

*Public Law 104-4, Section 202,  
“Unfunded Mandates Reform Act”*

Section 202 of Public Law 104-4, “Unfunded Mandates Reform Act,” requires that an analysis be performed to determine whether any federal mandate may result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector of \$100 million in any one year. It has been certified that this proposed rule does not contain a Federal mandate that may result in the expenditure by State, local and tribal governments, in aggregate, or by the private sector, of \$100 million or more in any one year, and thus this proposed rule is not subject to this requirement.

*Public Law 96-354, “Regulatory Flexibility Act” (RFA) (5 U.S.C. 601)*

Public Law 96-354, “Regulatory Flexibility Act” (RFA) (5 U.S.C. 601), requires that each Federal agency prepare a regulatory flexibility analysis when the agency issues a regulation which would have a significant impact on a substantial number of small entities. This proposed rule is not an economically significant regulatory action, and it has been certified that it will not have a significant impact on a substantial number of small entities. Therefore, this proposed rule is not subject to the requirements of the RFA.

*Public Law 96-511, “Paperwork Reduction Act” (44 U.S.C. Chapter 35)*

This rule does not contain a “collection of information” requirement, and will not impose additional information collection requirements on the public under Public Law 96-511, “Paperwork Reduction Act” (44 U.S.C. Chapter 35).

*Executive Order 13132, “Federalism”*

E.O. 13132, “Federalism,” requires that an impact analysis be performed to determine whether the rule has federalism implications that would have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. It has been certified that this proposed rule does not have federalism implications, as set forth in E.O. 13132.

**List of Subjects in 32 CFR part 199**

Claims, Dental health, Health care, Health insurance, Individuals with disabilities, Military personnel.

Accordingly, 32 CFR Part 199 is amended as follows:

**PART 199—[AMENDED]**

■ 1. The authority citation for Part 199 continues to read as follows:

**Authority:** 5 U.S.C. 301; 10 U.S.C. chapter 55.

■ 2. Section 199.14 is amended by revising paragraph (a)(1)(i)(C)(3) to read as follows:

**§ 199.14 Provider Reimbursement Methods**

- (a) \* \* \*
- (1) \* \* \*
- (i) \* \* \*
- (C) \* \* \*

(3) *Pricing of claims.* All claims reimbursed under the CHAMPUS DRG-based payment system are to be priced as of the date of discharge, regardless of when the claim is submitted.

\* \* \* \* \*

Dated: February 1, 2013.

**Patricia L. Toppings,**  
*OSD Federal Register Liaison Officer,*  
*Department of Defense.*

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**ARCHITECTURAL AND  
TRANSPORTATION BARRIERS  
COMPLIANCE BOARD**

**36 CFR Part 1192**

**RIN 3014-AA42**

**Rail Vehicles Access Advisory  
Committee**

**AGENCY:** Architectural and Transportation Barriers Compliance Board.

**ACTION:** Notice of intent to establish advisory committee.

**SUMMARY:** We, the Architectural and Transportation Barriers Compliance Board (Access Board), plan to revise and update our accessibility guidelines issued pursuant to the Americans with Disabilities Act for transportation vehicles that operate on fixed guideway systems (e.g., rapid rail, light rail, commuter rail, and intercity rail). We are establishing a Rail Vehicles Access Advisory Committee (Committee) to make recommendations for revisions and updates to the accessibility guidelines. We request applications from interested organizations for representatives to serve on the Committee.

**DATES:** Submit applications by April 1, 2013.

**ADDRESSES:** Submit applications by any of the following methods:

- *Mail or Hand Delivery/Courier:* Paul Beatty, Access Board, 1331 F Street NW., Suite 1000, Washington, DC 20004-1111.
- *Fax:* 202-272-0081.
- *Email:* [rvaac@access-board.gov](mailto:rvaac@access-board.gov).

**FOR FURTHER INFORMATION CONTACT:** Paul Beatty, Access Board, 1331 F Street NW., Suite 1000, Washington, DC 20004-1111. Telephone: (202) 272-0012 (Voice) or (202) 272-0072 (TTY). Email address: [rvaac@access-board.gov](mailto:rvaac@access-board.gov).

**SUPPLEMENTARY INFORMATION:** In this notice, “we,” “us” and “our” refer to the Architectural and Transportation Barriers Compliance Board (Access Board).

The Americans with Disabilities Act requires us to issue guidelines to ensure that transportation vehicles covered by the statute are accessible to individuals with disabilities. 42 U.S.C. 12204. Our accessibility guidelines for transportation vehicles form the basis for legally enforceable accessibility standards issued by the U.S. Department of Transportation (DOT). Our accessibility guidelines for transportation vehicles are codified at 36 CFR part 1192; the DOT accessibility standards for transportation vehicles are codified at 49 CFR part 38.

We issued a notice of proposed rulemaking (NPRM) in 2010 to revise and update our accessibility guidelines for buses, over-the-road buses, and vans. 75 FR 43748 (July 26, 2010). The NPRM noted that we would revise and update our accessibility guidelines for transportation vehicles that operate on fixed guideway systems (e.g., rapid rail, light rail, commuter rail, and intercity rail) at a future date. To begin the process of revising and updating our accessibility guidelines for transportation vehicles that operate on fixed guideway systems, we are establishing a Rail Vehicles Access Advisory Committee (Committee) to make recommendations for revisions and updates to the guidelines. We request applications from representatives of the following interests for membership on the Committee:

- Manufacturers of transportation vehicles that operate on fixed guideway systems;
- Transportation providers that operate fixed guideway systems;
- Organizations representing individuals with disabilities; and
- Other entities whose interests may be affected by the accessibility guidelines.

