadequacy and issued e a SIP call for a number of states on grounds that their SIPs do not apply the PSD program to GHG-emitting sources.

Title: National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry and Review of New Source Performance Standards for Portland Cement Plants
RIN: 2060-AQ59
Agency: Environmental Protection Agency (EPA)
Abstract: In this action, we are clarifying provisions of the National Emission Standards for Hazardous Air Pollutants (NESHAP) and correcting a minor error in the New Source Performance Standards (NSPS) for the Portland Cement Manufacturing Industry. These rules were published in the Federal Register on September 9, 2010 and take effect on

November 8, 2010. The final rule NESHAP amendments were unclear concerning compliance dates for some sources, and did not make clear that emission limits currently in effect for existing sources remain in effect until the compliance date of the new emission standards. We also omitted text in one column in Table 1 of §63.1343(b). In the NSPS we inadvertently omitted a required rule reference in the incorporation by reference provision. This action clarifies the compliance dates, and emissions limits, and corrects the two minor errors. This action is now complete.

Title: Limitation of Approval of Prevention of Significant Deterioration Provisions Concerning Greenhouse Gas Emitting-Sources in State Implementation Plans
RIN: 2060-AQ62
Agency: Environmental Protection Agency (EPA)
Abstract: This final action was another in a series of steps EPA took to implement the Prevention of Significant Deterioration (PSD) program for greenhouse gas (GHG)-emitting sources. EPA has finalized its proposed rulemaking to narrow its previous approval of a number of State Implementation Plan (SIP) PSD programs that apply to GHG-emitting sources. Specifically, EPA has withdrawn its previous approval of those programs to the extent they apply PSD to GHG-emitting sources below the thresholds in the Final Tailoring Rule, which EPA promulgated by Federal Register notice dated June 3, 2010 (RIN 2060-AP86).

Title: Action to Ensure Authority to Implement Title V Permitting Programs Under the Greenhouse Gas Tailoring Rule
RIN: 2060-AQ63
Agency: Environmental Protection Agency (EPA)
Abstract: In this action, EPA finalized its rulemaking to narrow EPA's previous approval of state title V operating permit programs that apply (or may apply) to GHG-emitting sources. The final greenhouse gas Tailoring Rule includes a step by-step implementation strategy for issuing federally-enforceable permits to the largest, most environmentally significant sources beginning January 2, 2011. Specifically, in this final rule, EPA narrowed its previous approval of certain state permitting thresholds for GHG emissions so that only sources that equal or exceed the GHG thresholds established in the final Tailoring Rule would be covered as major sources by the federally-approved programs in the affected states. By raising the GHG thresholds that apply title V permitting to major sources in the affected states, this final rule reduced the number of sources that will be issued federally-enforceable title V permits and thereby significantly reduce permitting burdens for permitting agencies and sources alike in those states.

Title: Revision to Compliance Date for Pesticide Container/Containment Rule
RIN: 2070-AJ74
Agency: Environmental Protection Agency (EPA)
Abstract: On June 15, 2010, EPA granted a 4-month extension of the compliance date in 40 CFR 156.159 by which the pesticide labels must be updated with the container management statements required by the pesticide container and containment regulations originally published in 2006 and amended in 2008. At the same time, EPA proposed and sought public comment on a 1-year extension. The Agency believes that an extension of the compliance date is necessary and appropriate. While there has been significant progress in the number of pesticide labels that have been updated with the container management statements required by the container-containment regulations, EPA has recently become aware that there are still a substantial number of products whose labels must be submitted to EPA, reviewed and approved by EPA, and reviewed and approved by the States. These amendments do not otherwise involve any other changes to the regulations.

Title: Commercial Driver's License Testing and Commercial Learner's Permit Standards
RIN: 2126-AB02
Agency: Department of Transportation (DOT)
A**bstract:** This rulemaking would establish revisions to the commercial driver's license knowledge and skills testing standards as required by section 4019 of TEA-21, implement fraud detection and prevention initiatives at the State driver licensing agencies as required by the SAFE Port Act of 2006, and establish new minimum Federal standards for States to issue commercial learner's permits (CLPs), based in part on the requirements of section 4122 of Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU). In addition to ensuring the applicant has the appropriate knowledge and skills to operate a commercial motor vehicle, this rule would establish the minimum information that must be on the CLP document and the electronic driver's record. The rule would also establish maximum issuance and renewal periods, establish a minimum age limit, address issues related to a driver's State of Domicile, and incorporate previous regulatory guidance into the Federal regulations. This rulemaking would also address issues raised in the SAFE Port Act.

Title: Update to NFPA 101, Life Safety Code for State Home Facilities

RIN: 2900-AN59
Agency: Department of Veterans Affairs (VA)
Abstract: The Department of Veterans Affairs (VA) is updating one of its regulations so that State home facilities that receive a per diem for providing nursing home care to eligible veterans will be required to meet certain provisions of the 2009 edition of the National Fire Protection Association's NFPA 101, Life Safety Code. This change is designed to assure that State home facilities meet current industry-wide standards regarding life safety and fire safety.

Title: Corporation for National and Community Service Act--Serve America Act Implementation For National Service Trust, Other Issues
RIN: 3045-AA51
Agency: Corporation for National and Community Service (CNCS)
Abstract: This rulemaking is the agency's second in a series to implement the changes to the national service laws under the Serve America Act. This rulemaking primarily focuses to changes to the National Service Trust, AmeriCorps term limitations, and also includes technical amendments to the rules to align them with the amended national service laws.

Title: Coordination Between the Non-Geostationary and Geostationary Satellite Orbit; ET Docket No. 03-254
RIN: 3060-AI21
Agency: Federal Communications Commission (FCC)
Abstract: The Report and Order (R&O), specified rules and procedures to be used for frequency coordination between terrestrial Broadcast Auxiliary Service and Cable Television Relay Service (BAS/CARS) operations and geostationary satellite orbit (GSO) or non-geostationary satellite orbit (NGSO) fixed-satellite service (FSS) operations in the 6875 7075 MHz (7 GHz) and 12750-13250 MHz (13 GHz) bands. The Commission did not adopt at this time a "Growth Zone" proposal that would have supplemented our existing terrestrial coordination procedures between NGSO FSS space-to-Earth operations and existing fixed service (FS) operations in the 10.7 11.7 GHz (10 GHz) band, and will retain our existing coordination rules. The Commission's decisions in this proceeding supports actions intended to allow new satellite services in frequency bands used by various fixed and mobile operations and addresses issues raised in the Notice of Proposed Rulemaking (NPRM) in this proceeding. This action permits satellite and terrestrial services operating in these bands to continue to coordinate their spectrum use in an efficient manner. This Report and Order also terminates this proceeding.

Title: Implementation of NET 911 Improvement Act
RIN: 3060-AJ09
Agency: Federal Communications Commission (FCC)
Abstract: On July 23, 2008, the New and Emerging Technologies Act was enacted. On August 25, 2008, the Commission released an NPRM seeking comment on implementing the NET 911 Improvement Act.

Title: Disclosure for Asset-Backed Securities Required by Section 943 of the Dodd-Frank Wall Street Reform and Consumer Protection Act
RIN: 3235-AK75
Agency: Securities and Exchange Commission (SEC)
Abstract: The Commission adopted amendments to its rules and forms to implement section 943 of the Dodd-Frank Act, which requires the Commission to prescribe regulations on the use of representations and warranties in the market for asset-backed securities.