



## October 2023 Regulatory Report

### Agencies Publish Service Contract Inventories.

- The Bureau of Consumer Financial Protection (CFPB) announced the availability of the FY 2020 service contract inventory. The inventory provides information on service contract actions over \$25,000, which CFPB funded during FY 2020. The information is organized by function to show how contracted resources were used by CFPB. CFPB posted inventory documents on its website as indicated in the notice. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-02/pdf/2023-21744.pdf>. *Federal Register*, Vol. 88, No. 189, 10/02/2023, 67739.
- The Department of Housing and Urban Development (HUD) announced the availability of its FY 2021 Service Contract Inventory. HUD posted inventory documents on its website as indicated in the notice. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-10/pdf/2023-22395.pdf>. *Federal Register*, Vol. 88, No. 194, 10/10/2023, 69956.
- The Commodity Futures Trading Commission (CFTC) announced the availability of its FY 2021 Service Contract Inventory. CFTC posted inventory documents on its website as indicated in the notice. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-03/pdf/2023-21842.pdf>. *Federal Register*, Vol. 88, No. 190, 10/03/2023, 68112.

- The Securities and Exchange Commission (SEC) announced the availability of its FY 2020 Service Contract Inventory along with the FY 2021 Service Contract Inventory Planned Analysis. SEC posted inventory documents on its website as indicated in the notice. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-05/pdf/2023-22192.pdf>. *Federal Register*, Vol. 88, No. 192, 10/05/2023, 69240-69241.

### Agencies Propose Regulatory Capital Rule for Large Banking Organizations and Those with Significant Trading Activity.

The Board of Governors of the Federal Reserve System (FRB), Federal Deposit Insurance Corporation (FDIC), and Office of the Comptroller of the Currency (OCC) (collectively, the agencies) seek comment regarding a proposed rule that would substantially revise the capital requirements applicable to large banking organizations and to banking organizations with significant trading activity. The agencies believe the revisions would improve the calculation of risk-based capital requirements to better reflect the risks of the banking organizations' exposures, reduce the complexity of the framework, enhance the consistency of requirements across the banking organizations, and facilitate more effective supervisory and market assessments of capital adequacy. The revisions include replacing current requirements that include the use of banking organizations' internal models for credit risk and operational risk with



## October 2023 Regulatory Report

standardized approaches and replacing the current market risk and credit valuation adjustment risk requirements with revised approaches. The proposed revisions would be generally consistent with recent changes to international capital standards issued by the Basel Committee on Banking Supervision. The proposed rule would not amend the capital requirements applicable to smaller, less complex banking organizations. Comments are due **11/30/2023**. The proposed rule may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-18/pdf/2023-19200.pdf>. *Federal Register*, Vol. 88, No. 179, 09/18/2023, 64028-64343.

### **Agencies Propose Long-Term Debt Requirements.**

The Board of Governors of the Federal Reserve System (FRB), Federal Deposit Insurance Corporation (FDIC), and Office of the Comptroller of the Currency (OCC) (collectively, the agencies) seek comment regarding a proposed rule that would require certain large depository institution holding companies, U.S. intermediate holding companies of foreign banking organizations, and certain insured depository institutions, to issue and maintain outstanding a minimum amount of long-term debt. The proposed rule would improve the resolvability of the banking organizations in case of failure, may reduce costs to the Deposit Insurance Fund, and mitigate financial stability and contagion risks by reducing the risk of loss to uninsured depositors. Comments are due **11/30/2023**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-19/pdf/2023-19265.pdf>. *Federal*

*Register*, Vol. 88, No. 180, 09/19/2023, 64524-64579.

### **Agencies Seek Comment on Guidance for Resolution Plan Submissions of Domestic and Foreign Triennial Full Filers.**

- The Board of Governors of the Federal Reserve System (FRB) and Federal Deposit Insurance Corporation (FDIC) (collectively, the agencies) seek comment on proposed guidance for the 2024 and subsequent resolution plan submissions by certain domestic banking organizations. The proposed guidance is meant to assist the firms in developing resolution plans, which are required to be submitted pursuant to the Dodd-Frank Act, as amended, and the jointly issued implementing regulation. The scope of application of the proposed guidance would be domestic triennial full filers (specified firms or firms), which are domestic Category II and III banking organizations. The proposed guidance describes the agencies' expectations regarding several aspects of the specified firms' plans for an orderly resolution under the U.S. Bankruptcy Code. Comments are due **11/30/2023**. The proposed guidance may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-19/pdf/2023-19267.pdf>. *Federal Register*, Vol. 88, No. 180, 09/19/2023, 64626-64641.
- The Board of Governors of the Federal Reserve System (FRB) and Federal Deposit Insurance Corporation (FDIC) (collectively, the agencies) seek comment on proposed



## October 2023 Regulatory Report

guidance for the 2024 and subsequent resolution plan submissions by certain foreign banking organizations. The proposed guidance is meant to assist the firms in developing resolution plans, which are required to be submitted pursuant to the Dodd-Frank Act, as amended, and the jointly issued implementing regulation. The scope of application of the proposed guidance would be foreign-based triennial full filers (specified firms or firms), which are foreign-based Category II and III banking organizations. If finalized, the guidance would supersede the Joint Guidance for Resolution Plan Submissions of Certain Foreign-Based Covered Companies. The proposed guidance also describes the agencies' expectations regarding several aspects of the specified firms' plans for an orderly resolution under the U.S. Bankruptcy Code. Comments are due **11/30/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-19/pdf/2023-19268.pdf>. *Federal Register*, Vol. 88, No. 180, 09/19/2023, 64641-64658.

### Agencies Seek Comment on Call Report Forms.

The Board of Governors of the Federal Reserve System (FRB), Federal Deposit Insurance Corporation (FDIC), and Office of the Comptroller of the Currency (OCC), (collectively, the agencies) seek comment regarding Consolidated Reports of Condition and Income (Call Report) forms FFIEC 031, FFIEC 041, and FFIEC 051. Call Reports are periodically updated to clarify instructional guidance and correct grammatical and typographical errors on the forms and

instructions, which are published on the FFIEC website. As further explained in the notice, the agencies plan revisions to forms FFIEC 002 and 002S, Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks; and Report of Assets and Liabilities of a Non-U.S. Branch that is Managed or Controlled by a U.S. Branch or Agency of a Foreign (Non-U.S.) Bank, respectively. The revisions are proposed to take effect with the **03/31/2024**, report date. Comments are due **11/27/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21132.pdf>. *Federal Register*, Vol. 88, No. 187, 09/28/2023, 66933-66939.

### CFPB Issues Annual TILA Threshold Adjustments.

The Bureau of Consumer Financial Protection (CFPB) issued a final rule to amend the regulation text and official interpretations for Regulation Z, which implements the Truth in Lending Act (TILA). CFPB calculates the dollar amounts for several provisions in Regulation Z annually. The final rule revises, as applicable, the dollar amounts for provisions implementing TILA and amendments to TILA, including under the Home Ownership and Equity Protection Act (HOEPA), credit cards, and the Dodd-Frank Act qualified mortgages (QM) thresholds for the spread between the annual percentage rate (APR) and the average prime offer rate (APOR). CFPB adjusted the amounts, where appropriate, based on the annual percentage change reflected in the Consumer Price Index in effect on **06/01/2023**. See the final rule for the listing of new thresholds. The final rule is effective **01/01/2024**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR->



## October 2023 Regulatory Report

[2023-09-21/pdf/2023-20476.pdf](#). *Federal Register*, Vol. 88, No. 182, 09/21/2023, 65113-65118.

### **CFPB Seeks Comment on Making Ends Meet Survey.**

CFPB seeks comment regarding an information collection titled, Making Ends Meet Survey. To better understand how consumers engage with financial markets, CFPB has successfully used surveys under its Making Ends Meet program. The program has also used CFPB's Consumer Credit Information Panel as a frame to survey people about their experiences in consumer credit markets. The surveys solicit information on consumer's experience related to household financial shocks, how households respond to the shocks, and the role of savings to help provide a financial buffer. The first survey will be a follow-up to respondents from CFPB's 2023 Making Ends Meet survey to better understand household financial experiences dealing with medical debt as well as consumers' interactions with various financial products. The second survey will go to a new sample of consumers and will address several topics of interest to CFPB possibly including the impact of natural disasters and other environmental events, credit shopping behavior, additional follow-up questions regarding debt collection, and the assessment of various fees throughout the financial services ecosystem. Comments are due **10/30/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21273.pdf>. *Federal Register*, Vol. 88, No. 187, 09/28/2023, 66820-66821.

### **CFPB Seeks Comment on Payday, Vehicle Title and Other High-Cost Installment Loan Collection.**

CFPB seeks comment regarding an information collection titled, Payday, Vehicle Title, and Certain High-Cost Installment Loans. Twelve Code of Federal Regulations (CFR) part 1041 applies to non-depository institutions and loan brokers engaged in consumer lending, credit intermediation activities, or activities related to credit intermediation. Banks and credit unions that make loans are subject to the regulation. The purpose of the regulation is to identify certain unfair and abusive acts or practices in connection with certain consumer credit transactions, to set forth requirements for preventing such acts or practices, and to provide certain partial conditional exemptions from aspects of the regulation. The regulation also contains requirements to ensure that features of consumer credit transactions are fully, accurately, and effectively disclosed to consumers. The information collection is used in connection with part 1041. Comments are due **11/03/2023**. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-10-04/pdf/2023-21910.pdf>. *Federal Register*, Vol. 88, No. 191, 10/04/2023, 68588-68589.

### **FRB Announces Final Approval of Information Collections.**

- The Board of Governors of the Federal Reserve System (FRB) announced final approval of an information collection titled, Procurement Solicitation Package. FRB uses the package, which includes a



## October 2023 Regulatory Report

supplier database and solicitation documents as appropriate, to assist in the competitive process of soliciting proposals from suppliers of goods and services. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-11/pdf/2023-19474.pdf>. *Federal Register*, Vol. 88, No. 174, 09/11/2023, 62369-62370.

- FRB announced final approval of an information collection titled, Compensation and Salary Surveys. The surveys currently comprise of the: (1) Compensation and Salary Survey (FR 29a) and (2) Ad Hoc Surveys (FR 29b). The FR 29a is collected annually and the FR 29b is collected on an as needed basis, not more frequently than five times per year. The surveys collect information on salaries, employee compensation policies, and other employee programs from employers that are considered competitors of FRB. The data from the surveys are primarily used to determine the appropriate salary structure and salary adjustments for FRB employees. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-11/pdf/2023-19473.pdf>. *Federal Register*, Vol. 88, No. 174, 09/11/2023, 62370.
- FRB announced final approval of an information collection titled, Ad Hoc Clearance for Board-Wide Use. Information under the ad hoc information collection would be collected from FRB-regulated entities, other stakeholders, and the public (collectively, respondents) through to-be-defined surveys, interviews, and focus groups, and other similar activities about a variety of

financial service-related topics and FRB's operations. The clearance helps FRB understand respondents' perspectives, experiences, and expectations regarding the financial system and FRB operations. The collection is also used to inform FRB's initiatives to promote financial system stability, supervise and regulate financial institutions and financial activities, and promote consumer protection and community development. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21157.pdf>. *Federal Register*, Vol. 88, No. 187, 09/28/2023, 66850.

### **FRB Seeks Comment on Several Information Collections.**

- FRB seeks comment regarding an information collection titled, Recordkeeping and Disclosure Requirements Associated with Regulation R. Regulation R, Exceptions for Banks from the Definition of Broker in the Securities Exchange Act, implements certain exceptions for banks from the definition of broker under section 3(a)(4) of the Securities Exchange Act. Sections 701, 723, and 741 of Regulation R contain certain recordkeeping provisions for banks that utilize the exceptions in the Exchange Act and certain customer and counterparty disclosure requirements. FRB has proposed revisions to the information collection to account for a recordkeeping provision within Regulation R section 218.723(c)(2)(ii). Comments are due **11/13/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-11/pdf/2023-19473.pdf>.





## October 2023 Regulatory Report

[R-2023-09-11/pdf/2023-19477.pdf](#).

*Federal Register*, Vol. 88, No. 174, 09/11/2023, 62363-62364.