Federal agencies may serve as ex-officio members on the advisory committee.

The number of Committee members will be limited so that the Committee’s

work can be accomplished effectively. The Committee will be balanced in terms of interests represented. We encourage organizations with similar interests to submit a single application to represent their interests. Although the Committee will be limited in size, there will be opportunities for the public to present information to the Committee and to comment at each Committee meeting. Federally registered lobbyists may not be appointed to the Committee pursuant to Presidential Memorandum dated June 18, 2010, entitled "Lobbyists on Agency Boards and Commissions" (<http://www.whitehouse.gov/the-press-office/presidential-memorandum-lobbyists-agency-boards-and-commissions>).

Applications should be sent to our office at the address listed at the beginning of this notice. There is no specific application form. The application should include the following information:

- Name of the organization;
- Interests represented by the organization;
- Person who will represent the organization and an alternate, and the title, address, telephone number, and email address for the representative and alternate;
- Description of the representative's qualifications, including engineering, technical, and design expertise and knowledge of making fixed guideway systems accessible to individuals with disabilities; and
- Certification that the representative and alternate are not federally registered lobbyists.

Committee members will not be compensated for their service. We may pay travel expenses for a limited number of persons who would otherwise be unable to participate on the Committee. Committee members will serve as representatives of their organizations, not as individuals. Committee members will not be considered special government employees and will not be required to file confidential financial disclosure reports.

After the applications have been reviewed, we will publish a notice in the **Federal Register** announcing the appointment of Committee members and the first meeting of the Committee. The Committee will operate in accordance with the Federal Advisory Committee Act, 5 U.S.C. app 2. All Committee meetings are expected to be held at our office in Washington, DC. Committee meetings will be open to the public. A notice of each Committee meeting will be published in the **Federal Register** at least 15 days in

advance of the meeting. Records will be kept of each Committee meeting and made available for public inspection.

**David M. Capozzi,**  
*Executive Director.*

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## **ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD**

### **36 CFR Part 1195**

**[Docket No. ATBCB-2012-0003]**

**RIN 3014-AA40**

### **Medical Diagnostic Equipment Accessibility Standards Advisory Committee**

**AGENCY:** Architectural and Transportation Barriers Compliance Board.

**ACTION:** Notice of advisory committee meeting.

**SUMMARY:** The Medical Diagnostic Equipment Accessibility Standards Advisory Committee will hold its fourth meeting. On July 5, 2012, the Architectural and Transportation Barriers Compliance Board (Access Board) established the advisory committee to make recommendations to the Board on matters associated with comments received and responses to questions included in a previously published Notice of Proposed Rulemaking (NPRM) on Medical Diagnostic Equipment Accessibility Standards.

**DATES:** The Committee will meet on February 26, 2013, from 10:00 a.m. to 5:00 p.m. and on February 27, 2013, from 9:00 a.m. to 2:30 p.m.

**ADDRESSES:** The meeting will be held at the Access Board's Conference Room, 1331 F Street NW., Suite 800, Washington, DC 20004-1111.

**FOR FURTHER INFORMATION CONTACT:** Rex Pace, Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street NW., Suite 1000, Washington, DC 20004-1111. Telephone number (202) 272-0023 (Voice); (202) 272-0052 (TTY). Electronic mail address: [pace@access-board.gov](mailto:pace@access-board.gov).

**SUPPLEMENTARY INFORMATION:** On July 5, 2012, the Architectural and Transportation Barriers Compliance Board (Access Board) established an advisory committee to make recommendations to the Board on matters associated with comments

received and responses to questions included in a previously published NPRM on Medical Diagnostic Equipment Accessibility Standards. See 77 FR 6916 (February 9, 2012). The NPRM and information related to the proposed standards are available on the Access Board's Web site at: <http://www.access-board.gov/medical-equipment.htm>.

The advisory committee will hold its forth meeting on February 26 and 27, 2013. The agenda includes the following:

- Review of previous committee work;
- Presentations by manufacturers on exam tables and chairs;
- Review and discussion of subcommittee work;
- Continued discussion on transfer surface height and size;
- Continued discussion on transfer support location and configuration;
- Review and discussion on the depth of wheelchair spaces;
- Consideration of issues proposed by committee members; and
- Discussion of administrative issues.

The preliminary meeting agenda, along with information about the committee, is available at the Access Board's Web site (<http://www.access-board.gov/medical-equipment.htm>).

Committee meetings are open to the public and interested persons can attend the meetings and communicate their views. Members of the public will have opportunities to address the committee on issues of interest to them during public comment periods scheduled on each day of the meeting.

The meetings will be accessible to persons with disabilities. An assistive listening system, computer assisted real-time transcription (CART), and sign language interpreters will be provided. Persons attending the meetings are requested to refrain from using perfume, cologne, and other fragrances for the comfort of other participants (see [www.access-board.gov/about/policies/fragrance.htm](http://www.access-board.gov/about/policies/fragrance.htm) for more information). Also, persons wishing to provide handouts or other written information to the committee are requested to provide electronic formats to Rex Pace via email prior to the meetings so that alternate formats can be distributed to committee members.

**David M. Capozzi,**  
*Executive Director.*

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