

submitted will be made available at [www.regulations.gov](http://www.regulations.gov) or upon request.

A public hearing has been scheduled for February 25, 2016, beginning at 10:00 a.m. in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue NW., Washington, DC. Due to building security procedures, visitors must enter at the Constitution Avenue entrance. All visitors must present photo identification to enter the building. Because of access restrictions, visitors will not be admitted beyond the immediate entrance area more than 30 minutes before the hearing starts. For information about having your name placed on the building access list to attend the hearing, see the **FOR FURTHER INFORMATION CONTACT** section of this preamble.

The rules of 26 CFR 601.601(a)(3) apply to the hearing. Persons who wish to present oral comments at the hearing must submit written or electronic comments and an outline of the topics to be discussed and the time to be devoted to each topic by February 24, 2016. A period of 10 minutes will be allocated to each person for making comments.

An agenda showing the scheduling of the speakers will be prepared after the deadline for receiving outlines has passed. Copies of the agenda will be available free of charge at the hearing.

#### Drafting Information

The principal author of this regulation is Jonathan R. Black of the Office of the Associate Chief Counsel (Procedure and Administration).

#### List of Subjects in 26 CFR Part 300

Reporting and recordkeeping requirements, User fees.

#### Proposed Amendments to the Regulations

Accordingly, 26 CFR part 300 is proposed to be amended as follows:

#### PART 300—USER FEES

■ **Paragraph 1.** The authority citation for part 300 continues to read as follows:

**Authority:** 31 U.S.C. 9701.

■ **Par. 2.** Section 300.4 is amended by revising paragraphs (b) and (d) to read as follows:

#### § 300.4 Enrolled agent special enrollment examination fee.

\* \* \* \* \*

(b) *Fee.* The fee for taking the enrolled agent special enrollment examination is \$99 per part, which is the cost to the government for overseeing the

development and administration of the examination and does not include any fees charged by the administrator of the examination.

\* \* \* \* \*

(d) *Effective/applicability date.* This section applies on and after the date of publication of a Treasury decision adopting this rule as a final regulation in the **Federal Register**.

**Karen M. Schiller,**

*Acting Deputy Commissioner for Services and Enforcement.*

[FR Doc. 2016-01629 Filed 1-25-16; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 60

#### RIN 2900-AP45

#### Fisher Houses and Other Temporary Lodging

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Veterans Affairs (VA) proposes to amend its regulations concerning Fisher House and other temporary lodging furnished by VA while a veteran is experiencing an episode of care at a VA medical facility. Such lodging is generally furnished to veterans' relatives, close friends, and caregivers at no cost, because VA's experience has shown that veterans' treatment outcomes are improved by having loved ones nearby. The proposed rule updates current regulations and better describes the application process for this lodging. The proposed rule generally reflects current VA policy and practice.

**DATES:** *Comment Date:* Comments must be received by VA on or before March 28, 2016.

**ADDRESSES:** Written comments may be submitted by email through <http://www.regulations.gov>; by mail or hand-delivery to Director, Regulation Policy and Management (02REG), Department of Veterans Affairs, 810 Vermont Avenue NW., Room 1068, Washington, DC 20420; or by fax to (202) 273-9026. Comments should indicate that they are submitted in response to "RIN 2900-AP45, Fisher Houses and Other Temporary Lodging." Copies of comments received will be available for public inspection in the Office of Regulation Policy and Management, Room 1068, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays). Please call

(202) 461-4902 for an appointment. (This is not a toll-free number.) In addition, during the comment period, comments may be viewed online through the Federal Docket Management System (FDMS) at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Michael T. Kilmer, Chief Consultant, Care Management and Social Work Services (10P4C), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 461-6780. (This is not a toll-free number.)

#### SUPPLEMENTARY INFORMATION: VA's

program for providing temporary lodging for certain individuals is authorized by section 1708 of title 38, United States Code (U.S.C.). Under section 1708, VA "may furnish [certain] persons . . . with temporary lodging in a Fisher [H]ouse or other appropriate facility in connection with the examination, treatment, or care of a veteran under [chapter 17]." This authority to provide temporary lodging assists VA in providing appropriate treatment and care to veterans because patients often respond better when they are accompanied by relatives, close friends, or caregivers. Thus, providing temporary lodging is an important element of a veteran's treatment. VA implemented its authority under section 1708 in 38 CFR part 60. However, the current regulation no longer accurately describes the process by which VA approves requests for Fisher House or other temporary lodging. This proposed rule would amend the regulations to describe the current process.