- FRB seeks comment regarding an information collection titled, Single-Counterparty Credit Limits. The information collection is used in connection with FRB's single-counterparty credit limits rule as codified in Regulations YY and LL. FRB uses the information collected to monitor a covered company's or a covered foreign entity's compliance with the single-counterparty credit limit rules. See the notice for the specific revisions to the information collection. Comments are due **11/13/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/F-R-2023-09-11/pdf/2023-19475.pdf>. *Federal Register*, Vol. 88, No. 174, 09/11/2023, 62364-62366.
- FRB seeks comment regarding an information collection titled, Recordkeeping and Disclosure Requirements Associated with Regulation H (Securities Transactions by State Member Banks). Section 15C of the Securities Exchange Act establishes federal regulation of brokers and dealers of government securities, including banks and other financial institutions, and directs the brokers and dealers to keep certain records. The requirements are implemented for state member banks (SMBs) by sections 208.34(c), (d), and (g) of Regulation H, which require that non-exempt SMBs effecting securities transactions for customers establish and maintain a system of records of the transactions, furnish confirmations of

transactions to customers that disclose certain information, and establish written policies and procedures relating to securities trading. Comments are due **11/13/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/F-R-2023-09-11/pdf/2023-19476.pdf>. *Federal Register*, Vol. 88, No. 174, 09/11/2023, 62366-62367.

- FRB seeks comment regarding an information collection titled, Reporting and Recordkeeping Requirements Associated with Regulation Y (Capital Plans). Section 225.8 of Regulation Y requires each large bank holding company, bank holding company designated by FRB, large U.S. intermediate holding company, and nonbank financial company designated by FRB (collectively, large BHCs) to submit a capital plan to FRB on an annual basis, requires such BHCs to request prior approval from FRB under certain circumstances before making a capital distribution, and includes certain other reporting and recordkeeping requirements. Comments are due **11/13/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/F-R-2023-09-11/pdf/2023-19478.pdf>. *Federal Register*, Vol. 88, No. 174, 09/11/2023, 62370-62371.
- FRB seeks comment regarding an information collection titled, Recordkeeping and Disclosure Requirements Associated with Regulation O. FRB's Regulation O, Loans to Executive Officers, Directors, and Principal Shareholders of Member Banks, governs any extension of credit made by a member



## October 2023 Regulatory Report

bank to an executive officer, director, or principal shareholder of the member bank, of any company of which the member bank is a subsidiary, and of any other subsidiary of that company. See the notice for specific revisions to information collections used in connection with Regulation O. Comments are due **11/27/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21161.pdf>. *Federal Register*, Vol. 88, No. 187, 09/28/2023, 66843-66844.

- FRB seeks comment regarding an information collection titled, Application for Exemption from Prohibited Service at Savings and Loan Holding Companies. The Federal Deposit Insurance Act and FRB's Regulation LL, Savings and Loan Holding Companies (12 CFR part 238), prohibit individuals who have been convicted of certain criminal offenses or who have agreed to enter into a pretrial diversion or similar program in connection with a prosecution for such criminal offenses from participating in the affairs of a savings and loan holding company (SLHC) or any of its subsidiaries without the written consent of FRB. Such an individual, or the SLHC with which the individual seeks to participate, may apply for an exemption from the prohibition. The information collection is used in connection with recordkeeping and disclosure requirements under part 328. Comments are due **11/27/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21152.pdf>. *Federal Register*, Vol. 88, No. 187, 09/28/2023, 66844-66845.

- FRB seeks comment regarding an information collection titled, Reporting, Recordkeeping, and Disclosure Provisions Associated with the Guidance on Response Programs for Unauthorized Access to Customer Information and Customer Notice. The guidance, which applies to financial institutions, was issued in response to developing trends in the theft and accompanying misuse of customer information. The guidance includes certain voluntary reporting, recordkeeping, and disclosure provisions. Comments are due **11/27/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21159.pdf>. *Federal Register*, Vol. 88, No. 187, 09/28/2023, 66845-66846.
- FRB seeks comment regarding an information collection titled, Reporting, Recordkeeping, and Disclosure Requirements Associated with Regulation VV. Section 13 of the Bank Holding Company Act and FRB's implementing regulation, Regulation VV, contain certain prohibitions and restrictions on the ability of a banking entity to engage in proprietary trading or to have certain interests in, or relationships with, a hedge fund or private equity fund. Certain provisions of Regulation VV contain information collection requirements intended to facilitate the monitoring and enforcement of compliance with the regulation. Comments are due **11/27/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21142.pdf>.



## October 2023 Regulatory Report

*Federal Register*, Vol. 88, No. 187,  
09/28/2023, 66846-66847.

- FRB seeks comment regarding an information collection titled, Reporting, Recordkeeping, and Disclosure Requirements Associated with Rules Regarding Availability of Information. The information collection consists of reporting, recordkeeping, and disclosure requirements under subpart C of the Rules Regarding Availability of Information (12 CFR part 261), as further outlined in the notice. Comments are due **11/27/2023**.

The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21158.pdf>.

*Federal Register*, Vol. 88, No. 187,  
09/28/2023, 66847-66848.

- FRB seeks comment regarding an information collection titled, Reporting, Recordkeeping, and Disclosure Requirements Associated with Regulation LL. FRB's Regulation LL, Savings and Loan Holding Companies (12 CFR part 238), requires certain large savings and loan holding companies to submit a capital plan to FRB on an annual basis, request prior approval from FRB under certain circumstances before making a capital distribution, conduct company-run periodic stress tests, report the results of its company-run stress tests to FRB, publicly disclose a summary of the results of such stress tests, and comply with certain other reporting and recordkeeping requirements. The information collected is used in connection with these requirements. Comments are due **11/27/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21160.pdf>.

[R-2023-09-28/pdf/2023-21160.pdf](https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21160.pdf).

*Federal Register*, Vol. 88, No. 187,  
09/28/2023, 66848-66850.

### **FDIC Announces Termination of Receiverships.**

The Federal Deposit Insurance Corporation (FDIC), as Receiver, for the insured depository institutions listed in the notice, was charged with the duty of winding up the affairs of the former institutions and liquidating all related assets. The Receiver has fulfilled its obligations and made all dividend distributions required by law. The Receiver has further irrevocably authorized and appointed FDIC-Corporate as its attorney-in-fact to execute and file any and all documents that may be required to be executed by the Receiver which FDIC-Corporate, in its sole discretion, deems necessary, including but not limited to releases, discharges, satisfactions, endorsements, assignments, and deeds. Effective on the termination dates listed in the notice, the Receiverships have been terminated, the Receiver has been discharged, and the Receiverships have ceased to exist as legal entities. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-10-06/pdf/2023-22296.pdf>. *Federal Register*, Vol. 88, No. 193, 10/06/2023, 69633.

### **FDIC Announces Intent to Terminate Receiverships.**

FDIC, as Receiver for the institutions listed in the notice, announced it intends to terminate its receiverships for the listed institutions. The liquidation of the assets for the receiverships has been completed. To the extent permitted





## October 2023 Regulatory Report

by available funds and in accordance with law, the Receiver will be making a final dividend payment to proven creditors. Based upon the foregoing, the Receiver has determined that the continued existence of the receiverships will serve no useful purpose. Consequently, notice is given that the receiverships shall be terminated, to be effective no sooner than thirty days after the date of the notice. If any person wishes to comment concerning the termination of the receiverships, such comment must be made in writing, identify the receivership to which the comment pertains, and sent within thirty days of the date of the notice to: Federal Deposit Insurance Corporation, Division of Resolutions and Receiverships, Attention: Receivership Oversight

Section, 600 North Pearl, Suite 700, Dallas, TX 75201. No comments concerning the termination of the receivership will be considered which are not sent within this time frame. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-27/pdf/2023-21039.pdf>. *Federal Register*, Vol. 88, No. 186, 09/27/2023, 66449.

### **FDIC Issues Proposed Rule Regarding Resolution Plans for Larger Insured Depository Institutions.**

FDIC seeks comment regarding a proposal to revise its current rule that requires the submission of resolution plans by insured depository institutions (IDIs) with \$50 billion or more in total assets. The proposal modifies the current rule by revising the content and timing of resolution submissions as well as

interim supplements to the submissions provided to FDIC by IDIs with \$50 billion or more in total assets in order to support FDIC's resolution readiness in the event of material distress and failure of these large IDIs. IDIs with \$100 billion or more in total assets will submit full resolution plans, while IDIs with total assets between \$50 and \$100 billion will submit informational filings. The proposed rule also enhances how the credibility of resolution submissions will be assessed, expands expectations regarding engagement and capabilities testing, and explains expectations regarding FDIC's review and enforcement of IDIs' compliance with the rule. Comments are due **11/30/2023**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-19/pdf/2023-19266.pdf>. *Federal Register*, Vol. 88, No. 180, 09/19/2023, 64579-64625.

### **FDIC Issues Proposed Guidelines on Standards for Corporate Governance and Risk Management.**

FDIC seeks comment regarding a proposed corporate governance and risk management guidelines (Guidelines) that would apply to all insured state nonmember banks, state-licensed insured branches of foreign banks, and insured state savings associations that are subject to Section 39 of the Federal Deposit Insurance Act (FDI Act), with total consolidated assets of \$10 billion or more on or after the effective date of the final Guidelines. The proposed Guidelines would be issued as Appendix C to FDIC's standards for safety and soundness regulations in part 364 and would be enforceable under Section 39. FDIC also proposed to make corresponding



## October 2023 Regulatory Report

amendments to parts 308 and 364 of its regulations to implement the proposed Guidelines. Comments are due **12/11/2023**.

The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-11/pdf/2023-22421.pdf>. *Federal Register*, Vol. 88, No. 195, 10/11/2023, 70391-70409.

### **FDIC Seeks Comment on Resolution Planning Reporting.**

FDIC seeks comment regarding an information collection titled, Reporting Requirements Associated with Resolution Planning. The collection comprises the reporting requirements associated with 12 CFR part 381. Section 381 implements the resolution planning requirements of section 165(d) of the Dodd-Frank Act, which require certain financial companies (covered companies) to report periodically to FDIC and the Board of Governors of the Federal Reserve System (FRB) (collectively, the agencies) their plans for rapid and orderly resolution under the U.S. Bankruptcy Code in the event of material financial distress or failure. The resolution planning process requires covered companies to demonstrate that they have adequately assessed the challenges that their structures and business activities pose to a rapid and orderly resolution in the event of material financial distress or failure and that they have taken action to address the challenges, including through the development of capabilities appropriate to the covered company's size and complexity. Comments are due **10/25/2023**. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-25/pdf/2023-20682.pdf>. *Federal*

*Register*, Vol. 88, No. 184, 09/25/2023, 65677-65678.

### **FDIC Seeks Comment on Forms Related to Processing Deposit Insurance Claims and Swap Entity Reporting.**

FDIC seeks comment regarding an information collection titled, Forms Relating to Processing Deposit Insurance Claims. The information collection is used to facilitate FDIC's deposit insurance determinations in the event of the failure of an insured depository institution. FDIC also seeks comment regarding an information collection titled, Margin and Capital Requirements for Swap Entities [Interagency] IFR. The regulations at part 349 subpart A impose reporting and recordkeeping requirements on any FDIC-insured state-chartered bank that is not a member of the Federal Reserve System or FDIC-insured state-chartered savings association that is registered as a swap entity. The information collection is used in connection with part 349 recordkeeping requirements. Comments are due **10/25/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-25/pdf/2023-20680.pdf>. *Federal Register*, Vol. 88, No. 184, 09/25/2023, 65678-65681.

### **OCC Amends National Bank Community Development Investments Form.**

The Office of the Comptroller of the Currency (OCC) issued a final rule which made a non-substantive amendment to form CD-1, National Bank Community Development (Part



## October 2023 Regulatory Report

24) Investments, to reflect the current expiration date assigned by the Office of Management and Budget. The current expiration date is **08/31/2025**. The final rule is effective **09/19/2023**. The final rule may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-19/pdf/2023-20187.pdf>. *Federal Register*, Vol. 88, No. 180, 09/19/2023, 64358-64365.

