

May 2023 Regulatory Report

- 1. Agencies Revise Interagency Policy Statement on Allowances for Credit Losses.
- 2. <u>CFPB Issues Policy Statement Regarding Abusive Acts or Practices.</u>
- 3. <u>CFPB Issues Advisory Opinion on Time-Barred Debt.</u>
- 4. <u>CFPB Issues Revised Methodology for Determining APORs.</u>
- 5. <u>CFPB Seeks Comment on Junk Fees Timing Study.</u>
- 6. <u>CFPB Seeks Comment on Student Loan Survey.</u>
- 7. FDIC Updates Listing of Financial Institutions in Liquidation.
- 8. FDIC Issues Technical Correction Affecting Equal Housing Lending Poster.
- 9. FDIC Seeks Comment on Yet-to-Be Determined Service Surveys.
- 10. OCC Seeks Comment on Information Collection Regarding Securities Offering Disclosure Rules.
- 11. HUD Announces Reduction in Upfront and Annual Loan Guarantee Fees.
- 12. <u>HUD Issues ANPR to Update Section 504 Regulations.</u>
- 13. FEMA Issues Final Flood Hazard Determinations.
- 14. FEMA Issues Final Changes in Flood Hazard Determinations.
- 15. FEMA Issues Notices of Changes in Flood Hazard Determinations.
- 16. FEMA Issues Proposed Flood Hazard Determinations.
- 17. FinCEN Seeks Comment on Registration of MSBs Information Collection.

- 18. IRS Issues Proposed Rule on Micro-Captive Listed Transactions and Transactions of Interest.
- 19. <u>IRS Issues Proposed Rule on Supervisory Approval of Penalties.</u>
- 20.<u>IRS Issues Proposed Rule on Repatriations of Intangible Property.</u>
- 21. <u>IRS Issues Proposed Rule on Valuable Consideration Rules for Exchanges of Life Insurance</u> and Other Life Insurance Contract Transactions.
- 22. FHFA Issues Proposed Rule on Fair Lending and Fair Housing.
- 23. FHFA Issues Proposed Rule on Prudential Management and Operations Standards.
- 24. FHFA Announces Regulatory Review.
- 25. FHFA Seeks Comment on National Survey of Mortgage Originations Information Collection.
- 26. SBA Rescinds SBLC Moratorium and Loan Authorization Requirement.
- 27. <u>SBA Amends Disaster Assistance Loan Program.</u>
- 28.<u>SBA Revises 8(a) Business Development Program.</u>
- 29. SBA Issues Correction to Affiliation and Lending Criteria for the SBA Business Loan Programs.
- 30. Agencies Issue NOFAs for Several Programs.
- 31. FSA Seeks Comment on Power of Attorney Information Collection.
- 32. <u>RHS Updates Section 538 Guaranteed Rural Rental Housing Program.</u>
- 33. <u>CCC Increases Sugar Marketing Allotments and Processor Allocations.</u>
- 34.<u>CFTC Issues Proposed Rule on DCO Risk Management Regulations for Treatment of Separate</u> <u>Accounts.</u>
- 35. SEC Adopts Updated EDGAR Filer Manual.
- 36. SEC Issues Proposed Rule to Amend Regulation Systems Compliance and Integrity.
- 37. SEC Issues Proposed Rule Regarding Electronic Filings.
- 38. SEC Reopens Comment Periods for Proposed Rules.

- **39**. <u>FTC Seeks Comment on Negative Option Rule.</u>
- 40. FCC Issues Final Rule Targeting and Eliminating Unlawful Text Messages.
- 41. FCC Seeks Comment on Call Authentication Proposed Rule.
- 42.VA Seeks Comment on Credit Underwriter Information Collection.
- 43. VA Seeks Comment on Native American Direct Loan Information Collection.
- 44. <u>FSOC Seeks Comment on Proposed Interpretive Guidance on Supervision of Certain</u> <u>Non-Bank Financial Companies.</u>
- 45.FSOC Seeks Comment on Analytic Framework for Financial Stability Risk Identification, Assessment, and Response.
- 46. <u>CDFI Announces NOGA for Bond Guarantee Program.</u>
- 47.<u>SSA Announces Fee Increase to Social Security Number Verification Service.</u>
- 48. NCUA Seeks Comment on Climate-Related Financial Risk.

