

not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS determined that the issuance of the initial IHA qualified to be categorically excluded from further NEPA review. NMFS has determined that the application of this categorical exclusion remains appropriate for this reissued IHA.

### Endangered Species Act (ESA)

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species.

However, no incidental take of ESA-listed species is authorized or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

### Authorization

NMFS has issued an IHA to the ACOE for in-water construction activities associated with the specified activity from July 15, 2023 through July 14, 2024. All previously described mitigation, monitoring, and reporting requirements from the initial 2021 IHA are incorporated.

Dated: June 6, 2023.

**Catherine Marzin,**

*Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2023-12387 Filed 6-9-23; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF DEFENSE

### Department of the Air Force

[ARV-221004B-PL]

### Notice of Intent To Grant an Exclusive Patent License

**AGENCY:** Department of the Air Force, Department of Defense.

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the Bayh-Dole Act and implementing regulations, the

Department of the Air Force hereby gives notice of its intent to grant an exclusive patent license to Advanced Cooling Technologies, Inc., having a place of business at 1046 New Holland Avenue, Lancaster, PA 17601.

**DATES:** Written objections must be filed no later than fifteen (15) calendar days after the date of publication of this Notice.

**ADDRESSES:** Submit written objections to Sara Telano, AFRL/RDOX, 3550 Aberdeen Ave. SE, Kirtland AFB, NM 87117; Phone: (505) 853-3305; or Email: [sara.telano@us.af.mil](mailto:sara.telano@us.af.mil). Include Docket No. ARV-221004B-PL in the subject line of the message.

**FOR FURTHER INFORMATION CONTACT:** Sara Telano, AFRL/RDOX, 3550 Aberdeen Ave. SE, Kirtland AFB, NM 87117; Phone: (505) 853-3305; or Email: [sara.telano@us.af.mil](mailto:sara.telano@us.af.mil).

### Abstract of Patent Application(s)

A thermomodulating heat pipe is provided including a heat pipe envelope having a capillary wick extending substantially continuously the full length of the heat pipe and a void space interior of the capillary wick. The heat pipe envelope has a nominal evaporator section, a nominal condenser section where the nominal condenser section includes an active condenser portion and an inactive condenser portion, and a reservoir section extending from the inactive condenser portion. At a nominal condition, a heat pipe fluid is provided with a liquid phase filling the capillary wick and a vapor phase filling the void space of the nominal evaporator section and the active condenser portion, a non-condensable gas filling the void space of at least the reservoir section and the inactive condenser portion. Depending on thermal conditions, both prograde and retrograde heat transfer are enabled.

### Intellectual Property

U.S. Application No. 18/204,114, filed on May 31, 2023, and entitled, "Thermomodulating Heat Pipe."

The Department of the Air Force may grant the prospective license unless a timely objection is received that sufficiently shows the grant of the license would be inconsistent with the Bayh-Dole Act or implementing regulations. A competing application for a patent license agreement, completed in compliance with 37 CFR 404.8 and received by the Air Force within the period for timely objections, will be treated as an objection and may be considered as an alternative to the proposed license.

*Authority:* 35 U.S.C. 209; 37 CFR 404.

**Tommy W. Lee,**

*Acting Air Force Federal Register Liaison Officer.*

[FR Doc. 2023-12424 Filed 6-9-23; 8:45 am]

**BILLING CODE 5001-10-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID: DoD-2023-OS-0051]

### Proposed Collection, Comment Request

**AGENCY:** United States Transportation Command (USTRANSCOM), Department of Defense (DoD).

**ACTION:** 60-Day information collection notice.

**SUMMARY:** In compliance with the *Paperwork Reduction Act of 1995*, USTRANSCOM announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by August 11, 2023.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Mail:* Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350-1700.

*Instructions:* All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Component Name: United States Transportation Command, Mailing Address: 1 Scott Drive Bldg. 1900 West, Scott AFB, IL 62225-5006, Name of POC: Mr. Alan Banks, Telephone Number: (618) 817-9537, Alternate POC: Mr. Sean Green, Telephone Number: (618) 817-9538.

**SUPPLEMENTARY INFORMATION:**

*Title; Associated Form; and OMB Number:* Global Air Transportation Execution System; OMB Control Number 0704-0530.

*Needs and Uses:* GATES is the single DoD port processing and manifesting system providing support for the global air and surface movement of personnel and materiel, to include processing and tracking from port to port. It supports USTRANSCOM air and surface port management, provides functionality for Defense Courier Divisions, SDDC/G3, and AMC/A4T, while providing billing information for Transportation Working Capital Fund (TWCF) accounting.

*Affected Public:* Individuals or households.

*Annual Burden Hours:* 17,239.

*Number of Respondents:* 517,163.

*Responses per Respondent:* 1.

*Annual Responses:* 517,163.

*Average Burden per Response:* 2 minutes.

*Frequency:* On occasion.

*Dated:* June 7, 2023.