### **HUD Extends Compliance Date for NSPIRE Programs.**

The Department of Housing and Urban Development (HUD) extended the compliance date for its National Standards for the Physical Inspection of Real Estate (NSPIRE) final rule for Community Planning and Development (CPD) programs. Specifically, HUD has extended the compliance date for the HOME Investment Partnerships Program (HOME) and Housing Trust Fund (HTF), Housing Opportunities for Persons With AIDS (HOPWA), Emergency Solution Grants (ESG), and Continuum of Care (COC) programs until **10/01/2024**. HUD extended the compliance dates to allow jurisdictions, participants, and grantees additional time to incorporate NSPIRE standards specific to programs and timelines. Jurisdictions, participants, and grantees subject to 24 CFR parts 92, 93, 574, 576, and 578, are not required to comply with the changes to the parts in the NSPIRE final rule until **10/01/2024**. HUD also extended the compliance date to **10/01/2024**, for the Housing Choice Voucher and Project Based Voucher Programs to allow Public Housing Authorities additional time to implement the NSPIRE standards. The notices may be viewed at:

[https://www.govinfo.gov/content/pkg/FR-](https://www.govinfo.gov/content/pkg/FR-2023-09-18/pdf/2023-20130.pdf)

[2023-09-18/pdf/2023-20130.pdf](https://www.govinfo.gov/content/pkg/FR-2023-09-18/pdf/2023-20130.pdf). *Federal Register*, Vol. 88, No. 179, 09/18/2023, 63971-63972; and

<https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21141.pdf>. *Federal Register*, Vol. 88, No. 187, 09/28/2023, 66882.

### **HUD Issues Notice Designating Difficult Development Areas and Qualified Census Tracts for 2024.**

HUD issued a notice designating Difficult Development Areas (DDAs) and Qualified Census Tracts (QCTs) for purposes of the Low-Income Housing Tax Credit (LIHTC) under Internal Revenue Code (IRC) section 42. Under IRC section 42, for purposes of the LIHTC, HUD must designate DDAs, which are areas with high construction, land, and utility costs relative to area median gross income (AMGI). The notice designates DDAs for each of the 50 States, the District of Columbia, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands. HUD makes the designations of DDAs based on modified Fiscal Year (FY) 2023 Small Area Fair Market Rents (FMR), FY 2023 nonmetropolitan county FMRs, FY 2023 income limits, and 2020 Census population counts, as explained in the notice. HUD must designate QCTs, which are areas where either 50 percent or more of the households have an income less than 60 percent of the AMGI or have a poverty rate of at least 25 percent. The notice designates QCTs based on new income and poverty data released in the American Community Survey. HUD makes new DDA and QCT designations annually. The notice may be viewed at:

[https://www.govinfo.gov/content/pkg/FR-](https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21141.pdf)



## October 2023 Regulatory Report

[2023-09-21/pdf/2023-20478.pdf](#). *Federal Register*, Vol. 88, No. 182, 09/21/2023, 65188-65194.

### HUD Seeks Comment on Information Collections.

- HUD seeks comment regarding an information collection titled, Disclosure of Adjustable Rate Mortgage (ARM) Rates. Mortgage lenders must provide loan applicants seeking a Federal Housing Administration (FHA) insured ARM with a pre-loan disclosure that includes a written explanation of the ARM loan features. Loan servicers must also provide mortgagors with ARMs an annual ARM Disclosure Notice at least 25 days before any adjustment to a mortgagor's monthly payment may occur, advising the borrower of the new interest rate, new monthly payment, index value and how the adjustment was calculated. HUD collects the pre-loan ARM disclosure as part of the origination case binder. HUD may collect post-closing ARM disclosures as part of its program monitoring and enforcement activities. HUD may review collected disclosures to ensure compliance with the ARM disclosure requirements. Comments are due **10/26/2023**. The notice may be viewed at:  
<https://www.govinfo.gov/content/pkg/FR-2023-09-26/pdf/2023-20829.pdf>.  
*Federal Register*, Vol. 88, No. 185, 09/26/2023, 66041-66042.
- HUD seeks comment regarding an information collection titled, Mortgage Insurance Termination. Information is used by servicing mortgagees to comply

with HUD requirements for reporting termination of Federal Housing Administration (FHA) mortgage insurance. The information is used whenever FHA mortgage insurance is terminated and no claim for insurance benefits will be filed. The information is submitted and used to issue mortgage insurance premium refunds directly to eligible claimants. Comments are due **10/26/2023**. The notice may be viewed at:  
<https://www.govinfo.gov/content/pkg/FR-2023-09-26/pdf/2023-20831.pdf>.  
*Federal Register*, Vol. 88, No. 185, 09/26/2023, 66042-66043.

- HUD seeks comment regarding an information collection titled, Ginnie Mae Multiclass Securities Program. The program provides an important adjunct to Ginnie Mae's secondary mortgage market activities, allowing the private sector to combine and restructure cash flows from Ginnie Mae mortgage-backed securities into securities that meet unique investor requirements in connection with yield, maturity, and call-option protection. The Multiclass Securities Program intends to increase liquidity in the secondary mortgage market and attract new sources of capital for federally-insured or guaranteed residential loans. Comments are due **11/01/2023**. The notice may be viewed at:  
<https://www.govinfo.gov/content/pkg/FR-2023-10-02/pdf/2023-21587.pdf>.  
*Federal Register*, Vol. 88, No. 189, 10/02/2023, 67791-67792.

### FEMA Issues Final Changes in Flood Hazard Determinations.



## October 2023 Regulatory Report

The Federal Emergency Management Agency (FEMA) announced new or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) have been made final for communities in the states of **Connecticut, Delaware, Florida, Kentucky, Massachusetts, New Mexico, Pennsylvania, Texas, and Virginia**, as listed in the table in the notice. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities. Each LOMR was finalized as indicated in the table in the notice. The final notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-19892.pdf>. *Federal Register*, Vol. 88, No. 177, 09/14/2023, 63119-63121.

### FEMA Issues Notices of Changes in Flood Hazard Determinations.

- FEMA issued a notice which lists communities in the states of **Colorado, Connecticut, Florida, Georgia, Massachusetts, Nevada, Oklahoma, Tennessee, Texas, and Virginia**, where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS)

reports, prepared by FEMA for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect the flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with federal regulations. The flood hazard determinations will be finalized on the dates listed in the table in the notice and revise the FIRM panels and FIS report in effect prior to the determination for the listed communities. From the date of the second publication of notification of the changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-27/pdf/2023-21033.pdf>. *Federal Register*, Vol. 88, No. 186, 09/27/2023, 66469-66472.

- FEMA issued a notice which lists communities in the states of **Arizona, California, Florida, Illinois, Missouri, Oregon, Virginia, and Wisconsin**, where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS)





## October 2023 Regulatory Report

reports, prepared by FEMA for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect the flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with federal regulations. The flood hazard determinations will be finalized on the dates listed in the table in the notice and revise the FIRM panels and FIS report in effect prior to the determination for the listed communities. From the date of the second publication of notification of the changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-27/pdf/2023-21034.pdf>.

*Federal Register*, Vol. 88, No. 186, 09/27/2023, 66483-66486.

- FEMA issued a notice which lists communities in the states of **California, Colorado, Connecticut, Delaware, Florida, Georgia, Massachusetts, Mississippi, North Carolina, Pennsylvania, Tennessee, Texas, and Virginia**, where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where

applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by FEMA for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect the flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with federal regulations. The flood hazard determinations will be finalized on the dates listed in the table in the notice and revise the FIRM panels and FIS report in effect prior to the determination for the listed communities. From the date of the second publication of notification of the changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-10-02/pdf/2023-21699.pdf>.

*Federal Register*, Vol. 88, No. 189, 10/02/2023, 67787-67790.

### **FEMA Issues Proposed Flood Hazard Determinations.**

- FEMA seeks comment regarding proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood



## October 2023 Regulatory Report

Insurance Study (FIS) reports for communities in the states of **New Hampshire, Ohio, and Virginia**, as listed in the table in the notice. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). Comments are due **12/13/2023**. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-19886.pdf>.

*Federal Register*, Vol. 88, No. 177, 09/14/2023, 63116-63118.

- FEMA seeks comment regarding proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for communities in the states of **Kansas, Kentucky, and Tennessee**, as listed in the table in the notice. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). Comments are due **12/13/2023**. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-19890.pdf>.

*Federal Register*, Vol. 88, No. 177, 09/14/2023, 63118-63119.

- FEMA seeks comment regarding proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for communities in the state of **Virginia**, as listed in the table in the notice. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). Comments are due **12/26/2023**. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-27/pdf/2023-21031.pdf>.

*Federal Register*, Vol. 88, No. 186, 09/27/2023, 66474-66475.

- FEMA seeks comment regarding proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for communities in the state of **North Dakota**, as listed in the table in the notice. The FIRM and FIS report are the basis of the



## October 2023 Regulatory Report

floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). Comments are due **12/26/2023**. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-27/pdf/2023-21030.pdf>.

*Federal Register*, Vol. 88, No. 186, 09/27/2023, 66475-66476.

- FEMA seeks comment regarding proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for communities in the states of **South Carolina** and **Tennessee**, as listed in the table in the notice. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). Comments are due **12/26/2023**. The notice may be viewed at:  
<https://www.govinfo.gov/content/pkg/FR-2023-09-27/pdf/2023-21032.pdf>.  
*Federal Register*, Vol. 88, No. 186, 09/27/2023, 66489-66491.

### **FEMA Issues Correction to Proposed Flood Hazard Determination.**

FEMA, on **07/31/2023**, published in the *Federal Register* a proposed flood hazard determination that contained an erroneous table. FEMA has issued a correction to be used in lieu of the erroneous information. The table provided in the correction represents the proposed flood hazard determinations and communities affected for the following **Massachusetts** Counties, Essex County (All Jurisdictions), Middlesex County (All Jurisdictions), Norfolk County (All Jurisdictions), and Worcester County (All Jurisdictions). Comments are due **12/13/2023**. The correction may be viewed at:  
<https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-19891.pdf>. *Federal Register*, Vol. 88, No. 177, 09/14/2023, 63121-63124.

### **FEMA Issues Proposed Rules on Federal Flood Risk Management Standard.**

- FEMA seeks comments regarding a proposed policy, Federal Flood Risk Management Standard (FFRMS). The proposed policy would provide detail, consistent with applicable regulations, on applicability, processes, resources, and responsibilities for implementing FFRMS as part of FEMA's 8-step decision making process for carrying out the directives of Executive Order 11988, Floodplain Management, as amended. Comments are due **12/01/2023**. The proposed policy may be viewed at:  
<https://www.govinfo.gov/content/pkg/FR-2023-10-02/pdf/2023-21093.pdf> *Federal Register*, Vol. 88, No. 189, 10/02/2023, 67697.



## October 2023 Regulatory Report

- FEMA seeks comments regarding a supplementary policy that would clarify how FEMA would apply the Federal Flood Risk Management Standard (FFRMS). In particular, the proposed rule would change how FEMA defines a floodplain with respect to certain actions. Additionally, FEMA would use natural systems, ecosystem process, and nature-based approaches, where possible, when developing alternatives to locating the proposed action in the floodplain. Comments are due **12/01/2023**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-02/pdf/2023-21101.pdf>. *Federal Register*, Vol. 88, No. 189, 10/02/2023, 67870-67928.

### **FEMA Seeks Comment on Standard Flood Hazard Determination Form.**

FEMA seeks comments regarding an information collection titled, Standard Flood Hazard Determination Form (SFHDF). The form is used by federally-regulated lending institutions, federal agency lenders, Federal National Mortgage Association (Fannie Mae), Federal Home Loan Mortgage Corporation (Freddie Mac), and the Government National Mortgage Association (Ginnie Mae). Federally-regulated lending institutions complete the form when making, increasing, extending, renewing, or purchasing each loan for the purpose of determining whether flood insurance is required and available. Comments are due **10/27/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-27/pdf/2023-20982.pdf>. *Federal*

*Register*, Vol. 88, No. 186, 09/27/2023, 66491-66492.

### **FinCEN Issues Proposed Rule to Extend BOI Reporting Deadline in 2024.**

The Financial Crimes Enforcement Network (FinCEN) issued a proposed rule to amend the beneficial ownership information (BOI) reporting rule (Reporting Rule) to extend the filing deadline for certain BOI reports. Under the Reporting Rule, entities created or registered on or after the rule's effective date of **01/01/2024**, must file initial BOI reports with FinCEN within 30 days of notice of their creation or registration. The proposed amendment would extend that filing deadline from 30 days to 90 days for entities created or registered on or after **01/01/2024**, and before **01/01/2025**, to give the entities additional time to understand the new reporting obligation and collect the necessary information to complete the filing. Entities created or registered on or after **01/01/2025**, would have 30 days to file their BOI reports with FinCEN, as required under the Reporting Rule. Comments are due **10/30/2023**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21226.pdf>. *Federal Register*, Vol. 88, No. 187, 09/28/2023, 66730-66732.