Agencies Revise Interagency Policy Statement on Allowances for Credit Losses.

The Board of Governors of the Federal Reserve System (FRB), Federal Deposit Insurance Corporation (FDIC), Office of the Comptroller of the Currency (OCC), and National Credit Union Administration (NCUA) (collectively, the agencies) issued a revised interagency policy statement on allowances for credit losses. The agencies issued the revised statement in response to changes to U.S. generally accepted accounting principles (GAAP) as promulgated by the Financial Accounting Standards Board (FASB) in Accounting Standards Update 2022-02, Financial Instruments-Credit Losses (Topic 326): Troubled Debt Restructurings and Vintage Disclosures issued in March 2022. The revised policy statement is applicable 04/27/2023. The revised policy statement may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-27/pdf/2023-08876.pdf. Federal Register, Vol. 88, No. 81, 04/27/2023, 25479-25488.

CFPB Issues Policy Statement Regarding Abusive Acts or Practices.

The Bureau of Consumer Financial Protection (CFPB) issued a Statement of Policy Regarding Prohibition on Abusive Acts or Practices (Policy Statement). The Consumer Financial Protection Act (CFPA) prohibits any "covered person" or "service provider" from "engag[ing] in any unfair, deceptive, or abusive act or practice" and defines abusive conduct. An abusive act or practice materially interferes with the ability of a consumer to understand a term or condition of a consumer financial product or service, or takes unreasonable advantage of a lack of understanding on the part of the consumer of the material risks, costs, or conditions of the product or service, the inability of the consumer to protect the interests of the consumer in selecting or using a consumer financial product or service, or the reasonable reliance by the consumer on a covered person to act in the interests of the consumer. Since the enactment of CFPA, government enforcers and supervisory agencies have taken dozens of actions to condemn prohibited abusive conduct. The Policy Statement summarizes actions and explains how CFPB analyzes the elements of abusiveness through relevant examples. CFPB seeks comment regarding the Policy Statement, and may make revisions as appropriate after reviewing feedback received. Comments are due **07/03/2023**. The Policy Statement is applicable **04/12/2023**. The Policy Statement may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-12/pdf/2023-07233.pdf. Federal Register, Vol. 88, No. 70, 04/12/2023, 21883-21890.

CFPB Issues Advisory Opinion on Time-Barred Debt.

CFPB issued an advisory opinion to affirm that the Fair Debt Collection Practices Act (FDCPA)

and its implementing Regulation F prohibit a debt collector, as that term is defined in the statute and regulation, from suing or threatening to sue to collect a time-barred debt. Accordingly, an FDCPA debt collector who brings or threatens to bring a state court foreclosure action to collect a time-barred mortgage debt may violate FDCPA and Regulation F. The advisory opinion is effective **05/01/2023**. The advisory opinion may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-05-01/pdf/2023-09171.pdf. Federal Register, Vol. 88, No. 83, 05/01/2023, 26475-26477.

CFPB Issues Revised Methodology for Determining APORs.

CFPB announced the availability of a revised version of its Methodology for Determining Average Prime Offer Rates, which describes the data and methodology used to calculate the average prime offer rate (APOR) for purposes of Regulation C and Regulation Z. The methodology statement has been revised to address the imminent unavailability of certain data CFPB previously relied on to calculate APORs, as a result of a recent decision by Freddie Mac to make changes to its Primary Mortgage Market Survey. CFPB has identified a suitable temporary alternative source of the relevant data and began relying on those data to calculate APORs on or after 04/21/2023. The notice may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-20/pdf/2023-08310.pdf. Federal Register, Vol. 88, No. 76, 04/20/2023, 24393-24394.

