

standards previously established in its rules regarding the light-duty vehicle GHG standards for MYs 2017–2025. See 77 FR 62960 and 85 FR 25265.

*K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations*

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994). This regulatory action merely corrects previously established provisions that auto manufacturers use to demonstrate compliance for light-duty vehicles.

*L. Congressional Review Act (CRA)*

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 600**

Environmental protection, Administrative practice and procedure, Electric power, Fuel economy, Labeling, Reporting and recordkeeping requirements.

**Andrew Wheeler,**  
*Administrator.*

For the reasons set forth in the preamble, the Environmental Protection Agency is amending part 600 of title 40, Chapter I of the Code of Federal Regulations as follows:

**PART 600—FUEL ECONOMY AND GREENHOUSE GAS EXHAUST EMISSIONS OF MOTOR VEHICLES**

■ 1. The authority citation for part 600 continues to read as follows:

**Authority:** 49 U.S.C. 32901–23919q, Pub. L. 109–58.

**Subpart F—Procedures for Determining Manufacturer’s Average Fuel Economy and Manufacturer’s Average Carbon-Related Exhaust Emissions**

■ 2. Section 600.510–12 is amended by revising paragraphs (h) introductory text and (h)(1) to read as follows:

**§ 600.510–12 Calculation of average fuel economy and average carbon-related exhaust emissions.**

\* \* \* \* \*

(h) The increase in average fuel economy determined in paragraph (c) of this section attributable to dual fueled

automobiles is subject to a maximum value through model year 2019 that applies separately to each category of automobile specified in paragraph (a)(1) of this section. The increase in average fuel economy attributable to vehicles fueled by electricity or, for model years 2016 and later, by compressed natural gas, is not subject to a maximum value. The increase in average fuel economy attributable to alcohol dual fuel model types calculated under paragraph (c)(2)(v) of this section is also not subject to a maximum value. The following maximum values apply under this paragraph (h):

Model year	Maximum increase (mpg)
1993–2014 .....	1.2
2015 .....	1.0
2016 .....	0.8
2017 .....	0.6
2018 .....	0.4
2019 .....	0.2

(1) The Administrator shall calculate the increase in average fuel economy to determine if the maximum increase provided in this paragraph (h) has been reached. The Administrator shall calculate the increase in average fuel economy for each category of automobiles specified in paragraph (a)(1) of this section by subtracting the average fuel economy values calculated in accordance with this section, assuming all alcohol dual fueled automobiles subject to the provisions of paragraph (c)(2)(iv) of this section are operated exclusively on gasoline (or diesel fuel), from the average fuel economy values determined in paragraph (c) of this section. The difference is limited to the maximum increase specified in this paragraph (h).

\* \* \* \* \*

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

**42 CFR Part 418**

[CMS–1629–F2]

RIN–0938–AS39

**Medicare Program; FY 2016 Hospice Wage Index and Payment Rate Update and Hospice Quality Reporting Requirements; Correcting Amendment**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** In the August 6, 2015 issue of the *Federal Register*, we published a final rule that provided hospice quality reporting program updates, including finalizing the proposal to codify the Hospice Quality Reporting Program Submission Extension and Exemption Requirements. The effective date of the final rule was October 1, 2015. This correcting amendment corrects an omission identified in the August 6, 2015 final rule.

**DATES:** *Effective date:* August 31, 2020.

*Applicability dates:* This correcting amendment is applicable beginning October 1, 2015.

**FOR FURTHER INFORMATION CONTACT:** Cindy Massuda, (443) 570–9589.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In FR Doc. 2015–19033 (80 FR 47142), the final rule entitled “FY 2016 Hospice Wage Index and Payment Rate Update and Hospice Quality Reporting Requirements” (hereinafter referred to as the FY 2016 final rule), there were technical errors that are identified and corrected in the regulations text of this correcting amendment. The provisions of this correcting amendment are applicable beginning October 1, 2015.

**II. Summary of Errors**

*A. Summary of Errors in the Preamble*

On page 47194, in the first paragraph of the second column states, “Final Action: After consideration of comments, and given the clarification above, CMS is finalizing our proposal to codify the HQRP Submission Extension and Exemption Requirements at § 418.312.” The revision needs to be added to the regulations text and the Code of Federal Regulations (CFR).

### B. Summary of Errors in the Regulations Text

On page 47207 of the FY 2016 final rule, we made technical errors in the regulations text of § 418.312. In this section, we inadvertently omitted language on our extension and exemption requirements policy. Accordingly, we are adding § 418.312(i) to accurately reflect our policy on extension and exemption requirements for the hospice quality reporting program (HQRP).