### **Treasury Issues Interim Final Rule Regarding Covid State and Local Fiscal Recovery Funds.**

The Department of the Treasury (Treasury) issued an interim final rule to implement the amendments made by the Consolidated



## October 2023 Regulatory Report

Appropriations Act with respect to the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act. The interim final rule provides for eligible uses, a discussion of revenue loss and program administration, and a regulatory analysis. The interim final rule is effective **09/20/2023**. Comments are due **11/20/2023**. The interim final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-20/pdf/2023-17446.pdf>. *Federal Register*, Vol. 88, No. 181, 09/20/2023, 64986-65037.

### **Treasury Seeks Comment on Notice to Account Holder for Garnishments of Accounts Containing Federal Benefits.**

Treasury seeks comment regarding an information collection titled, Notice to Account Holder for Garnishment of Accounts Containing Federal Benefit Payments. On **05/29/2013**, Treasury, Social Security Administration (SSA), Department of Veterans Affairs (VA), Railroad Retirement Board (RRB) and the Office of Personnel Management (OPM) (collectively, the agencies) published a final rule, which governs the garnishment of certain federal benefit payments that are directly deposited to accounts at financial institutions. Social Security benefits, Supplemental Security Income benefits, VA benefits, Federal Railroad retirement benefits, Civil Service Retirement System, and Federal Employee Retirement System benefits are exempt under federal law from garnishment orders. The collection of information in the final rule is found in section 212.6, Rules and Procedures to Protect Benefits and is

authorized under 12 U.S.C. 1786 and 12 U.S.C. 1818. Comments are due **10/30/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-28/pdf/2023-21282.pdf>. *Federal Register*, Vol. 88, No. 187, 09/28/2023, 66959-66960.

### **Treasury Seeks Comment on BOI Reporting Rule Information Collections.**

- Treasury, on behalf of Financial Crimes Enforcement Network (FinCEN), seeks comment regarding an information collection titled, Beneficial Ownership Information (BOI) Reports. This is a new information collection. The final BOI reporting rule imposes a new reporting requirement on certain entities (reporting companies) to file with FinCEN reports, known as Beneficial Ownership Information Reports (BOIRs). The BOIRs collect certain information about the reporting company, the reporting company's beneficial owners, and the individual(s) who filed the document with specified governmental authorities that created the entity or registered it to do business. The BOIRs will be filed by completing a form and submitting it through an online portal or submitting the information through an Application Programming Interface. Comments are due **10/30/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-29/pdf/2023-21293.pdf>. *Federal Register*, Vol. 88, No. 188, 09/29/2023, 67443-67448.





## October 2023 Regulatory Report

- Treasury, on behalf of FinCEN, seeks comment regarding an information collection titled, Individual FinCEN Identifiers. The final Beneficial Ownership Information (BOI) reporting rule requires individuals seeking to obtain a FinCEN identifier to submit certain information to FinCEN. This is a voluntary collection. Individuals are not required to obtain FinCEN identifiers. In order to be issued a FinCEN identifier, however, the final BOI reporting rule requires individuals to file applications electronically with FinCEN that contain certain information about themselves. Individuals are also required to submit updates of their identifying information as needed. FinCEN will store the information in its BOI database for access by authorized users. Entities will not use the FinCEN identifier application to request a FinCEN identifier; instead, entities will request a FinCEN identifier when they submit a BOI report. The information collection is used in connection with the request and issuance of a FinCEN identifier. Comments are due **10/30/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-29/pdf/2023-21325.pdf>. *Federal Register*, Vol. 88, No. 188, 09/29/2023, 67449-67451.

### **IRS Seeks Comment on Like-Kind Exchange Information Collection.**

The Internal Revenue Service (IRS) seeks comment regarding an information collection titled, Like-Kind Exchanges. Section 1031 of the Internal Revenue Code allows for the nonrecognition of gain or loss on the exchange of business or investment property. Section 1043 allows for the non-recognition of

gain from dispositions made by certain members of the executive branch of the federal government because of a conflict of interest. The information collection provides taxpayers with an easy method of determining whether a transaction qualifies for like-kind exchange treatment, the gain or loss, if any recognized because of the exchange, and the basis in the new property received in the exchange. Comments are due **11/13/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-19888.pdf>. *Federal Register*, Vol. 88, No. 177, 09/14/2023, 63199-63200.

### **FHFA Proposes to Amend Rules Which Restrict Private Transfer Fee Covenants.**

The Federal Housing Finance Agency (FHFA) issued a proposed rule to amend its regulation that restricts its regulated entities, Federal National Mortgage Association (Fannie Mae), Federal Home Loan Mortgage Corporation (Freddie Mac) (collectively, the Enterprises), and Federal Home Loan Banks (Banks), from purchasing, investing in, accepting as collateral, or otherwise dealing in mortgages on properties encumbered by certain types of private transfer fee covenants (PTFCs), and in related securities, subject to certain exceptions. The proposed rule establishes an additional exception to the restrictions for loans on properties with PTFCs, and related securities, if the loans meet certain shared equity loan program requirements for Resale Restriction Programs in FHFA's Duty to Serve Underserved Markets Regulation. Comments are due **11/27/2023**. The proposed rule may be viewed at:



## October 2023 Regulatory Report

<https://www.govinfo.gov/content/pkg/FR-2023-09-26/pdf/2023-20818.pdf>. *Federal Register*, Vol. 88, No. 185, 09/26/2023, 65827-65831.

### **FHFA Seeks Comment on Federal Home Loan Bank Member Information Collection.**

FHFA seeks comment regarding an information collection titled, Members of the Banks. FHFA's Members of the Banks Regulation, located at 12 CFR part 1263, implements the statutory provisions on Federal Home Loan Banks (Bank) membership and otherwise establishes substantive and procedural requirements relating to the initiation and termination of membership. Many of the provisions in the membership regulation require that an institution submit information to a Bank or to FHFA, in most cases to demonstrate compliance with statutory or regulatory requirements or to request action by the Bank or FHFA. There are four types of information collections that may occur under part 1263 as further outlined in the notice. Comments are due **10/25/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-25/pdf/2023-20679.pdf>. *Federal Register*, Vol. 88, No. 184, 09/25/2023, 65681-65682.

### **SBA Issues Delegation of Authority.**

The Small Business Administration (SBA) issued a notice regarding the delegation of authority for certain activities related to the licensing of Small Business Investment Companies by SBA to SBA's Licensing Committee. The notice further provides the

members of the Licensing Committee. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-21/pdf/2023-20495.pdf>. *Federal Register*, Vol. 88, No. 182, 09/21/2023, 65222-65223.

### **SBA Announces Information on Secondary Market Program.**

SBA announced there will be no change to the current minimum maturity ratio of 92.0% for both SBA Standard Pools and Weighted-Average Coupon (WAC) Pools. The minimum maturity ratio covers the estimated cost of the timely payment guaranty for newly formed SBA 7(a) loan pools. The update will be incorporated, as needed, into the SBA Secondary Market Program Guide and all other appropriate SBA Secondary Market documents. The update will apply to SBA 7(a) loan pools with an issue date on or after **10/01/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-29/pdf/2023-21549.pdf>. *Federal Register*, Vol. 88, No. 188, 09/29/2023, 67418-67419.

### **SBA Issues Peg Rate.**

SBA publishes an interest rate called the optional "peg" rate on a quarterly basis. The rate is a weighted average cost of money to the government for maturities similar to the average SBA direct loan. The rate may be used as a base rate for guaranteed fluctuating interest rate SBA loans. The rate will be **4.13** percent for the October-December quarter of FY 2024. Pursuant to 13 CFR 120.921(b), the maximum legal interest rate for any third party lender's commercial loan which funds



## October 2023 Regulatory Report

any portion of the cost of a 504 project shall be 6% over the New York Prime rate or, if that exceeds the maximum interest rate permitted by the constitution or laws of a given state, the maximum interest rate will be the rate permitted by the constitution or laws of the given state. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-02/pdf/2023-21712.pdf>. *Federal Register*, Vol. 88, No. 189, 10/02/2023, 67856.

### **SBA Announces Sunset of Community Advantage Pilot Program.**

SBA announced it will sunset its Community Advantage Pilot Program effective **10/31/2023**. Background information and data regarding the program may be found in the announcement.

Questions regarding the program may be directed to a local SBA district office. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-10-05/pdf/2023-22185.pdf>. *Federal Register*, Vol. 88, No. 192, 10/05/2023, 69003-69008.

### **SBA Announces New ALP Express Pilot Program.**

SBA announced a new pilot loan program (ALP Express Pilot) to provide to Certified Development Companies (CDCs) participating in the Accredited Lenders Program (ALP) increased delegated authority for 504 loans of \$500,000 or less. The increased delegated authorities (ALP Express authority) were previously authorized under the Economic Aid to Hard-hit Small Businesses, Nonprofits, and Venues Act (Economic Aid Act), but expire on

**09/30/2023**. SBA will evaluate the use of the ALP Express Pilot and make a recommendation as to whether the increased authorities should become permanent. SBA will limit the number of ALP Express Pilot loans to not more than fifteen percent of the total dollar amount of 504 loans made in any fiscal year. The ALP Express Pilot is available **10/01/2023**, and will remain in effect for up to two years, but not to extend beyond

**09/30/2025**. Comments are due **12/05/2023**. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-10-06/pdf/2023-22171.pdf>. *Federal Register*, Vol. 88, No. 193, 10/06/2023, 69529-69531.

### **SBA Proposes to Amend Programs for Criminal Background Reviews.**

SBA issued a proposed rule to amend the regulations which govern its business loan programs, 7(a) Loan Program, 504 Loan Program, Microloan Program, Intermediary Lending Pilot Program, Surety Bond Guarantee Program, and the Disaster Loan Program (except for the COVID Economic Injury Disaster Loan Disaster Loan Program) for criminal background reviews. The amendments are designed to improve equitable access based on criminal background review of applicants seeking to participate in the programs. Comments are due **11/14/2023**. The proposed rule may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-15/pdf/2023-19183.pdf>. *Federal Register*, Vol. 88, No. 178, 09/15/2023, 63534-63539.



## October 2023 Regulatory Report

### **SBA Seeks Comment on Section 504 Loan Information Collection.**

SBA seeks comment regarding an information collection titled, Application for Section 504 Loans. The information collected is used to review the eligibility of the small business concern (SBC) for SBA financial assistance; the creditworthiness and repayment ability of the SBC; and the terms and conditions of the 504 loan for which the SBC has applied. Comments are due **11/13/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-13/pdf/2023-19709.pdf>. *Federal Register*, Vol. 88, No. 176, 09/13/2023, 62866-62867.

### **FSA Establishes Milk Loss Relief Program.**

The Farm Service Agency (FSA) issued a final rule to establish provisions for providing agricultural disaster assistance as authorized by the Extending Government Funding and Delivering Emergency Assistance Act and the Disaster Relief Supplemental Appropriations Act. The assistance will be for 2020, 2021, and 2022 milk losses. The Milk Loss Program will provide payments to eligible dairy operations for milk that was dumped or removed without compensation from the commercial milk market due to disaster events including droughts, wildfires, hurricanes, floods, derechos, excessive heat, winter storms, freeze (including a polar vortex), and smoke exposure that occurred in the 2020, 2021, and 2022 calendar years. Additionally, assistance is authorized for eligible milk losses due to tornadoes that occurred in 2022. The final rule specifies the administrative provisions,

eligibility requirements, application procedures, and payment calculations for the Milk Loss Program. The final rule also makes corrections to Phase 2 of the Emergency Relief Program. The final rule is effective **09/11/2023**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-011/pdf/2023-19479.pdf>. *Federal Register*, Vol. 88, No. 174, 09/11/2023, 62285-62292.