CFPB Seeks Comment on Junk Fees Timing Study.

CFPB seeks comment regarding an information collection titled, Junk Fees Timing Study. CFPB will investigate whether product information provided at the beginning of a product search leads to better choices than information that is revealed gradually during the search process and why. The investigation will be a part of a series of online lab experiments testing differences in consumer choices across different information presentations. Comments are due **05/18/2023.** The notice may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-18/pdf/2023-08171.pdf. Federal Register, Vol. 88, No. 74, 04/18/2023, 23646.

CFPB Seeks Comment on Student Loan Survey.

CFPB seeks comment regarding an information collection titled, Student Loan Survey. CFPB seeks to obtain approval for a new survey of student loan borrowers to understand their borrowing decisions, their experience managing their loans, and their expectations for the future. The survey will be sent to a random sample selected from individuals in CFPB's new Consumer Credit Information Panel. Comments are due **06/26/2023**. The notice may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-27/pdf/2023-08822.pdf. Federal Register, Vol. 88, No. 81, 04/27/2023, 25624-25625.

FDIC Updates Listing of Financial Institutions in Liquidation.

The Federal Deposit Insurance Corporation (FDIC) provided notice it has been appointed the sole receiver for the financial institution listed in the notice effective as of the date closed as indicated in the listing. The list (as updated from time to time in the *Federal Register*) may be relied upon as "of record" notice that FDIC has been appointed receiver for purposes of the statement of policy published in the **07/02/1992**, issue of the *Federal Register*. For further information concerning the identification of any institutions which have been placed in liquidation, please visit the FDIC website or contact the Chief, Receivership Oversight at the addresses provided within the notice. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-05-04/pdf/2023-09528.pdf. Federal Register, Vol. 88, No. 86, 05/04/2023, 28551.

FDIC Issues Technical Correction Affecting Equal Housing Lending Poster.

FDIC made a technical correction to its Fair Housing Rule to reinsert a previous instruction regarding the Equal Housing Lending Poster. The Fair Housing Rule was last amended in August 2022 through a technical correction to reflect a reorganization and change in the name of FDIC's former Consumer Response Center to the National Center for Consumer and Depositor Assistance (Center) and to add web addresses. In February 2021, FDIC amended part 338 to make it applicable to state savings associations, and revised §338.4 by removing the mailing address for the former Consumer Response Center and replacing it with a bracketed instruction to insert on the Equal Housing Lending Poster the address for the former Consumer Response Center as stated on FDIC's website. Historically, the required language for the Equal Housing Lending Poster included only the mailing address for the former Consumer Response Center. When updating part 338 in August 2022, the bracketed instruction to include the mailing address was inadvertently removed. Therefore, FDIC has made a further technical correction to part 338 to reinsert the bracketed instruction for FDIC-supervised institutions to insert on their Equal Housing Lending Posters the mailing address for the Center as stated on FDIC's website. Including the instruction for FDIC-supervised banks to insert the mailing address, rather than listing the Center's current mailing address, helps ensure that posters contain the Center's upto-date mailing address. The correction is effective 06/23/2023. The correction may be

viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-24/pdf/2023-08609.pdf. Federal Register, Vol. 88, No. 78, 04/24/2023, 24677-24678.

FDIC Seeks Comment on Yet-to-Be Determined Service Surveys.

FDIC seeks comment regarding an information collection titled, Fast-Track Generic Qualitative Surveys. The information collection establishes ongoing authority for FDIC to conduct yet-to-be-determined occasional quality-of-service surveys. Through the information collection, FDIC will be able to obtain expedited approval of individual surveys by following a special submission process that does not require the publication of *Federal Register* notices for each individual survey. Comments are due **06/23/2023**. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-24/pdf/2023-08552.pdf. Federal Register, Vol. 88, No. 78, 04/24/2023, 24796-24797.