The application process for Fisher House or other temporary lodging is described in 38 CFR 60.15. We propose to amend § 60.15, because the application process has substantially changed. Section 60.15(a) currently states that VA Form 10-0408A is "the application for Fisher House and other temporary lodging." That section also gives instructions for obtaining and filing the specified form. Although we will continue to accept applications submitted on Form 10-0408A until this proposed regulation takes effect, VA has discontinued the use of this form in favor of a process that requires the requester to contact specified personnel directly for capture in the requester's electronic health record of all information that would have been included on the form.

This process has already improved the efficiency of evaluating requests for Fisher House and other temporary housing for several reasons. VA facilities cannot practicably store paper

forms, and electronic processing will save time and money compared to scanning paper forms into a veteran's medical record. Additionally, because the consult will become part of the veteran's electronic health record, VA staff can view it when future requests for temporary housing are received. This will save time for the veteran, who will need to provide only updated information to VA staff, rather than having to complete a new form. Accordingly, we propose to replace the existing language of § 60.15(a) by deleting the reference to Form 10-0408A and replacing it with a description of the new process.

Although VA continues to accept applications on Form 10-0408A, requests for Fisher House or other temporary lodging will no longer involve a separate formal application process once the present proposed rule becomes effective. Accordingly, VA believes that deleting references to an "application" or "applications" and replacing them with "request" or "requests" throughout part 60 more accurately reflects the process involved. We also propose to amend § 60.15(a) to describe the electronic consult request process. However, we would retain all other criteria in part 60 for processing requests that are received under the new CPRS-based process.

#### Effect of Rulemaking

The Code of Federal Regulations, as proposed to be revised by this proposed rulemaking, would represent the exclusive legal authority on this subject. No contrary rules or procedures would be authorized. All VA guidance would be read to conform with this proposed rulemaking if possible or, if not possible, such guidance would be superseded by this rulemaking.

#### Paperwork Reduction Act

This proposed rule contains no new provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501-3521). VA Form 10-0408A, referred to in current 30 CFR 60.15(a) was previously approved by the Office of Management and Budget (OMB) under control number 2900-0630, but as stated above, its use has been discontinued.

#### Regulatory Flexibility Act

The Secretary hereby certifies that this proposed rule would not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. This proposed rule would not cause a significant economic impact on health

care providers, suppliers, or entities because the proposed rule would apply only to patients receiving care at VA facilities. Therefore, pursuant to 5 U.S.C. 605(b), this proposed rulemaking is exempt from the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604.

#### Executive Orders 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and other advantages; distributive impacts; and equity). Executive Order 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. Executive Order 12866 (Regulatory Planning and Review) defines a "significant regulatory action," which requires review by the Office of Management and Budget (OMB), unless OMB waives such review, as "any regulatory action that is likely to result in a rule that may: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order."

VA has examined the economic, interagency, budgetary, legal, and policy implications of this regulatory action, and it has been determined not to be a significant regulatory action under Executive Order 12866.

#### Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in an expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation) in any one year. This proposed rule would

have no such effect on State, local, and tribal governments, or on the private sector.

#### Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance program number and title for this rule are as follows: 64.005, Grants to States for Construction of State Home Facilities; 64.007, Blind Rehabilitation Centers; 64.008, Veterans Domiciliary Care; 64.009, Veterans Medical Care Benefits; 64.010, Veterans Nursing Home Care; 64.011, Veterans Dental Care; 64.012, Veterans Prescription Service; 64.013, Veterans Prosthetic Appliances; 64.014, Veterans State Domiciliary Care; 64.015, Veterans State Nursing Home Care; 64.016, Veterans State Hospital Care; 64.018, Sharing Specialized Medical Resources; 64.019, Veterans Rehabilitation Alcohol and Drug Dependence; 64.022, Veterans Home Based Primary Care; and 64.024, VA Homeless Providers Grant and Per Diem Program.

#### Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Robert D. Snyder, Interim Chief of Staff, Department of Veterans Affairs, approved this document on January 20, 2016, for publication.

#### List of Subjects in 38 CFR Part 60

Health care, Housing, Reporting and recordkeeping requirements, Travel, Veterans.

Dated: January 21, 2016.

#### Michael P. Shores,

*Chief Impact Analyst, Office of Regulation Policy & Management, Office of the General Counsel, Department of Veterans Affairs.*

For the reasons set forth in the preamble, VA proposes to amend 38 CFR part 60 as follows:

#### PART 60—FISHER HOUSES AND OTHER TEMPORARY HOUSING

■ 1. The authority citation for part 60 continues to read as follows:

**Authority:** 38 U.S.C. 501, 1708, and as noted in specific sections.

■ 2. Amend § 60.10 by removing in the word "application" each time it appears in the section and adding in its place the word "request."