### **Agencies Seeks Applications for Loan and Grant Programs.**

- The Farm Service Agency (FSA) issued a notice of funding availability (NOFA) for Emergency Livestock Relief Program (ELRP) 2022. The notice provides the eligibility requirements and payment calculation for ELRP 2022 assistance. ELRP 2022 will provide payments to producers who faced increased supplemental feed costs as a result of forage losses due to a qualifying drought or wildfire in calendar year 2022, using data already submitted to FSA through the Livestock Forage Disaster Program (LFP). See the NOFA for program information, application details, and deadlines. The NOFA may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-27/pdf/2023-21068.pdf>. *Federal Register*, Vol. 88, No. 186, 09/27/2023, 66361-66366.
- The Farm Service Agency (FSA) issued a notice of funding availability (NOFA) for Emergency Livestock Relief Program (ELRP) Phase 2. The notice provides the eligibility requirements and payment calculation for the second phase of ELRP assistance. ELRP Phase 2 will provide



## October 2023 Regulatory Report

assistance to eligible livestock producers for the loss of the value of winter forage from the deterioration of grazing cover due to a qualifying drought or wildfire during the 2021 normal grazing period, which has been exacerbated by a continued lack of precipitation. The notice also makes a correction and amendment to ELRP Phase 1. See the NOFA for program information, application details, and deadlines. The NOFA may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-27/pdf/2023-21088.pdf>.

*Federal Register*, Vol. 88, No. 186, 09/27/2023, 66366-66372.

- The Rural Business Cooperative Service (RBC) issued a notice of solicitation of applications (NOSA) for the Intermediary Relending Program for Fiscal Year 2024. The program provides low-interest loans to local lenders (intermediaries) who then relend to businesses to help improve economic conditions and create jobs in rural communities. All applicable program requirements can be found at 7 CFR part 4274, subpart D. See the NOSA for application details and deadlines. The NOSA may be viewed at:  
<https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-19927.pdf>.  
*Federal Register*, Vol. 88, No. 177, 09/14/2023, 63050-63053.
- The Rural Business Cooperative Service (RBC) issued a notice of solicitation of applications (NOSA) for the Rural Microentrepreneur Assistance Program (RMAP) for Fiscal Year 2024. The purpose of RMAP is to support the development and ongoing success of rural

microentrepreneurs and microenterprises, each as defined in 7 CFR 4280.302. RMAP provides the following types of support: loan only, combination loan and technical assistance grant, and subsequent technical assistance grants to microenterprise development organizations (MDOs). Loan funds are used by MDOs to establish or recapitalize a revolving loan program for making microloans to a rural microentrepreneur business. Grant funds are used by MDOs to provide technical assistance and entrepreneurship training to rural individuals and businesses. See the NOSA for application details and deadlines. The NOSA may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-19928.pdf>.

*Federal Register*, Vol. 88, No. 177, 09/14/2023, 63054-63057.

- The Rural Business Cooperative Service (RBC) issued a notice of solicitation of applications (NOSA) for the Rural Economic Development Loan and Grant Programs for Fiscal Year 2024. The purpose of the programs is to provide financing to eligible Rural Utilities Service (RUS) electric or telecommunications borrowers to promote rural economic development and job creation projects. Assistance provided to rural and Tribal areas, as defined, under the programs may include business startup costs, business expansion, business incubators, technical assistance feasibility studies, advanced telecommunications services and computer networks for medical, educational, and job training services, and Community Facilities, as defined at 7 CFR 4280.3, projects for economic





## October 2023 Regulatory Report

development. See the NOSA for application details and deadlines. The NOSA may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-19925.pdf>. *Federal Register*, Vol. 88, No. 177, 09/14/2023, 63057-63061.

### **RBC Issues Notice of Processing Timeline Change for REAP.**

The Rural Business Cooperative Service (RBC) issued a notice removing the self-imposed restriction that all Fiscal Year 2023 applications that were submitted under the Rural Energy for America Program (REAP) prior to **06/30/2023**, and were not funded in the national unrestricted pooling competitions, must be withdrawn. The notice is effective **09/14/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-19868.pdf>. *Federal Register*, Vol. 88, No. 177, 09/14/2023, 63053-63054.

### **CFTC Seeks Comment on Registered Entities Information Collection.**

The Commodity Futures Trading Commission (CFTC) seeks comment regarding an information collection titled, Part 40, Provisions Common to Registered Entities. The collection of information includes information from registered entities concerning new products, rules, and rule amendments pursuant to the procedures outlined in §§ 40.2, 40.3, 40.5, 40.6, and 40.10 found in 17 CFR part 40. Part 40

implements section 5c(c) of the Commodity Exchange Act and sets forth provisions that are common to registered entities, including designated contract markets, derivatives clearing organizations, swap execution facilities, and swap data repositories. Comments are due **12/04/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-03/pdf/2023-21817.pdf>. *Federal Register*, Vol. 88, No. 190, 10/03/2023, 68112-68114.

### **SEC Issues Final Rule to Impose Documentation for Registered Investment Advisory Compliance Reviews.**

The Securities and Exchange Commission (SEC) issued a final rule to adopt new rules under the Investment Advisors Act. The rules are designed to protect investors who directly or indirectly invest in private funds by increasing visibility into certain practices involving compensation schemes, sales practices, and conflicts of interest through disclosure. The final rule establishes requirements to address practices that have the potential to lead to investor harm and restrict practices that are contrary to the public interest and the protection of investors. The rules are designed to prevent fraud, deception, or manipulation by the investment advisers to the funds. SEC has adopted corresponding amendments to the Advisers Act books and records rule to facilitate compliance with the new rules and assist SEC examination staff. Finally, SEC has adopted amendments to the Advisers Act compliance rule, which affect all registered investment advisers, to better enable SEC staff to conduct



## October 2023 Regulatory Report

examinations. The final rule is effective **11/13/2023**. See Section IV of final rule for mandatory compliance date. The final rule may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-14/pdf/2023-18660.pdf>. *Federal Register*, Vol. 88, No. 177, 09/14/2023, 63206-63390.

### **SEC Amends Privacy Act Regulations.**

SEC issued a final rule to adopt amendments to its Privacy Act regulations. The amendments are meant to clarify, update, and streamline the language of several procedural provisions within the regulation as further outlined in the final rule. The final rule is effective **10/26/2023**. The final rule may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-26/pdf/2023-20690.pdf>. *Federal Register*, Vol. 88, No. 185, 09/26/2023, 65807-65815.

### **SEC Issues Final Rule on Investment Company Names.**

SEC issued a final rule to amend its rule under the Investment Company Act that addresses certain broad categories of investment company names that are likely to mislead investors about an investment company's investments and risks. The amendments to the rule are designed to increase investor protection. The final rule broadens the scope of the requirement for certain funds to adopt a policy to invest at least 80 percent of the value of their assets in accordance with the investment focus that the fund's name suggests, updates the rule's notice requirements, and establishes recordkeeping

requirements. SEC also adopted enhanced prospectus disclosure requirements for terminology used in fund names, and additional requirements for funds to report information on Form N-PORT regarding compliance with the names-related regulatory requirements. The final rule is effective **12/11/2023**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-11/pdf/2023-20793.pdf>. *Federal Register*, Vol. 88, No. 195, 10/11/2023, 70436-70513.

### **SEC Updates EDGAR Filer Manual.**

SEC adopted amendments to Volume II of the Electronic Data Gathering, Analysis, and Retrieval System Filer Manual (EDGAR Filer Manual) and related rules and forms as further outlined in the final rule. EDGAR Release 23.3 will be deployed in the EDGAR system on **09/18/2023**. The final rule is effective **10/03/2023**. The final rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-03/pdf/2023-21806.pdf>. *Federal Register*, Vol. 88, No. 190, 10/03/2023, 67945-67946.

### **SEC Issues Proposed Rule Regarding EDGAR Filer Access and Account Management.**

SEC issued a proposed rule and form amendments concerning access to and management of accounts on SEC's Electronic Data Gathering, Analysis, and Retrieval System (EDGAR) that are related to potential technical changes to EDGAR (collectively, EDGAR Next). SEC proposed to require that electronic filers (filers) authorize and maintain designated individuals as account



## October 2023 Regulatory Report

administrators and that filers, through account administrators, take certain actions to manage accounts on a dashboard on EDGAR. Further, SEC proposed that filers may only authorize individuals as account administrators or in the other roles described in the proposal if the individuals first obtain individual account credentials in the manner to be specified in the EDGAR Filer Manual. As part of the EDGAR Next changes, SEC would offer filers optional Application Programming Interfaces for machine-to-machine communication with EDGAR, including submission of filings and retrieval of related information. If the proposed rule and form amendments are adopted, SEC would make corresponding changes to the EDGAR Filer Manual and implement the potential technical changes. Comments are due **11/21/2023**. The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-22/pdf/2023-20268.pdf>. *Federal Register*, Vol. 88, No. 183, 09/22/2023, 65524-65575.

### **FCC Seeks Comment on Possible Revision or Elimination of Rules.**

The Federal Communications Commission (FCC) seeks comment on rules to be reviewed pursuant to the Regulatory Flexibility Act, as amended. The purpose of the review is to determine whether FCC rules that were adopted in calendar years 2007-2012 should be continued without change, amended, or rescinded in order to minimize any significant impact the rules may have on a substantial number of small entities. FCC will evaluate comments received and consider whether action should be taken to rescind or amend relevant rules, or retain rules without modification. Comments are due **11/27/2023**.

The proposed rule may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-26/pdf/2023-20561.pdf>. *Federal Register*, Vol. 88, No. 185, 09/26/2023, 66232-66262.

### **EEOC Seeks Comment on Enforcement Guidance on Workplace Harassment.**

The Equal Employment Opportunity Commission (EEOC) seeks comment regarding a proposed guidance titled, *Enforcement Guidance on Harassment in the Workplace*. The proposed guidance presents a legal analysis of standards for harassment and employer liability applicable to claims of harassment under the equal employment opportunity statutes enforced by EEOC. A proposed guidance on workplace harassment was first introduced in January 2017, but not finalized. Comments are due **11/01/2023**. The guidance may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-10-02/pdf/2023-21644.pdf>. *Federal Register*, Vol. 88, No. 189, 10/02/2023, 67750-67751.

### **VA Seeks Comment on New Financial and Credit Counseling Services Study.**

The Department of Veteran Affairs (VA) seeks comment regarding a new collection titled, *Veteran Financial and Credit Counseling Services Study*. Section 313 of the Joseph Maxwell Cleland and Robert Joseph Dole Memorial Veterans Benefits and Health Care Improvement Act requires VA to conduct a study on financial and credit counseling by querying financial and credit counselors, homeless programs providers, and subject



## October 2023 Regulatory Report

matters experts regarding the use of financial and credit counseling services. The intent of the study is to identify financial and credit counseling needs of Veterans experiencing homelessness or at risk of experiencing homelessness, the financial and credit counseling services offered to Veterans, the specific barriers that Veterans have in accessing financial and credit counseling services, and the effects of financial and credit counseling services on such outcomes as employment, housing status, income, and credit score. The information collected will be used to inform VA policy makers, program managers, and process improvement investigators about how to enhance financial and credit counseling services that are offered to Veterans experiencing homelessness or at risk of experiencing homelessness. The results of the study will be shared with Congress. Comments are due within 30 days of publication of the notice. The notice may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-10-10/pdf/2023-22339.pdf>. *Federal Register*, Vol. 88, No. 194, 10/10/2023, 70001.

### **NCUA Issues Final Rule on Loan Participations.**

The National Credit Union Administration (NCUA) issued a final rule to amend regulations regarding the purchase of loan participations and the purchase, sale, and pledge of eligible obligations and other loans (including notes of liquidating credit unions). The final rule clarifies NCUA's current regulations and provides additional flexibility for federally-insured credit unions to make use of advanced technologies and opportunities offered by the financial technology (fintech) sector. The final rule also

amends NCUA's rule regarding loans to members and lines of credit to members by adding new provisions about indirect lending arrangements and indirect leasing arrangements. NCUA stated it does not view the conforming changes and technical amendments as substantive. The final rule is effective **10/30/2023**. The final rule may be viewed at:

<https://www.govinfo.gov/content/pkg/FR-2023-09-29/pdf/2023-20950.pdf>. *Federal Register*, Vol. 88, No. 188, 09/29/2023, 67570-67601.