OCC Seeks Comment on Information Collection Regarding Securities Offering Disclosure Rules.

The Office of the Comptroller of the Currency (OCC) seeks comment regarding an information collection titled, Securities Offering Disclosure Rules. Twelve CFR part 16 governs the offer and sale of securities by national banks and federal savings associations. The requirements in part 16 enable OCC to perform its responsibility to ensure that the investing public has information about the condition of the institution, the reasons for raising new capital, and the terms of the offering. Part 16 requires that securities offering disclosures of national banks and federal savings associations be generally consistent with similar SEC disclosure requirements. The information

collection is used in connection with the requirement under Part 16. Comments are due **05/22/2023**. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-20/pdf/2023-08299.pdf. Federal Register, Vol. 88, No. 76, 04/20/2023, 24467-24468.

HUD Announces Reduction in Upfront and Annual Loan Guarantee Fees.

The Department of Housing and Urban Development (HUD) announced a reduction in upfront and annual loan guarantee fees for the Section 184 Indian Housing Loan Guarantee (Section 184 Program). The Section Program is a home mortgage program specifically designed for American Indian and Alaska Native families, Alaska villages, Tribes, or Tribally Designated Housing Entities. Based on the program's strong performance and low default rate, HUD has determined that the fees charged to the borrower can be reduced without risk to the overall performance of the program. HUD has exercised its authority to decrease the upfront loan guarantee fee from 1.50 to 1.00 percent and the annual loan guarantee fee from 0.25 to 0.00 percent for all new or updated Section 184 Firm Commitments as of the effective date of this notice, including refinances. The notice is applicable 07/01/2023. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-05-04/pdf/2023-09479.pdf. Federal Register, Vol. 88, No. 86, 05/04/2023, 28598.

HUD Issues ANPR to Update Section 504 Regulations.

HUD issued an advanced notice of proposed rulemaking (ANPR) to seek comment on changes that HUD is considering to its implementing regulations for Section 504 of the Rehabilitation Act (Section 504) for federally-assisted and HUD-conducted

programs and activities. Section 504 prohibits discrimination on the basis of disability in all programs and activities receiving federal financial assistance and in programs and activities conducted by executive agencies. HUD intends to draft a proposed rule that would recommend the adoption of an updated federal accessibility standard for purposes of compliance with Section 504 regulations. In addition, HUD intends to propose revisions to Section 504 regulations to clarify recipients' obligations, including how to account for advances in accessible design, information and communication technology, and assistive technologies that have become available since Section 504 regulations were originally published. Comments are due 07/24/2023. The ANPR may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-25/pdf/2023-08464.pdf. Federal Register, Vol. 88, No. 79, 04/25/2023, 24938-24944.

FEMA Issues Final Flood Hazard Determinations.

The Federal Emergency Management Agency (FEMA) issued a notice which identifies communities in the states of Connecticut, Louisiana, Minnesota, Oklahoma, and Pennsylvania, where flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final. The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in FEMA's National Flood Insurance Program

(NFIP). The date of **09/07/2023**, has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community. The notice may be viewed at: <u>https://www.govinfo.gov/content/pkg/F</u> <u>R-2023-04-12/pdf/2023-07679.pdf</u>. *Federal Register*, Vol. 88, No. 70, 04/12/2023, 22054-22056.

- FEMA issued a notice which identifies communities in the states of Georgia, Michigan, Missouri, Montana, Washington, and Wisconsin, where flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final. The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain gualified for participation in FEMA's National Flood Insurance Program (NFIP). The date of **08/15/2023**, has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community. The notice may be viewed at: https://www.govinfo.gov/content/pkg/F R-2023-04-12/pdf/2023-07678.pdf. Federal Register, Vol. 88, No. 70, 04/12/2023, 22057-22059.
- FEMA issued a notice which identifies communities in the states of lowa, Minnesota, North Dakota, Ohio, and Texas, where flood hazard determinations, which may include

additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final. The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in FEMA's National Flood Insurance Program (NFIP). The date of **09/21/2023**, has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-05-09/pdf/2023-09790.pdf. Federal Register, Vol. 88, No. 89, 05/09/2023, 29926-29927.

