

III. Detailed Discussion of Comments— Compliance Supplement Part D

Fund Balances

Comment—The commenter, McBride Lock & Associates, stated that Part 1628 refers to an analysis of fund balance to determine whether a waiver is required to carryover LSC funds. The commenter further noted that this has been confusing for IPAs since LSC issued Program Letter 20–4, Revenue Recognition Guidance. The commentator stated that the regulatory reference uses the term fund balance, and this section should include a definition of fund balance for purposes of calculating the carryover amount.

Response—The LSC OIG agreed with this suggestion and updated the second paragraph on page 58. This section now includes the *LSC Financial Guide's*, section 3.3 definition of fund balance.

Fund Balances, Compliance Requirements Section, Third Paragraph

Comment—The commentator, Eide Bailly, suggested that the following compliance requirement be revised to include relevant regulatory language. “Recipients may request a waiver to retain a fund balance in excess of 10% of LSC support pursuant to 45 CFR 1628.3. Absent a waiver, recipients must repay a fund balance in excess of 10% of LSC support. If a waiver of the 10% ceiling is granted, the recipient must repay any fund balance in excess of the amount permitted to be retained. (45 CFR 1628.3)”

The commentator suggested the text read, “Recipients may request a waiver to retain a fund balance in excess of 10% of LSC support pursuant to 45 CFR 1638.3. Absent a waiver, recipients must repay a fund balance in excess of 10% of LSC support. If a waiver of the 10% ceiling is granted, the recipient may retain up to the amount permitted in the waiver but must repay any fund balance in excess of the amount permitted to be retained. (45 CFR 1628.3).”

Response—The LSC OIG agreed with the suggested change and updated Appendix A, Compliance Supplement.

Timekeeping, 2. Audit Procedures— Internal Control b

Comment—The commentator, McBride Lock & Associates suggested changing the language in the Part 1635—Timekeeping Requirement section from, “. . . how the recipient has revised its timekeeping policies to comply . . .” to “. . . how the recipient has established its timekeeping policies to comply . . .”

Response—The LSC OIG agreed with the comment and made this change.

Timekeeping, Section 2b, Audit Procedures—Internal Control and Section 3, Audit Procedures— Substantive

Comment—NLADA suggested two clarifications in the Part 1635—Timekeeping Requirement section. The comment was to add a reference to the *LSC Financial Guide* in Section 2b noting that the *LSC Financial Guide* lists timekeeping requirements. NLADA also suggested that LSC OIG clarify the “minimum sample size of 20 timesheets” in 3. Audit Procedures—Substantive. The suggested clarification is to be clear that one timesheet means a timesheet of one pay period for one employee.

Response—The LSC OIG agreed with these suggestions and added a reference to the *LSC Financial Guide* and added language to clarify the sample size.

For the reasons stated above, the Legal Services Corporation Office of Inspector General revises the *LSC OIG Audit Guide for Recipients and Auditors*. The revised *LSC OIG Audit Guide for Recipients and Auditors* and its appendices are available on the LSC OIG website at: *Audit Guidance* (*lsc.gov*).

The Audit Guide and appendices contain references to other documents, such as LSC program letters and forms. We plan to update these references as they are modified.

(Authority: 42 U.S.C. 2996g(e).)

Dated: May 12, 2023.

Stefanie Davis,

*Senior Associate General Counsel for
Regulations.*

[FR Doc. 2023–10574 Filed 5–18–23; 8:45 am]

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FEDERAL MARITIME COMMISSION

**46 CFR Parts 502, 503, 520, 530, 535,
540, 550, 555 and 560**

[Docket No. FMC–2023–0009]

RIN 3072–AC96

Update of Existing FMC User Fees

AGENCY: Federal Maritime Commission.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: On March 21, 2023, the Federal Maritime Commission (Commission) published a direct final rule, which notified the public of our intent to update its current user fees and amend the relevant regulations to reflect these updates, pursuant to Office of Management and Budget (OMB) Circular A–25. The direct final rule

stated that it would increase some fees to reflect increases in salaries of employees assigned to certain fee-generating services. For one service, the rule would lower fees because less-senior employees are assigned to the fee-generating activity. The rule will go into effect as scheduled.

DATES: The effective date of the direct final rule published at 88 FR 16894 on March 21, 2023, is confirmed as June 5, 2023.

FOR FURTHER INFORMATION CONTACT: William Cody, Secretary; Phone: (202) 523–5908; Email: secretary@fmc.gov.

SUPPLEMENTARY INFORMATION: The Commission received four comments in response to the direct final rule (DFR) titled “Update of Existing FMC User Fees.” Three of the four comments received did not include information relevant to this rulemaking. One comment addressed the substance of the DFR. None of the comments received were significant adverse comments nor were they within the scope of the rulemaking.