**Aaron T. Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2023-12514 Filed 6-9-23; 8:45 am]

**BILLING CODE 5001-06-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Expiration of Temporary Changes to TRICARE Regulations During the Coronavirus Disease 2019 (COVID-19) Pandemic

**AGENCY:** Office of the Assistant Secretary of Defense for Health Affairs (ASD(HA)), Department of Defense (DoD).

**ACTION:** Notice of expiration of temporary changes.

**SUMMARY:** The ASD(HA) is publishing this notice to announce that temporary changes to the TRICARE regulations related to the coronavirus disease 2019 (COVID-19) pandemic were terminated on April 10, 2023, for those temporary

changes that terminate at the end of the President's national emergency; on May 11, 2023, for changes that terminate at the end of the Health and Human Services (HHS) Public Health Emergency (PHE); and will be terminated on September 30, 2023, for the temporary regulation change creating a diagnosis related group (DRG) add-on for New COVID-19 Treatments Add-on Payments (NCTAPs).

**FOR FURTHER INFORMATION CONTACT:**

Erica Ferron, 303-676-3626, [erica.c.ferron.civ@health.mil](mailto:erica.c.ferron.civ@health.mil).

**SUPPLEMENTARY INFORMATION:** The ASD(HA) approved temporary modifications to TRICARE regulations in response to the COVID-19 pandemic and the President's national emergency for the COVID-19 outbreak (Proclamation 9994, 85 **Federal Register** (FR) 15337). Interim final rules (IFRs) implementing temporary changes to the TRICARE regulation were published on May 12, 2020 (85 FR 27921); September 3, 2020 (85 FR 54914); October 30, 2020 (85 FR 68753); and January 12, 2023 (88 FR 1992). All provisions of the IFR published on May 12, 2020, and all but one provision of the IFR published on September 3, 2020, were finalized, with changes, in a final rule published June 1, 2022 (87 FR 33001).

The temporary provisions in the four IFRs, as modified by the final rule where applicable, were set to expire automatically, depending on the particular temporary provision, at: (1) the termination of the President's national emergency; (2) the termination of the associated Secretary of HHS's PHE; (3) the termination of the Centers for Medicare and Medicaid Services' (CMS's) Hospitals Without Walls initiative; or (4) at the end of the fiscal year in which the HHS PHE terminates. On January 30, 2023, the Biden Administration announced plans to terminate both the President's national emergency and the HHS PHE on May 11, 2023.<sup>1</sup> CMS has previously stated that the Hospital Without Walls initiative would terminate when the HHS PHE ended.<sup>2</sup> Public Law 118-3 was subsequently enacted on April 10, 2023, immediately terminating the President's national emergency.<sup>3</sup> Several provisions in the IFRs are permanent changes; these provisions will not expire.

<sup>1</sup> <https://www.whitehouse.gov/wp-content/uploads/2023/01/SAP-H.R.-382-H.J.-Res.-7.pdf>.

<sup>2</sup> <https://www.cms.gov/files/document/hospitals-and-cahs-ascs-and-cmhcs-cms-flexibilities-fight-covid-19.pdf>.

<sup>3</sup> <https://www.congress.gov/bills/118th-congress/house-joint-resolution/7/text>.

The Department stated in its IFRs that the ASD(HA) would publish a document in the FR announcing the termination dates for the temporary provisions; this FR notice satisfies that requirement. This document also provides notice that the ASD(HA) is not extending any of the provisions overseas beyond their termination in the United States.

A. The following temporary regulatory changes ended at the end of the day on April 10, 2023, in the United States and overseas as stated in this notice. DoD will publish final rules removing these temporary regulatory changes from the Code of Federal Regulations (CFR) after their termination date:

1. Paragraph 199.4(b)(3)(xiv) of Title 32 of the CFR: Temporary waiver of the requirement for a three-day prior hospital stay before admission to a skilled nursing facility ended for all new skilled nursing facility admissions after April 10, 2023.

2. Title 32 CFR 199.4(e)(26)(iii)(B): Temporary coverage of National Institute of Allergy and Infectious Disease (NIAID)-sponsored COVID-19 clinical trials ended on April 10, 2023. Eligible beneficiaries who enrolled in a covered trial on or before April 10, 2023, will continue to have their care covered through the end of the trial.

3. Title 32 CFR 199.4(g)(15)(i)(A): Temporary coverage of the treatment use of investigational drugs under U.S. Food and Drug Administration (FDA)-approved expanded access programs ended for all new episodes of treatment after April 10, 2023.

4. Title 32 CFR 199.6(c)(2)(i): Temporary waiver of certain interstate and international licensing requirements ended for all care received after April 10, 2023.

B. The following temporary regulatory changes ended at the end of the day on May 11, 2023, in the United States and overseas as stated in this notice. DoD will publish final rules removing these temporary regulatory changes from the CFR after their termination date:

1. Title 32 CFR 199.6(b)(4)(i)(I): Temporary waiver of certain acute care facility requirements for facilities registering with Medicare as a hospital under CMS's Hospitals Without Walls initiative ended on May 11, 2023. Care provided after May 11, 2023, will be reimbursed under the methodology appropriate for the facility's current status (ambulatory surgery center, etc.), consistent with Medicare's guidance to facilities qualified as acute care facilities