■ 3. Amend § 60.15 by revising paragraphs (a), (b)(1), (b)(6) and (b)(7) to read as follows:

**§ 60.15 Process for requesting Fisher House or other temporary lodging.**

(a) *Submitting requests.* An accompanying individual requesting Fisher House or other temporary lodging must contact directly the provider, social worker, case manager, or Fisher House Manager at the veteran's VA health care facility of jurisdiction. Upon receiving a request, VA will determine the accompanying individual's eligibility for the requested housing, as provided in paragraph (b)(5) of this section.

(b) *Processing requests.* (1) Requests for all temporary housing are generally processed in the order that they are received by VA, and temporary lodging is then granted on a first come, first served basis; however, in extraordinary circumstances, such as imminent death, critical injury, or organ donation, requests may be processed out of order.

\* \* \* \* \*

(6) If VA denies a request for one type of lodging, such as at a Fisher House, the request will be considered for other temporary lodging and vice versa, if the requester is eligible.

(7) If VA denies a request for temporary lodging, VA will refer the request to a VA social worker at the VA health care facility of jurisdiction to determine if other arrangements can be made.

\* \* \* \* \*

[FR Doc. 2016-01491 Filed 1-25-16; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R08-OAR-2013-0556, FRL-9941-54-Region 8]

### Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2008 Lead, 2008 Ozone, 2010 NO<sub>2</sub>, 2010 SO<sub>2</sub>, and 2012 PM<sub>2.5</sub> National Ambient Air Quality Standards; Montana

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve elements of State Implementation Plan (SIP) revisions from the State of Montana to demonstrate the State meets infrastructure requirements of the Clean Air Act (Act or CAA) for the National Ambient Air Quality Standards (NAAQS) promulgated for ozone on March 12, 2008, lead (Pb) on October

15, 2008, nitrogen dioxide (NO<sub>2</sub>) on January 22, 2010, sulfur dioxide (SO<sub>2</sub>) on June 2, 2010 and fine particulate matter (PM<sub>2.5</sub>) on December 14, 2012. EPA is also proposing to approve 110(a)(2)(D)(ii) for the 1997 and 2006 PM<sub>2.5</sub> NAAQS. EPA is proposing to conditionally approve CAA section 110(a)(2)(C) and (J) with regard to PSD and element 3 of 110(a)(2)(D)(i)(II) for the 2008 ozone, 2008 Pb, 2010 NO<sub>2</sub>, 2010 SO<sub>2</sub>, and 2006 and 2012 PM<sub>2.5</sub> NAAQS. EPA is proposing to disapprove element 4 of CAA section 110(a)(2)(D)(i)(II) for the 2008 ozone, 2010 NO<sub>2</sub>, 2010 SO<sub>2</sub>, and 2006 and 2012 PM<sub>2.5</sub> NAAQS. EPA is proposing to approve SIP revisions the State submitted to update Montana's PSD program and provisions regarding state boards. Section 110(a) of the CAA requires that each state submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by EPA.

**DATES:** Written comments must be received on or before February 25, 2016.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R08-OAR-2013-0556 at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Abby Fulton, Air Program, U.S. Environmental Protection Agency (EPA), Region 8, Mail Code 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129, (303) 312-6563, [fulton.abby@epa.gov](mailto:fulton.abby@epa.gov).

**SUPPLEMENTARY INFORMATION:**

## I. General Information

*What should I consider as I prepare my comments for EPA?*

1. *Submitting Confidential Business Information (CBI).* Do not submit CBI to EPA through <http://www.regulations.gov> or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information on a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** volume, date, and page number);
- Follow directions and organize your comments;
- Explain why you agree or disagree;
- Suggest alternatives and substitute language for your requested changes;
- Describe any assumptions and provide any technical information and/or data that you used;
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced;
- Provide specific examples to illustrate your concerns, and suggest alternatives;
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats; and,
- Make sure to submit your comments by the comment period deadline identified.

## II. Background

On March 12, 2008, EPA promulgated a new NAAQS for ozone, revising the levels of the primary and secondary 8-hour ozone standards from 0.08 parts per million (ppm) to 0.075 ppm (73 FR 16436, March 27, 2008). Subsequently, on October 15, 2008, EPA revised the level of the primary and secondary Pb NAAQS from 1.5 micrograms per cubic meter (µg/m<sup>3</sup>) to 0.15 µg/m<sup>3</sup> (73 FR 66964, Nov. 12, 2008). On January 22, 2010, EPA promulgated a new 1-hour primary NAAQS for NO<sub>2</sub> at a level of 100 parts per billion (ppb) while