

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## U.S. INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

### 2 CFR Chapter XVI

#### Nonprocurement Suspension and Debarment; Correction

**AGENCY:** U.S. International Development Finance Corporation.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document corrects a U.S. International Development Finance Corporation (DFC) proposed rule published in the *Federal Register* on January 5, 2024, regarding nonprocurement suspension and debarment (S&D). This correction clarifies that contracts where DFC has a privity of contract (first-tier procurement) should be covered transactions under the nonprocurement S&D requirements.

**DATES:** January 22, 2024.

**FOR FURTHER INFORMATION CONTACT:** Agency Submitting Officer: Deborah Papadopoulos, (202) 357-3979, *Email:* [fedreg@dfc.gov](mailto:fedreg@dfc.gov).

#### SUPPLEMENTARY INFORMATION:

##### Correction

##### § 1600.220 [Corrected]

■ In the proposed rule, FR Doc. 2023-28838, in the issue of January 5, 2024, on page 715, in the third column, § 1600.220 is corrected by removing “None” and adding “First-tier procurements (*i.e.*, primary contracts) under a covered nonprocurement transaction are covered transactions” in its place.

Dated: January 17, 2024.

##### Dev Jagadesan,

*Deputy General Counsel, Office of the General Counsel, U.S. International Development Finance Corporation.*

[FR Doc. 2024-01112 Filed 1-19-24; 8:45 am]

**BILLING CODE** 3210-02-P

## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 890

RIN 3206-A048

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

### 26 CFR Part 54

[REG-122319-22]

RIN 1545-BQ55

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

### 29 CFR Part 2590

RIN 1210-AC17

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

### 45 CFR Part 149

[CMS-9897-N]

RIN 0938-AV15

### Federal Independent Dispute Resolution Operations; Reopening of Comment Period

**AGENCY:** Office of Personnel Management; Internal Revenue Service, Department of the Treasury; Employee Benefits Security Administration, Department of Labor; Centers for Medicare & Medicaid Services, Department of Health and Human Services.

**ACTION:** Proposed rules; reopening of comment period.

**SUMMARY:** This document reopens the comment period for the proposed rules entitled “Federal Independent Dispute Resolution Operations” that appeared in the November 3, 2023, issue of the *Federal Register*. The comment period for the proposed rules, which closed on January 2, 2024, is reopened from January 22, 2024 to February 5, 2024.

**DATES:** The comment period for the proposed rules published November 3, 2023, at 88 FR 75744, is reopened. To be assured consideration, comments

must be received at one of the addresses provided below, no later than February 5, 2024.

**ADDRESSES:** Written comments may be submitted to the addresses specified below. Any comment that is submitted will be shared among the Department of the Treasury, the Department of Labor, the Department of Health and Human Services (the Departments), and the Office of Personnel Management. Please do not submit duplicates.

Comments will be made available to the public. Warning: Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are posted on the internet exactly as received and can be retrieved by most internet search engines. No deletions, modifications, or redactions will be made to the comments received, as they are public records. Comments may be submitted anonymously.

In commenting, please refer to file code RIN 0938-AV15. Because of staff and resource limitations, the Departments cannot accept comments by facsimile (FAX) transmission.

Comments, including mass comment submissions, must be submitted in one of the following three ways (please choose only one of the ways listed):

1. *Electronically.* You may submit electronic comments on this regulation to <https://www.regulations.gov>. Follow the “Submit a comment” instructions.

2. *By regular mail.* You may mail written comments to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-9897-P, P.O. Box 8016, Baltimore, MD 21244-8016.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-9897-P, Mail Stop C4-26-05, 7500 Security Boulevard, Baltimore, MD 21244-1850.

For information on viewing public comments, see the beginning of the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Padma Babubhai Shah, Office of

Personnel Management, at 202–606–4056; Shira B. McKinlay, Internal Revenue Service, Department of the Treasury, at 202–317–5500; Elizabeth Schumacher or Shannon Hysjulien, Employee Benefits Security Administration, Department of Labor, at 202–693–8335; Zarah Ghiasuddin or Bryan Kirk, Centers for Medicare & Medicaid Services, Department of Health and Human Services, at 301–492–4308.

