

a safety concern that was intended to be addressed by handrail requirements.

Ricon says that, like the noncompliance found in the Braun Corporation's petition, "there is little to no risk of harm or injury" caused by the subject noncompliances. Ricon then reiterates that it is unlikely an operator would simultaneously activate the buttons that control the lift functions and if simultaneous activation of the "STOW"/"DEPLOY" buttons or the "UP"/"DOWN," did occur, the lift does not respond in a way that would compromise the safety of the occupant. Likewise, Ricon claims, the noncompliant slope of the outer barrier "is not sufficiently different" from the required slope ratio that it would cause "a noticeable change to the user."

Last, Ricon states that "[i]t is not aware of any claims or injury involving the performance of the control pendant, outer barrier slope, or operator manual or label wording."

In its petition, Navistar explains that due to the FMVSS No. 403 noncompliances found in the subject lifts, the subject school and commercial buses manufactured by Navistar are noncompliant with paragraph S4.1.4 of FMVSS No. 404. Navistar says that the subject buses meet all other requirements found in FMVSS No. 404.

Navistar states that it "incorporates and adopts the information from Ricon's Petition" and also says it has not received any complaints or other notices nor is it aware of any accidents, injuries, or warranty claims related to the noncompliances occurring in the subject lifts.

Ricon and Navistar conclude their petitions by stating that the subject noncompliances are inconsequential as they relate to motor vehicle safety and that their petitions to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on these petitions only applies to the subject equipment and vehicles that the petitioners no longer controlled at the time they determined that the noncompliance existed. However, any decision on these petitions does not

relieve equipment and vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant equipment and vehicles under their control after Ricon and Navistar notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8.)

**Otto G. Matheke III,**

*Director, Office of Vehicle Safety Compliance.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Art Advisory Panel—Notice of Availability of Report of 2022 Closed Meetings

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Notice.

**SUMMARY:** A report summarizing the closed meeting activities of the Art Advisory Panel during Fiscal Year 2022 has been prepared. A copy of this report has been filed with the Assistant Secretary for Management of the Department of the Treasury.

**DATES:**

*Applicable Date:* This notice is applicable August 21, 2023.

**ADDRESSES:** The report is available at <https://www.irs.gov/compliance/appeals/art-appraisal-services>.

**FOR FURTHER INFORMATION CONTACT:**

Robin B. Lawhorn, AP:SPR:AAS, Internal Revenue Service/Independent Office of Appeals, 400 West Bay Street, Suite 252, Jacksonville, FL 32202, Telephone number (904) 661-3198 (not a toll free number).

**SUPPLEMENTARY INFORMATION:** It has been determined that this document is not a major rule as defined in Executive Order 12291 and that a regulatory impact analysis is, therefore, not required. Additionally, this document does not constitute a rule subject to the Regulatory Flexibility Act (5 U.S.C. chapter 6).

*Authority:* 5 U.S.C. 1009(d), of the Federal Advisory Committee Act, and 5 U.S.C. 552b, of the Government in the Sunshine Act.

**Andrew J. Keyso Jr.,**

*Chief, Independent Office of Appeals.*

[FR Doc. 2023-18293 Filed 8-24-23; 8:45 am]

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## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0883]

### Agency Information Collection Activity: Per Diem to States for Care of Eligible Veterans in State Homes

**AGENCY:** Veterans Health Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** Veterans Health Administration (VHA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before October 24, 2023.

**ADDRESSES:** Submit written comments on the collection of information through Federal Docket Management System (FDMS) at [www.Regulations.gov](http://www.Regulations.gov) or to Grant Bennett, Office of Regulations, Appeals, and Policy (10BRAP), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to [Grant.Bennett@va.gov](mailto:Grant.Bennett@va.gov). Please refer to "OMB Control No. 2900-0883" in any correspondence. During the comment period, comments may be viewed online through FDMS.

**FOR FURTHER INFORMATION CONTACT:**

Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 810 Vermont Avenue NW, Washington, DC 20420, (202) 266-4688 or email [maribel.aponte@va.gov](mailto:maribel.aponte@va.gov). Please refer to "OMB Control No. 2900-0883" in any correspondence.

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VHA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VHA's functions, including whether the information will have practical utility; (2) the accuracy of VHA's estimate of

the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

*Authority:* Public Law 104–13; 44 U.S.C. 3501–3521.

*Title:* Per Diem to States for Care of Eligible Veterans in State Homes (VA Forms 10–0143, 10–0143A, 10–0144, 10–0144A, 10–0460a, and 10–3567).