In the comment from Atlantic Pacific Tariffs, Inc. (AP Tariffs), AP Tariffs states that it opposes the proposed increase in fees. However, AP Tariffs’s comment is not a significant adverse comment. AP Tariffs takes issue with proposed increases in fees for new U.S.-based company license applications and argues this would exacerbate the troubling trend of predominantly foreign companies obtaining Commission registrations. The DFR cannot address this concern because the fees are the same for all applicants regardless of whether an applicant is U.S.-based or foreign. Thus, the commenter seems to be asking for different fees for U.S.-based versus foreign entities to prioritize the interests of U.S.-based companies. Because this rule does not address substantive changes to the underlying regulations and who should be subject to the fee, this argument is outside the scope of the DFR.

AP Tariffs also argues that increasing the fees would create a financial burden for aspiring American companies seeking to enter the maritime industry, would be counterproductive to fostering domestic entrepreneurship, and would exacerbate the trend of foreign entities obtaining Commission registrations at the expense of U.S. based companies. AP Tariffs argues that the Commission should reconsider any fee increases for new U.S.-based companies and prioritize the interests of U.S. based companies. All of these comments are outside the scope of the User Fees rule because they do not challenge the

methodology of calculating the fees, which is the focus of this rule.

Finally, AP Tariffs argues that the Commission should incrementally increase fees as the agency does in the Inflation Adjustment of Civil Monetary Penalties rule. The Commission already increases these fees incrementally by issuing biennial updates, consistent with the guidance in OMB Circular A–25.

In the DFR, the Commission noted that “the scope of the rulemaking is limited to the amounts charged for Commission services, and any substantive changes to the underlying regulations governing those services or related requirements would be outside this scope. Accordingly, comments on the underlying regulations and related requirements will not be considered adverse. Filed comments that are not adverse may be considered for modifications to the Commission’s regulations at a future date.” 88 FR 16894, 16896, (Mar. 21, 2023). As such, the Commission will take into consideration the changes mentioned in this comment when considering future substantive changes to the underlying regulations.

For the foregoing reasons, none of the comments received are considered significant adverse comments. The DFR will therefore go into effect as scheduled.

By the Commission.

William Cody,
Secretary.

[FR Doc. 2023–10751 Filed 5–18–23; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

48 CFR Part 552

[GSAR–TA–2023–02; Docket No. GSA–GSAR–2023–0014; Sequence No. 1]

General Services Administration Acquisition Regulation (GSAR); Personal Identity Verification Requirements Clause Reference; Technical Amendment

AGENCY: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Technical amendment.

SUMMARY: The General Services Administration is issuing this technical amendment to amend the General Services Administration Acquisition Regulation (GSAR), in order to update a web link as the organization website has been changed since the publication of the final rule (GSAR Case 2022–G521).

DATES: Effective May 19, 2023.

FOR FURTHER INFORMATION CONTACT: For clarification of content, contact Mr. Clarence Harrison at *GSARPolicy@gsa.gov* or 202–227–7051. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at *GSARRegSec@gsa.gov* or 202–501–4755.

SUPPLEMENTARY INFORMATION:

I. Background

On March 27, 2023, GSA amended the General Services Administration Acquisition Regulation (GSAR) through a final rule (88 FR 18074). The document contained a web link that has been updated, therefore, this technical amendment updates the CFR by correcting the link at GSAR 552.204–9 in paragraph (a).

List of Subjects in 48 CFR Part 552

Government procurement.

Jeffrey A. Koses,

Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration.

Therefore, GSA amends 48 CFR part 552 by making the following technical amendment:

PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

- 1. The authority citation for 48 CFR part 552 continues to read as follows:

Authority: 40 U.S.C. 121(c).

552.204–9 [Amended]

- 2. Amend section 552.204–9 in paragraph (b) by removing the web link “<https://www.gsa.gov/hspd12>” and adding “<https://www.gsa.gov/resources-for-federal-employees/access-gsa-facilities-and-systems-with-a-piv-card>” in its place.

[FR Doc. 2023–10669 Filed 5–18–23; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 140818679–5356–02; RTID 0648–XD024]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2023 Red Snapper Recreational For-Hire Fishing Season in the Gulf of Mexico

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces the 2023 recreational fishing season for the Federal charter vessel/headboat (for-hire) component for red snapper in the exclusive economic zone (EEZ) of the Gulf of Mexico (Gulf) through this temporary rule. The red snapper recreational for-hire component in the Gulf EEZ opens on June 1, 2023, and will close at 12:01 a.m., local time, on August 25, 2023. This closure is necessary to prevent the Federal for-hire component from exceeding its quota and to prevent overfishing of the Gulf red snapper resource.

DATES: The closure is effective at 12:01 a.m., local time, on August 25, 2023, until 12:01 a.m., local time, on January 1, 2024.

FOR FURTHER INFORMATION CONTACT: Daniel Luers, NMFS Southeast Regional Office, telephone: 727–551–5719, email: daniel.luers@noaa.gov.

SUPPLEMENTARY INFORMATION: The Gulf reef fish fishery, which includes red snapper, is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP). The FMP was prepared by the Gulf of Mexico Fishery Management Council and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

The final rule implementing Amendment 40 to the FMP established two components within the recreational sector fishing for Gulf red snapper: the private angling component, and the Federal for-hire component (80 FR 22422, April 22, 2015). Amendment 40 also allocated the red snapper recreational ACL (recreational quota) between the components and established separate seasonal closures for the two components. The Federal