### **NCUA Seeks Comment Regarding Several Information Collections.**

- NCUA seeks comment regarding the following information collections: (a) NCUA Call Report; (b) Federal Credit Union Occupancy; Planning, and Disposal of Acquired and Abandoned Premises; (c) Corporate Credit Union Monthly Call Report and Annual Report of Officers; (d) Purchase, Sale, and Pledge of Eligible Obligations; (e) Contractor Budget and Representations and Certifications; and (f) Capital Planning and Stress Testing. The purpose and use of each collection are outlined in the notice. Comments are due **11/13/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-12/pdf/2023-19585.pdf>. *Federal Register*, Vol. 88, No. 175, 09/12/2023, 62604-62605.
- NCUA seeks comment regarding the following information collections: (a) Advertising of Excess Insurance, 12 CFR 740.3; (b) Monitoring Bank Secrecy Act Compliance; (c) Designation of Low Income Status, 12 CFR 701.34(a); (d)



## October 2023 Regulatory Report

Written Reimbursement Policy, 12 CFR 701.33; (e) Prompt Corrective Action, 12 CFR 702 (Subparts A-D); (f) IRPS 19-1, Exceptions to Employment Restrictions Under Section 205(d) of the Federal Credit Union Act; and (g) NCUA Profile. The purpose and use of each collection are outlined in the notice. Comments are due **10/12/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-12/pdf/2023-19598.pdf>. *Federal Register*, Vol. 88, No. 175, 09/12/2023, 62606-62607.

- NCUA seeks comment regarding an information collection titled, Supervisory Stress Test Annual Data Collection, 12 CFR part 702, subpart C. NCUA has determined, to protect the National Credit Union Share Insurance Fund (NCUSIF) and the credit union system, that the largest federally-insured credit unions (FICUs) should have systems and processes in place to monitor and maintain their capital adequacy. Subpart C of part 702 codifies capital planning and stress testing requirements for FICUs with \$10 billion or more in assets (covered credit unions). Covered credit unions are further delineated by asset tiers. Tier II and III credit unions are required to conduct supervisory stress tests and section 702.306(b) codifies that NCUA reserves the right to conduct stress tests of

covered credit in circumstances as outlined in NCUA rules. The collection is used in connection with the stress test requirements. Comments are due **11/20/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-21/pdf/2023-20453.pdf>. *Federal Register*, Vol. 88, No. 182, 09/21/2023, 65205-65206.

- NCUA seeks comment regarding information collections titled, Central Liquidity Facility and Organization and Operations of Federal Credit Unions-Loan Participation. The Central Liquidity Facility is a mixed-ownership government corporation within NCUA. The purpose of the facility is to improve the general financial stability of credit unions by meeting their liquidity needs. The collection of information is necessary for the Central Liquidity Fund to determine credit worthiness. Regarding the second collection, NCUA rules at 701.22 and 741.225 outline the requirements for a loan participation program. The information collection is used in connection with the loan participation program rules. Comments are due **11/28/2023**. The notice may be viewed at: <https://www.govinfo.gov/content/pkg/FR-2023-09-29/pdf/2023-21495.pdf>. *Federal Register*, Vol. 88, No. 188, 09/29/2023, 67373.

### **Proposed Rules and Comment Due Dates**

| <b><u>Agency</u></b> | <b><u>Proposed Rule</u></b> | <b><u>Federal Register<br/>Publication Date<br/>and Page Number</u></b> | <b><u>Comment<br/>Due Date</u></b> |
|----------------------|-----------------------------|---|------------------------------------|
|                      |                             |   |                                    |





## October 2023 Regulatory Report

|   |   |   |  |                      |
|---|---|---|--|----------------------|
|   | <b>Commodity Futures Trading Commission (CFTC)</b>    | Amendments to Swap Confirmation Requirements for Swap Execution Facilities.   | <i>Federal Register</i> , Vol. 88, No. 164, 08/25/2023, 58145-58157. | <b>Oct. 24, 2023</b> |
|   | <b>CFTC</b>   | Amendments to Provisions Common to Registered Entities.   | <i>Federal Register</i> , Vol. 88, No. 171, 09/06/2023, 61432-61461. | <b>Nov. 06, 2023</b> |
| * | <b>Equal Employment Opportunity Commission (EEOC)</b> | <b>GUIDANCE:</b> Enforcement Guidance on Harassment in the Workplace.   | <i>Federal Register</i> , Vol. 88, No. 189, 10/02/2023, 67750-67751. | <b>Nov. 01, 2023</b> |
| * | <b>Federal Communications Commission (FCC)</b>        | Possible Revision or Elimination of Rules.  | <i>Federal Register</i> , Vol. 88, No. 185, 09/26/2023, 66232-66262. | <b>Nov. 27, 2023</b> |
| * | <b>Federal Deposit Insurance Corporation (FDIC)</b>   | Revisions to Regulatory Capital Rule for Large Banking Organizations and Banking Organizations With Significant Trading Activity.   | <i>Federal Register</i> , Vol. 88, No. 179, 09/18/2023, 64028-64343. | <b>Nov. 30, 2023</b> |
| * | <b>FDIC</b>   | Long-Term Debt Requirements for Large Bank Holding Companies, Certain Intermediate Holding Companies of Foreign Banking Organizations, and Large Insured Depository Institutions. | <i>Federal Register</i> , Vol. 88, No. 180, 09/19/2023, 64524-64579. | <b>Nov. 30, 2023</b> |
| * | <b>FDIC</b>   | Resolution Plans for Larger Insured Depository Institutions.  | <i>Federal Register</i> , Vol. 88, No. 180, 09/19/2023, 64579-64625. | <b>Nov. 30, 2023</b> |



## October 2023 Regulatory Report

|   |   |   |  |                      |
|---|---|---|--|----------------------|
| * | <b>FDIC</b>                                       | <b>GUIDANCE:</b> Resolution Plan Submissions of Domestic Triennial Full Filers.   | <i>Federal Register</i> , Vol. 88, No. 180, 09/19/2023, 64626-64641. | <b>Nov. 30, 2023</b> |
| * | <b>FDIC</b>                                       | <b>GUIDANCE:</b> Resolution Plan Submissions of Foreign Triennial Full Filers.  | <i>Federal Register</i> , Vol. 88, No. 180, 09/19/2023, 64641-64658. | <b>Nov. 30, 2023</b> |
| * | <b>FDIC</b>                                       | Guidelines to Establish Standards for Corporate Governance and Risk Management for Covered Institutions With Total Consolidated Assets of \$10 Billion or More. | <i>Federal Register</i> , Vol. 88, No. 195, 10/11/2023, 70391-70409. | <b>Dec. 11, 2023</b> |
| * | <b>Federal Emergency Management Agency (FEMA)</b> | <b>POLICY:</b> Federal Flood Risk Management Standards.   | <i>Federal Register</i> , Vol. 88, No. 189, 10/02/2023, 67697.       | <b>Dec. 01, 2023</b> |
| * | <b>FEMA</b>                                       | Updates to Floodplain and Protection of Wetlands Regulations to Implement the Federal Flood Risk Management Standards.  | <i>Federal Register</i> , Vol. 88, No. 189, 10/02/2023, 67870-67928. | <b>Dec. 01, 2023</b> |
| * | <b>Federal Housing Finance Agency (FHFA)</b>      | Exception to Restrictions on Private Transfer Fee Covenants for Loans Meeting Certain Duty To Serve Shared Equity Loan Program Requirements.                    | <i>Federal Register</i> , Vol. 88, No. 185, 09/26/2023, 65827-65831. | <b>Nov. 27, 2023</b> |
|   | <b>Federal Reserve Board (FRB)</b>                | Amendments to Risk-Based Capital Surcharges for Global Systemically Important Bank Holding Companies; Systemic Risk Report.                                     | <i>Federal Register</i> , Vol. 88, No. 169, 09/01/2023, 60385-60402. | <b>Nov. 30, 2023</b> |



## October 2023 Regulatory Report

|   |  |   |  |                      |
|---|--|---|--|----------------------|
| * | <b>FRB</b>   | Revisions to Regulatory Capital Rule for Large Banking Organizations and Banking Organizations With Significant Trading Activity.   | <i>Federal Register</i> , Vol. 88, No. 179, 09/18/2023, 64028-64343. | <b>Nov. 30, 2023</b> |
| * | <b>FRB</b>   | Long-Term Debt Requirements for Large Bank Holding Companies, Certain Intermediate Holding Companies of Foreign Banking Organizations, and Large Insured Depository Institutions. | <i>Federal Register</i> , Vol. 88, No. 180, 09/19/2023, 64524-64579. | <b>Nov. 30, 2023</b> |
| * | <b>FRB</b>   | <b>GUIDANCE:</b> Resolution Plan Submissions of Domestic Triennial Full Filers.   | <i>Federal Register</i> , Vol. 88, No. 180, 09/19/2023, 64626-64641. | <b>Nov. 30, 2023</b> |
| * | <b>FRB</b>   | <b>GUIDANCE:</b> Resolution Plan Submissions of Foreign Triennial Full Filers.  | <i>Federal Register</i> , Vol. 88, No. 180, 09/19/2023, 64641-64658. | <b>Nov. 30, 2023</b> |
| * | <b>Financial Crimes Enforcement Network (FinCEN)</b> | Beneficial Ownership Information Reporting Deadline Extension for Reporting Companies Created or Registered in 2024.  | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66730-66732. | <b>Oct. 30, 2023</b> |
|   | <b>Internal Revenue Service (IRS)</b>                | Amendments to Consolidated Return Regulations.  | <i>Federal Register</i> , Vol. 88, No. 150, 08/07/2023, 52057-52082. | <b>Nov. 06, 2023</b> |
|   | <b>Labor, Dept. of (DOL)</b>                         | Defining and Delimiting Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees.  | <i>Federal Register</i> , Vol. 88, No. 173, 09/08/2023, 62152-62240. | <b>Nov. 07, 2023</b> |



## October 2023 Regulatory Report

|   |  |   |  |                      |
|---|--|---|--|----------------------|
| * | <b>Office of the Comptroller of the Currency (OCC)</b> | Revisions to Regulatory Capital Rule for Large Banking Organizations and Banking Organizations With Significant Trading Activity.   | <i>Federal Register</i> , Vol. 88, No. 179, 09/18/2023, 64028-64343. | <b>Nov. 30, 2023</b> |
| * | <b>OCC</b>   | Long-Term Debt Requirements for Large Bank Holding Companies, Certain Intermediate Holding Companies of Foreign Banking Organizations, and Large Insured Depository Institutions. | <i>Federal Register</i> , Vol. 88, No. 180, 09/19/2023, 64524-64579. | <b>Nov. 30, 2023</b> |
|   | <b>Rural Housing Service (RHS)</b>                     | Updates to Single-Family Housing Section 502 Direct and Guaranteed Loan Programs.   | <i>Federal Register</i> , Vol. 88, No. 157, 08/16/2023, 55601-55606. | <b>Oct. 16, 2023</b> |
|   | <b>Securities and Exchange Commission (SEC)</b>        | Reopening of Comment Period for Safeguarding Advisory Client Assets Proposal.   | <i>Federal Register</i> , Vol. 88, No. 167, 08/30/2023, 59818-59820. | <b>Oct. 30, 2023</b> |
| * | <b>SEC</b>   | Proposed Form Amendments Concerning Access to and Management of Accounts on EDGAR Related to EDGAR Next.  | <i>Federal Register</i> , Vol. 88, No. 183, 09/22/2023, 65524-65575. | <b>Nov. 21, 2023</b> |
| * | <b>Small Business Administration (SBA)</b>             | Amendments to Business Loan Programs and Surety Bond Guaranty Program for Criminal Justice Reviews.   | <i>Federal Register</i> , Vol. 88, No. 178, 09/15/2023, 63534-63539. | <b>Nov. 14, 2023</b> |