*OMB Control Number:* 2900–0883.

*Type of Review:* Revision of a currently approved collection.

*Abstract:* Authority for this information collection is from Title 38 Code of Federal Regulations (CFR) part 51, Per Diem for Nursing Home, Domiciliary or Adult Day Health Care of Veterans in State Veterans Homes, requiring the VA to ensure that per diem payments are limited to facilities providing high quality care for Veterans. This collection of forms is approved under OMB Control Number 2900–0883.

These six forms (10–0143, 10–0143A, 10–0144, 10–0144A, 10–0460a, and 10–3567) are presented to and completed by State Veterans Homes (SVH) management under Subpart B of the CFR part 51 and then assessed for compliance to applicable regulations under Subparts D, E or F by VA contracted vendors during a VA survey at each State Veterans Home (SVH) across the U.S. as a regulatory action. This collection of forms falls under the auspices of The Office of Geriatrics and Extended Care in VA Central Office (12GEC). As per VHA Directive 1145.01, this collection of forms is part of the VA survey process. The legal requirements that necessitate this collection of information are found specifically at title 38 CFR parts 51.31, § 51.43 and § 51.210 for all three levels of care: nursing home, domiciliary, and adult day health care.

The information required at time of the VA survey includes the application and justification for medications for a basic rate Veteran; records and reports that SVH management must maintain regarding activities of residents or participants; information relating to whether the SVH meets standards

concerning residents' rights and responsibilities prior to admission or enrollment, during admission or enrollment, and upon discharge; the records and reports which SVH management and SVH health care professionals must maintain regarding residents or participants and employees; various types of documents pertaining to the management of the SVH; pharmaceutical records; and staffing documentation.

a. VA Form 10–0143—38 CFR 51.210(c)(9)—is used for the annual certification pursuant to the Drug-Free Workplace Act of 1988.

b. VA Form 10–0143A—38 CFR 51.210(c)(8)—is used for annual certification from the responsible State Agency showing compliance with section 504 of the Rehabilitation Act of 1973 (Pub. L. 93–112).

c. VA Form 10–0144—38 CFR 51.210(c)(10)—is used for annual certification regarding lobbying, in compliance with Public Law 101–121.

d. VA Form 10–0144A—38 CFR 51.210(c)(11)—is used for annual certification of compliance with Title VI of the Civil Rights Act of 1964, as incorporated in Title 38 CFR 18.1–18.3.

e. VA Form 10–0460a—38 CFR 51.43—As a condition for receiving drugs or medicine under this section or under § 17.96 of this chapter, the State Home will submit to the VA medical center of jurisdiction a monthly completed VA Form 10–0460a with the corresponding prescription(s) for each eligible Veteran.

f. VA Form 10–3567—38 CFR 51.31—is completed by SVH management during the annual VA survey and used to record and then assess the following: operating beds versus recognized beds, total FTEE authorized and vacancies, as well as resident census.

*Total Annual Burden:* 2,119 hours.

*Total Annual Responses:* 2,805.

*VA Form 10–0143:*

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Annual Burden:* 13.75 hours.

*Estimated Average Burden per Respondent:* 5 minutes.

*Frequency of Response:* Once annually.

*Estimated Number of Respondents:* 165.

*VA Form 10–0143A:*

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Annual Burden:* 13.75 hours.

*Estimated Average Burden per Respondent:* 5 minutes.

*Frequency of Response:* Once annually.

*Estimated Number of Respondents:* 165.

*VA Form 10–0144:*

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Annual Burden:* 13.75 hours.

*Estimated Average Burden per Respondent:* 5 minutes.

*Frequency of Response:* Once annually.

*Estimated Number of Respondents:* 165.

*VA Form 10–0144A:*

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Annual Burden:* 13.75 hours.

*Estimated Average Burden per Respondent:* 5 minutes.

*Frequency of Response:* Once annually.

*Estimated Number of Respondents:* 165.

*VA Form 10–0460a:*

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Annual Burden:* 1980 hours.

*Estimated Average Burden per Respondent:* 60 minutes.

*Frequency of Response:* Monthly.

*Estimated Number of Respondents:* 165.

*VA Form 10–3567:*

*Affected Public:* State, Local, and Tribal Governments.

*Estimated Annual Burden:* 82.50 hours.

*Estimated Average Burden per Respondent:* 30 minutes.

*Frequency of Response:* Once annually.

*Estimated Number of Respondents:* 165.

By direction of the Secretary.

**Dorothy Glasgow,**

*VA PRA Clearance Officer, (Alt), Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.*

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