**Customer Service Information:**

Information from the Office of Personnel Management (OPM) on health benefits plans offered under the Federal Employees Health Benefits (FEHB) Program can be found on the OPM website (<https://www.opm.gov/healthcare-insurance/healthcare/>). Individuals interested in obtaining information from the Department of Labor (DOL) concerning employment-based health coverage laws may call the Employee Benefits Security Administration (EBSA) Toll-Free Hotline at 1–866–444–EBSA (3272) or visit the DOL’s website ([www.dol.gov/agencies/ebsa](http://www.dol.gov/agencies/ebsa)). In addition, information from the Department of Health and Human Services (HHS) on private health insurance coverage and coverage provided by non-Federal governmental group health plans can be found on the Centers for Medicare & Medicaid Services (CMS) website (<https://www.cms.gov/marketplace>), information on health care reform can be found at <https://www.healthcare.gov>, and information on surprise medical bills can be found at <https://www.cms.gov/nosurprises>.

**SUPPLEMENTARY INFORMATION:** The Departments of the Treasury, Labor, and HHS (collectively, the Departments) and the Office of Personnel Management (OPM) published proposed rules entitled “Federal Independent Dispute Resolution Operations,” which appeared in the **Federal Register** on November 3, 2023 (88 FR 75744). In the proposed rules, the Departments and OPM proposed requirements related to the Federal independent dispute resolution (IDR) process established under the No Surprises Act, including new requirements for disclosing information along with the initial payment or notice of denial of payment for certain items and services subject to the surprise billing protections in the No Surprises Act and when initiating the Federal IDR process and the provision of certain Claim Adjustment Reason Codes (CARCs) and Remittance Advice Remark Codes (RARCs) with paper or electronic remittances. Additionally, those proposed rules

would define bundled payment arrangements and would amend certain requirements related to the open negotiation period, initiation of the Federal IDR process, eligibility determinations, batched disputes, extensions due to extenuating circumstances, selection of the certified IDR entity, and the collection of administrative fees and certified IDR entity fees. Lastly, the proposed rules would require plans and issuers to register in the Federal IDR portal.

The Departments published the final rules entitled “Federal Independent Dispute Resolution Process Administrative Fee and Certified IDR Entity Fee Ranges” (the IDR Fees final rules), which appeared in the **Federal Register** on December 21, 2023 (88 FR 88494). The IDR Fees final rules amend existing regulations to provide that the administrative fee amount charged by the Departments to participate in the Federal IDR process and the ranges for certified IDR entity fees will be established by the Departments in notice and comment rulemaking. The preamble to the IDR Fees final rules also sets forth the methodology used to calculate the administrative fee and the considerations used to develop the certified IDR entity fee ranges. The IDR Fees final rules also finalize the amount of the administrative fee and the certified IDR entity fee ranges for disputes initiated on or after the effective date of the IDR Fees final rules.

In addition, the preamble to the IDR Fees final rules addresses how changes in that rulemaking relate to the proposals contained in the Federal Independent Dispute Resolution Operations proposed rules, for which the comment period closed on January 2, 2024. To provide additional time for interested parties to consider and comment on any implications of the IDR Fees final rules, the Departments and OPM are reopening the comment period on the Federal Independent Dispute Resolution Operations proposed rules for all comments from January 22, 2024 to February 5, 2024. To be assured consideration, comments on the

proposed rules must be received no later than February 5, 2024.

**Laurie Bodenheimer,**

*Associate Director, Healthcare and Insurance, Office of Personnel Management.*

**Douglas W. O’Donnell,**

*Deputy Commissioner for Services and Enforcement, Internal Revenue Service.*

**Lisa M. Gomez,**

*Assistant Secretary, Employee Benefits Security Administration, Department of Labor.*

**Xavier Becerra,**

*Secretary, Department of Health and Human Services.*

[FR Doc. 2024–01072 Filed 1–17–24; 4:15 pm]

**BILLING CODE 4120–01–P; 6325–6–P; 4830–01–P; 4510–29–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2024–0029; Project Identifier MCAI–2023–01182–T]

RIN 2120–AA64

#### Airworthiness Directives; Airbus SAS Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede Airworthiness Directive (AD) 2021–20–08, which applies to certain Airbus SAS Model A318, A319, A320, A321, A330–200, A330–300, A330–800, A330–900, A340–200, A340–300, A340–500, A340–600, and A380–800 series airplanes. AD 2021–20–08 requires replacing certain parts manufacturer approval (PMA) nickel-cadmium (Ni-Cd) batteries with serviceable Ni-Cd batteries. Since the FAA issued AD 2021–20–08, it was determined that the on-wing preservation procedures originally provided in the service information did not ensure the expected preservation of the battery capacity. This proposed AD would add airplanes to the applicability and require replacement of certain affected parts with serviceable parts as a precondition for return to service of airplanes from storage or parking, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by March 7, 2024.