## October 2023 Regulatory Report

### Final Rules and Effective Dates

|   | <u>Agency</u>   | <u>Final Rule</u>  | <u>Federal Register<br/>Publication Date<br/>and Page Number</u>     | <u>Effective Date</u>                 |
|---|---|--|--|---------------------------------------|
| * | <b>Bureau of Consumer Financial Protection (CFPB)</b> | <b>NOTICE:</b> Publication of FY 2020 Service Contract Inventory.  | <i>Federal Register</i> , Vol. 88, No. 189, 10/02/2023, 67739.       | Issued:<br><b>Oct. 02, 2023</b>       |
| * | <b>CFPB</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Making Ends Meet Survey.  | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66820-66821. | Comments Due:<br><b>Oct. 30, 2023</b> |
| * | <b>CFPB</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Payday, Vehicle Title, and Certain High-Cost Installment Loans. | <i>Federal Register</i> , Vol. 88, No. 191, 10/04/2023, 68588-68589. | Comments Due:<br><b>Nov. 03, 2023</b> |
| * | <b>CFPB</b>   | Amendments to Regulation Z for Annual Threshold Adjustments for Credit Cards, HOEPA, and Qualified Mortgages.                | <i>Federal Register</i> , Vol. 88, No. 182, 09/21/2023, 65113-65118. | <b>Jan. 01, 2024</b>                  |
| * | <b>Commodity Futures Trading Commission (CFTC)</b>    | <b>NOTICE:</b> Publication of FY 2021 Service Contract Inventory.  | <i>Federal Register</i> , Vol. 88, No. 190, 10/03/2023, 68112.       | Issued:<br><b>Oct. 03, 2023</b>       |
| * | <b>CFTC</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Part 40, Provisions Common to Registered Entities.              | <i>Federal Register</i> , Vol. 88, No. 190, 10/03/2023, 68112-68114. | Comments Due:<br><b>Dec. 04, 2023</b> |
| * | <b>Farm Service Agency (FSA)</b>                      | Establishment of Milk Loss Program Relief Program.   | <i>Federal Register</i> , Vol. 88, No. 174,                          | <b>Sep. 11, 2023</b>                  |





## October 2023 Regulatory Report

|   |   |  |  |
|---|---|--|--|
|   |   | 09/11/2023, 62285-62292.   |  |
| * | <b>FSA</b>  | <b>NOTICE:</b> Funding Availability for Emergency Livestock Relief Program 2022.   | <i>Federal Register</i> , Vol. 88, No. 186, 09/27/2023, 66361-66366.<br><br>Issued:<br><b>Sep. 27, 2023</b>                          |
| * | <b>FSA</b>  | <b>NOTICE:</b> Funding Availability for 2021 Emergency Livestock Relief Program Phase 2.   | <i>Federal Register</i> , Vol. 88, No. 186, 09/27/2023, 66366-66372.<br><br>Issued:<br><b>Sep. 27, 2023</b>                          |
|   | <b>Federal Communications Commission (FCC)</b>      | Expand Rules to Advance Methods to Target and Eliminate Unlawful Robocalls.  | <i>Federal Register</i> , Vol. 88, No. 130, 07/10/2023, 43446-43460.<br><br><b>Jan. 08, 2024</b><br>(Except as Provided in the Rule) |
| * | <b>Federal Deposit Insurance Corporation (FDIC)</b> | <b>NOTICE:</b> Intent to Terminate Receiverships.  | <i>Federal Register</i> , Vol. 88, No. 186, 09/27/2023, 66449.<br><br>Issued:<br><b>Sep. 27, 2023</b>                                |
| * | <b>FDIC</b>   | <b>NOTICE:</b> Termination of Receiverships.   | <i>Federal Register</i> , Vol. 88, No. 193, 10/06/2023, 69633.<br><br>Issued:<br><b>Oct. 06, 2023</b>                                |
| * | <b>FDIC</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Reporting Requirements Associated with Resolution Planning.   | <i>Federal Register</i> , Vol. 88, No. 184, 09/25/2023, 65677-65678.<br><br>Comments Due:<br><b>Oct. 25, 2023</b>                    |
| * | <b>FDIC</b>   | <b>NOTICE:</b> Comments Requested on Information Collections: Forms Relating to Processing Deposit Insurance Claims and Margin and Capital Requirements for Swap Entities [Interagency] IFR. | <i>Federal Register</i> , Vol. 88, No. 184, 09/25/2023, 65678-65681.<br><br>Comments Due:<br><b>Oct. 25, 2023</b>                    |



## October 2023 Regulatory Report

|   |   |  |  |   |
|---|---|--|--|---|
| * | <b>FDIC</b>                                       | <b>NOTICE:</b> Comments Requested on Information Collections: Call Report Forms FFIEC 031, 041, and 051. | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66933-66939. | Comments Due:<br><b>Nov. 27, 2023</b>   |
| * | <b>Federal Emergency Management Agency (FEMA)</b> | <b>NOTICE:</b> Comments Requested on Information Collection: Standard Flood Hazard Determination Form.   | <i>Federal Register</i> , Vol. 88, No. 186, 09/27/2023, 66491-66492. | Comments Due:<br><b>Oct. 27, 2023</b>   |
| * | <b>Federal Housing Finance Agency (FHFA)</b>      | <b>NOTICE:</b> Comments Requested on Information Collection: Members of the Banks.                       | <i>Federal Register</i> , Vol. 88, No. 184, 09/25/2023, 65681-65682. | Comments Due:<br><b>Oct. 25, 2023</b>   |
|   | <b>Federal Reserve Board (FRB)</b>                | <b>NOTICE:</b> Semiannual Regulatory Agenda.   | <i>Federal Register</i> , Vol. 88, No. 143, 07/19/2023, 48682-48683. | Issued:<br><b>Jul. 27, 2023</b><br><br>Comments may be submitted any time during next 6 months. |
| * | <b>FRB</b>  | <b>NOTICE:</b> Final Approval of Information Collection: Procurement Solicitation Package.               | <i>Federal Register</i> , Vol. 88, No. 174, 09/11/2023, 62369-62370. | Issued:<br><b>Sep. 11, 2023</b>   |
| * | <b>FRB</b>  | <b>NOTICE:</b> Final Approval of Information Collection: Compensation and Salary Surveys.                | <i>Federal Register</i> , Vol. 88, No. 174, 09/11/2023, 62370.       | Issued:<br><b>Sep. 11, 2023</b>   |
| * | <b>FRB</b>  | <b>NOTICE:</b> Final Approval of Information Collection: Ad Hoc Clearance for Board-Wide Use.            | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66850.       | Issued:<br><b>Sep. 28, 2023</b>   |
|   | <b>FRB</b>  | <b>NOTICE:</b> Comments Requested on Information Collection: Consumer and Stakeholder Surveys.           | <i>Federal Register</i> , Vol. 88, No. 159, 08/18/2023, 56621-56622. | Comments Due:<br><b>Oct. 17, 2023</b>   |



## October 2023 Regulatory Report

|              |   |  |                                       |
|--------------|---|--|---------------------------------------|
| <b>FRB</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Reports of Deposits.   | <i>Federal Register</i> , Vol. 88, No. 159, 08/18/2023, 56622-56623. | Comments Due:<br><b>Oct. 17, 2023</b> |
| <b>FRB</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Surveys of Consumer and Community Affairs Publications and Resources.                                | <i>Federal Register</i> , Vol. 88, No. 159, 08/18/2023, 56623-56624. | Comments Due:<br><b>Oct. 17, 2023</b> |
| <b>FRB</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Survey of Household Economics and Decision-making.   | <i>Federal Register</i> , Vol. 88, No. 159, 08/18/2023, 56626-26627. | Comments Due:<br><b>Oct. 17, 2023</b> |
| <b>FRB</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Disclosure Requirements Associated with CFPB's Regulation DD.  | <i>Federal Register</i> , Vol. 88, No. 159, 08/18/2023, 56627-26628. | Comments Due:<br><b>Oct. 17, 2023</b> |
| <b>FRB</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Notifications Related to Community Development and Public Welfare Investments by State Member Banks. | <i>Federal Register</i> , Vol. 88, No. 159, 08/18/2023, 56628-56629. | Comments Due:<br><b>Oct. 17, 2023</b> |
| <b>FRB</b>   | <b>NOTICE:</b> Comments Requested on Information Collection: Whistleblower Intake Guide.  | <i>Federal Register</i> , Vol. 88, No. 173, 09/08/2023, 62084-62085. | Comments Due:<br><b>Nov. 07, 2023</b> |
| * <b>FRB</b> | <b>NOTICE:</b> Comments Requested on Information Collection: Recordkeeping and Disclosure Requirements Associated with Regulation R.                              | <i>Federal Register</i> , Vol. 88, No. 174, 09/11/2023, 62363-62364. | Comments Due:<br><b>Nov. 13, 2023</b> |
| * <b>FRB</b> | <b>NOTICE:</b> Comments Requested on Information Collection:  | <i>Federal Register</i> , Vol. 88, No. 174,                          | Comments Due:<br><b>Nov. 13, 2023</b> |



## October 2023 Regulatory Report

|              |  |  |                                    |
|--------------|--|--|------------------------------------|
|              | Single-Counterparty Credit Limits.   | 09/11/2023, 62364-62366.   |                                    |
| * <b>FRB</b> | <b>NOTICE:</b> Comments Requested on Information Collection: Recordkeeping and Disclosure Requirements Associated with Regulation H.   | <i>Federal Register</i> , Vol. 88, No. 174, 09/11/2023, 62366-62367. | Comments Due: <b>Nov. 13, 2023</b> |
| * <b>FRB</b> | <b>NOTICE:</b> Comments Requested on Information Collection: Reporting and Recordkeeping Requirements Associated with Regulation Y.  | <i>Federal Register</i> , Vol. 88, No. 174, 09/11/2023, 62370-62371. | Comments Due: <b>Nov. 13, 2023</b> |
| * <b>FRB</b> | <b>NOTICE:</b> Comments Requested on Information Collections: Call Report Forms FFIEC 031, 041, and 051.   | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66933-66939. | Comments Due: <b>Nov. 27, 2023</b> |
| * <b>FRB</b> | <b>NOTICE:</b> Comments Requested on Information Collections: Recordkeeping and Disclosure Requirements Associated with Regulation O.  | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66843-66844. | Comments Due: <b>Nov. 27, 2023</b> |
| * <b>FRB</b> | <b>NOTICE:</b> Comments Requested on Information Collections: Application for Exemption from Prohibited Service at Savings and Loan Holding Companies.   | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66844-66845. | Comments Due: <b>Nov. 27, 2023</b> |
| * <b>FRB</b> | <b>NOTICE:</b> Comments Requested on Information Collections: Reporting, Recordkeeping, and Disclosure Provisions Associated with the Guidance on Response Programs for Unauthorized Access to Customer Information and Customer Notice. | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66845-66846. | Comments Due: <b>Nov. 27, 2023</b> |



## October 2023 Regulatory Report

|   |  |   |   |   |
|---|--|---|---|---|
| * | <b>FRB</b>   | <b>NOTICE:</b> Comments Requested on Information Collections: Reporting, Recordkeeping, and Disclosure Requirements Associated with Regulation VV.  | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66846-66847.  | Comments Due:<br><b>Nov. 27, 2023</b>   |
| * | <b>FRB</b>   | <b>NOTICE:</b> Comments Requested on Information Collections: Reporting, Recordkeeping, and Disclosure Requirements Associated with Rules Regarding Availability of Information.  | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66847-66848.  | Comments Due:<br><b>Nov. 27, 2023</b>   |
| * | <b>FRB</b>   | <b>NOTICE:</b> Comments Requested on Information Collections: Reporting, Recordkeeping, and Disclosure Requirements Associated with Regulation LL.  | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66848-66850.  | Comments Due:<br><b>Nov. 27, 2023</b>   |
| * | <b>Housing and Urban Development, Dept. of (HUD)</b> | <p><b>NOTICE:</b> Extension of Compliance Date for Implementation of NSPIRE for Community Planning and Development Programs.</p> <p><b>NOTICE:</b> Extension of Compliance Date for Implementation of NSPIRE for Housing Choice and Project Based Voucher Programs.</p> | <p><i>Federal Register</i>, Vol. 88, No. 179, 09/18/2023, 63971-63972.</p> <p><i>Federal Register</i>, Vol. 88, No. 187, 09/28/2023, 66882.</p> | <p>Issued:<br/><b>Sep. 18, 2023</b></p> <p>Issued:<br/><b>Sep. 28, 2023</b></p> |
| * | <b>HUD</b>   | <b>NOTICE:</b> Statutorily Mandated Designation of Difficult Development Areas and Qualified Census Tracts for 2024.  | <i>Federal Register</i> , Vol. 88, No. 182, 09/21/2023, 65188-65194.  | Issued:<br><b>Sep. 21, 2023</b>   |
| * | <b>HUD</b>   | <b>NOTICE:</b> Publication of FY 2021 Service Contract Inventory.   | <i>Federal Register</i> , Vol. 88, No. 194, 10/10/2023, 69956.  | Issued:<br><b>Oct. 10, 2023</b>   |
| * | <b>HUD</b>   | <b>NOTICE:</b> Comments Requested on Information Collection:  | <i>Federal Register</i> , Vol. 88, No. 185,   | Comments Due:<br><b>Oct. 26, 2023</b>   |