### C. Summary and Corrections of Errors in the Addenda on the CMS Website

We inadvertently omitted language on our extension and exemption requirements policy. Accordingly, we are adding § 418.312(i) to accurately reflect our policy on extension and exemption requirements for the HQRP.

### III. Waiver of Proposed Rulemaking and Delay in Effective Date

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However, we can waive this notice and comment procedure if the Secretary of the Department of Health and Human Services (Secretary) finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice.

Section 553(d) of the APA ordinarily requires a 30-day delay in effective date of final rules after the date of their publication in the **Federal Register**. This 30-day delay in effective date can be waived, however, if an agency finds for good cause that the delay is impracticable, unnecessary, or contrary to the public interest, and the agency incorporates a statement of the findings and its reasons in the rule issued.

Our policy on HQRP Submission Extension and Exemption Requirements at § 418.312 in the FY 2016 final rule has previously been subjected to notice and comment procedures. These corrections are consistent with the discussion of this policy in the FY 2016 final rule and do not make substantive changes to this policy as referenced at 80 FR 47193, “in order to be considered, a request for an exemption or extension must contain all of the finalized requirements as outlined on our website at [https://wayback.archive-it.org/2744/20150127181435/http://www.cms.gov/Medicare/Quality-Initiatives-Patient-](https://wayback.archive-it.org/2744/20150127181435/http://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/Hospice-Quality-Reporting/index.html)

### *Assessment-Instruments/Hospice-Quality-Reporting/index.html*.”

This correcting amendment merely corrects technical errors in the regulations text of the FY 2016 final rule. As a result, this correcting amendment is intended to ensure that the FY 2016 final rule accurately reflects the policy adopted in the final rule. Therefore, we find that undertaking further notice and comment procedures to incorporate these corrections into the final rule is unnecessary and contrary to the public interest.

For the same reasons, we are also waiving the 30-day delay in effective date for this correcting amendment. We believe that it is in the public interest to ensure that the FY 2016 final rule accurately states our policy on HQRP Submission Extension and Exemption Requirements at § 418.312. Thus delaying the effective date of these corrections would be contrary to the public interest. Therefore, we also find good cause to waive the 30-day delay in effective date.

### List of Subjects in 42 CFR Part 418

Health facilities, Hospice care, Medicare, Reporting and recordkeeping requirements.

Accordingly, 42 CFR chapter IV is corrected by making the following correcting amendments:

### PART 418—HOSPICE CARE

■ 1. The authority citation for part 418 continues to read as follows:

**Authority:** 42 U.S.C. 1302 and 1395hh.

■ 2. Section 418.312 is amended by adding paragraph (i) to read as follows:

#### **§ 418.312 Data submission requirements under the hospice quality reporting program.**

\* \* \* \* \*

(i) *Exemptions and extensions requirements.* (1) A hospice may request and CMS may grant exemptions or extensions to the reporting requirements under paragraph (b) of this section for one or more quarters, when there are certain extraordinary circumstances beyond the control of the hospice.

(2) A hospice requesting an exemption or extension must do so within 90 days of the date that the extraordinary circumstances occurred by sending an email to CMS Hospice QRP Reconsiderations at [HospiceQRPreconsiderations@cms.hhs.gov](mailto:HospiceQRPreconsiderations@cms.hhs.gov) that contains all of the following information:

- (i) Hospice CMS Certification Number (CCN).
- (ii) Hospice Business Name.
- (iii) Hospice Business Address.

(iv) CEO or CEO-designated personnel contact information including name, title, telephone number, email address, and mailing address (the address must be a physical address, not a post office box).

(v) Hospice’s reason for requesting the exemption or extension.

(vi) Evidence of the impact of extraordinary circumstances beyond the hospice’s control, including, but not limited to photographs, newspaper, other media articles, or independent sources attesting to the incident that can be reasonably corroborated. Include dates of occurrence and other documentation that may support the rationale for seeking extension or exemption.

(vii) Date when the hospice believes it will be able to again submit data under paragraph (b) of this section and a justification for the proposed date.

(3) CMS may grant exemptions or extensions to hospices without a request if it determines that one or more of the following has occurred:

(i) An extraordinary circumstance, such as an act of nature including a pandemic, affects an entire region or locale.

(ii) A systemic problem with one of CMS’ data collection systems directly affect the ability of a hospice to submit data under paragraph (b) of this section.

Dated: August 24, 2020.

**Wilma M. Robinson,**

*Deputy Executive Secretary to the Department, Department of Health and Human Services.*

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## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

#### 48 CFR Part 202

[Docket DARS–2019–0068]

RIN 0750–AK17

#### Defense Federal Acquisition Regulation Supplement: Definition of “Micro-Purchase Threshold” (DFARS Case 2018–D056)

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement to implement a section of the National Defense Authorization Act for Fiscal