## October 2023 Regulatory Report

|   |   |   |  |
|---|---|---|--|
|   | Disclosure of Adjustable Rate Mortgage Rates. | 09/26/2023, 66041-66042.  |  |
| * | <b>HUD</b>                                    | <b>NOTICE:</b> Comments Requested on Information Collection: Mortgage Insurance Termination.  | <i>Federal Register</i> , Vol. 88, No. 185, 09/26/2023, 66042-66043.<br>Comments Due: <b>Oct. 26, 2023</b> |
|   | <b>HUD</b>                                    | <b>NOTICE:</b> Comments Requested on Information Collection: FHA-Insured Mortgage Loan Servicing for Performing Loans; MIP Processing, Escrow Administration, Customer Services, Servicing Fees, and 235 Loans. | <i>Federal Register</i> , Vol. 88, No. 167, 08/30/2023, 59937-59938.<br>Comments Due: <b>Oct. 30, 2023</b> |
|   | <b>HUD</b>                                    | <b>NOTICE:</b> Comments Requested on Information Collection: Single Family Application for Insurance Benefits.  | <i>Federal Register</i> , Vol. 88, No. 167, 08/30/2023, 59938-59939.<br>Comments Due: <b>Oct. 30, 2023</b> |
| * | <b>HUD</b>                                    | <b>NOTICE:</b> Comments Requested on Information Collection: Ginnie Mae Multiclass Securities Program.  | <i>Federal Register</i> , Vol. 88, No. 189, 10/02/2023, 67791-67792.<br>Comments Due: <b>Nov. 01, 2023</b> |
|   | <b>Internal Revenue Service (IRS)</b>         | Additional Guidance on Low-Income Communities Bonus Credit Program.   | <i>Federal Register</i> , Vol. 88, No. 156, 08/15/2023, 55506-55548.<br><b>Oct. 16, 2023</b>               |
|   | <b>IRS</b>                                    | <b>NOTICE:</b> Comments Requested on Information Collection: Guidance under Section 529A: Qualified ABLE Programs.  | <i>Federal Register</i> , Vol. 88, No. 173, 09/08/2023, 62147-62148.<br>Comments Due: <b>Nov. 07, 2023</b> |
| * | <b>IRS</b>                                    | <b>NOTICE:</b> Comments Requested on Information Collection: Like-Kind Exchanges.   | <i>Federal Register</i> , Vol. 88, No. 177, 09/14/2023, 63199-63200.<br>Comments Due: <b>Nov. 13, 2023</b> |



## October 2023 Regulatory Report

|   |  |   |  |                                       |
|---|--|---|--|---------------------------------------|
| * | <b>National Credit Union Administration (NCUA)</b> | <b>NOTICE:</b> Comments Requested on Information Collections: Advertising of Excess Insurance; Monitoring Bank Secrecy Act Compliance; Designation of Low Income Status; Written Reimbursement Policy; Prompt Corrective Action; IRPS 19-1, Exceptions to Employment Restrictions Under Section 205(d) of the Federal Credit Union Act; and NCUA Profile.   | <i>Federal Register</i> , Vol. 88, No. 175, 09/12/2023, 62606-62607. | Comments Due:<br><b>Oct. 12, 2023</b> |
| * | <b>NCUA</b>  | Loan Participations, Eligible Obligations, and Notes of Liquidating Credit Unions.  | <i>Federal Register</i> , Vol. 88, No. 188, 09/29/2023, 67570-67601. | <b>Oct. 30, 2023</b>                  |
| * | <b>NCUA</b>  | <b>NOTICE:</b> Comments Requested on Information Collections: NCUA Call Report; Federal Credit Union Occupancy; Planning, and Disposal of Acquired and Abandoned Premises; Corporate Credit Union Monthly Call Report and Annual Report of Officers; Purchase, Sale, and Pledge of Eligible Obligations; Contractor Budget and Representations and Certifications; and Capital Planning and Stress Testing. | <i>Federal Register</i> , Vol. 88, No. 175, 09/12/2023, 62604-62605. | Comments Due:<br><b>Nov. 13, 2023</b> |
| * | <b>NCUA</b>  | <b>NOTICE:</b> Comments Requested on Information Collection: Supervisory Stress Test Annual Data Collection.  | <i>Federal Register</i> , Vol. 88, No. 182, 09/21/2023, 65205-65206. | Comments Due:<br><b>Nov. 20, 2023</b> |
| * | <b>NCUA</b>  | <b>NOTICE:</b> Comments Requested on Information Collections: Central Liquidity Facility and Organization and Operations of   | <i>Federal Register</i> , Vol. 88, No. 188, 09/29/2023, 67373.       | Comments Due:<br><b>Nov. 28, 2023</b> |



## October 2023 Regulatory Report

|   |   |   |  |                             |
|---|---|---|--|-----------------------------|
|   |   | Federal Credit Unions-Loan Participation.   |  |                             |
| * | Office of the Comptroller of the Currency (OCC) | Amendment to Update Expiration Date of National Bank Community Development Investments CD-1 Form.       | Federal Register, Vol. 88, No. 180, 09/19/2023, 64358-64365. | Sep. 19, 2023               |
| * | OCC   | NOTICE: Comments Requested on Information Collections: Call Report Forms FFIEC 031, 041, and 051.       | Federal Register, Vol. 88, No. 187, 09/28/2023, 66933-66939. | Comments Due: Nov. 27, 2023 |
| * | Rural Business-Cooperative Service (RBC)        | NOTICE: Solicitation of Application for Intermediary Relending Program for FY 2024.                     | Federal Register, Vol. 88, No. 177, 09/14/2023, 63050-63053. | Issued: Sep. 14, 2023       |
| * | RBC   | NOTICE: Solicitation of Application for Rural Microentrepreneur Assistance Program for FY 2024.         | Federal Register, Vol. 88, No. 177, 09/14/2023, 63054-63057. | Issued: Sep. 14, 2023       |
| * | RBC   | NOTICE: Solicitation of Application for Rural Economic Development Loan and Grant Programs for FY 2024. | Federal Register, Vol. 88, No. 177, 09/14/2023, 63057-63061. | Issued: Sep. 14, 2023       |
| * | RBC   | NOTICE: Processing Timeline Change for the Rural Energy for America Program for FY 2023.                | Federal Register, Vol. 88, No. 177, 09/14/2023, 63053-63054. | Sep. 14, 2023               |
| * | Securities and Exchange Commission (SEC)        | Adoption of Updated EDGAR Filing Manual.  | Federal Register, Vol. 88, No. 190, 10/03/2023, 68112.       | Oct. 03, 2023               |
| * | SEC   | NOTICE: Publication of FY 2020 Service Contract Inventory and   | Federal Register, Vol. 88, No. 192,                          | Issued: Oct. 05, 2023       |



## October 2023 Regulatory Report

|  |   |  |  |
|--|---|--|--|
|  | FY 2021 Service Contract Inventory Planned Analysis.  | 10/05/2023, 69240-69241.   |  |
| * <b>SEC</b>                                 | Amendments to Privacy Act Regulations.  | <i>Federal Register</i> , Vol. 88, No. 185, 09/26/2023, 65807-65815. | <b>Oct. 26, 2023</b>   |
| <b>SEC</b>                                   | Amendments to Adopt Exemption for Certain Exchange Members From Membership in Registered National Securities Association. | <i>Federal Register</i> , Vol. 88, No. 172, 09/07/2023, 61850-61893. | <b>Nov. 06, 2023</b>   |
| * <b>SEC</b>                                 | Documentation Requirements of Registered Investment Advisers Compliance Reviews.  | <i>Federal Register</i> , Vol. 88, No. 177, 09/14/2023, 63206-63390. | <b>Nov. 13, 2023</b>   |
| * <b>SEC</b>                                 | Amendments to Investment Company Name Rule.   | <i>Federal Register</i> , Vol. 88, No. 195, 10/11/2023, 70436-70513. | <b>Dec. 11, 2023</b>   |
| <b>SEC</b>                                   | Amendments to Form PF.  | <i>Federal Register</i> , Vol. 88, No. 112, 06/12/2023, 38146-38278. | <b>Jun. 11, 2024</b><br><br>Amendments to Form PF sections 5 and 6 effective: <b>Dec. 11, 2023</b> |
| * <b>Small Business Administration (SBA)</b> | <b>NOTICE:</b> Delegation of Authority Related to Licensing of Small Business Companies.                                  | <i>Federal Register</i> , Vol. 88, No. 182, 09/21/2023, 65222-65223. | Issued: <b>Sep. 21, 2023</b>   |
| * <b>SBA</b>                                 | <b>NOTICE:</b> Information on SBA Secondary Market Program.   | <i>Federal Register</i> , Vol. 88, No. 188, 09/29/2023, 67418-67419. | Applies to SBA 7(a) Loan Pools with Issue Date on or After: <b>Oct. 01, 2023</b>                   |



## October 2023 Regulatory Report

|   |                           |  |  |   |
|---|---------------------------|--|--|---|
| * | <b>SBA</b>                | <b>NOTICE:</b> New Accredited Lenders Program Express Pilot Program.   | <i>Federal Register</i> , Vol. 88, No. 193, 10/06/2023, 69529-69531. | <b>Oct. 01, 2023</b><br><br>Comments Due: <b>Dec. 05, 2023</b>  |
| * | <b>SBA</b>                | <b>NOTICE:</b> Peg Rate for October-December Quarter of FY 2024.   | <i>Federal Register</i> , Vol. 88, No. 189, 10/02/2021, 67856.       | Issued: <b>Oct. 02, 2023</b>                                    |
| * | <b>SBA</b>                | <b>NOTICE:</b> Sunset of Community Advantage Pilot Program.  | <i>Federal Register</i> , Vol. 88, No. 192, 10/05/2023, 69003-69008. | <b>Oct. 31, 2023</b>  |
| * | <b>SBA</b>                | <b>NOTICE:</b> Comments Requested on Information Collection: Application for Section 504 Loans.  | <i>Federal Register</i> , Vol. 88, No. 176, 09/13/2023, 62866-62867. | Comments Due: <b>Nov. 13, 2023</b>                              |
| * | <b>Treasury, Dept. of</b> | <b>INTERIM FINAL RULE:</b> Coronavirus State and Local Fiscal Recovery Funds.  | <i>Federal Register</i> , Vol. 88, No. 181, 09/20/2023, 64986-65037. | <b>Sept. 20, 2023</b><br><br>Comments Due: <b>Nov. 20, 2023</b> |
| * | <b>Treasury</b>           | <b>NOTICE:</b> Comments Requested on Information Collection: Notice to Account Holder for Garnishment of Accounts Containing Federal Benefit Payments. | <i>Federal Register</i> , Vol. 88, No. 187, 09/28/2023, 66959-66960. | Comments Due: <b>Oct. 30, 2023</b>                              |
| * | <b>Treasury</b>           | <b>NOTICE:</b> Comments Requested on Information Collection: Beneficial Ownership Information (BOI) Reports.   | <i>Federal Register</i> , Vol. 88, No. 188, 09/29/2023, 67443-67448. | Comments Due: <b>Oct. 30, 2023</b>                              |
| * | <b>Treasury</b>           | <b>NOTICE:</b> Comments Requested on Information Collection: Individual FinCEN Identifiers.  | <i>Federal Register</i> , Vol. 88, No. 188, 09/29/2023, 67449-67451. | Comments Due: <b>Oct. 30, 2023</b>                              |





## October 2023 Regulatory Report

|  |   |   |  |
|--|---|---|--|
| <b>Veterans Affairs,<br/>Dept. of<br/>(VA)</b> | <b>NOTICE:</b> Comments Requested<br>on Information Collection:<br>Veteran Financial and Credit<br>Counseling Services Study. | <i>Federal Register,</i><br>Vol. 88, No. 194,<br>10/10/2023, 70001. | Comment Due:<br><b>30 days</b><br>From Publication of<br>Notice. |
|--|---|---|--|

*\* Denotes new item in the chart*