FEMA Issues Final Changes in Flood Hazard Determinations.

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 Colorado, Connecticut, Florida, Maryland, Massachusetts, Montana, Pennsylvania, Rhode Island, Oklahoma, South Dakota, Texas, Utah, 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-2023-04-26/pdf/2023-08774.pdf. Federal Register, Vol. 88, No. 80, 04/26/2023, 25418-25421.

FEMA Issues Notices of Changes in Flood Hazard Determinations.

FEMA issued a notice which lists communities in the states of Arizona, California, Idaho, Illinois, Iowa, Michigan, Nevada, New York, Ohio, Tennessee, and **Texas**, 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/F

R-2023-05-09/pdf/2023-09789.pdf.

Federal Register, Vol. 88, No. 89, 05/09/2023, 29927-29931.

FEMA issued a notice which lists • communities in the states of Colorado, Florida, Nevada, North Carolina, and **Texas**, 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/F R-2023-05-09/pdf/2023-09785.pdf.

Federal Register, Vol. 88, No. 89, 05/09/2023, 29931-29934.

 FEMA issued a notice which lists communities in the states of Colorado, Florida, New Mexico, South Carolina, Texas, Utah, 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/F R-2023-05-09/pdf/2023-09791.pdf. Federal Register, Vol. 88, No. 89, 05/09/2023, 29935-29938.

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 Insurance Study (FIS) reports for communities in the state of **California**, 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 07/11/2023. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-04-12/pdf/2023-07677.pdf. Federal Register, Vol. 88, No. 70, 04/12/2023, 22056-22057.

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 07/11/2023. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-04-12/pdf/2023-07676.pdf.

Federal Register, Vol. 88, No. 70, 04/12/2023, 22059.

FEMA seeks comment regarding proposed ٠ 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 **Kansas**, 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 07/25/2023. The notice may be viewed at: https://www.govinfo.gov/content/pkg/F

<u>R-2023-04-26/pdf/2023-08775.pdf</u>. Federal Register, Vol. 88, No. 80, 04/26/2023, 25417-25418.

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 **Colorado**, 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 08/07/2023. The notice may be

viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-05-09/pdf/2023-09787.pdf. Federal Register, Vol. 88, No. 89, 05/09/2023, 29921-29922.

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 **Texas**, 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 **08/07/2023**. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-05-09/pdf/2023-09793.pdf. Federal Register, Vol. 88, No. 89, 05/09/2023, 29923-29924.

FEMA seeks comment regarding proposed ٠ 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 Kentucky, 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 **08/07/2023**. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-05-09/pdf/2023-09788.pdf. Federal Register, Vol. 88, No. 89, 05/09/2023, 29924-29925.

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 **Michigan**, 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 08/07/2023. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-05-09/pdf/2023-09784.pdf. Federal Register, Vol. 88, No. 89,

05/09/2023, 29925-29926.

FinCEN Seeks Comment on Registration of MSBs Information Collection.

The Financial Crimes Enforcement Network (FinCEN) seeks comment regarding an information collection titled, Registration of Money Services Business, Form 107. Under FinCEN regulations, money services businesses (MSBs) must register with FinCEN using Form 107. MSBs are also required to renew their registration every two years and maintain a list of their agents. Comments are due **06/12/2023**. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-11/pdf/2023-07540.pdf. Federal Register, Vol. 88, No. 69, 04/11/2023, 21746-21747.

IRS Issues Proposed Rule on Micro-Captive Listed Transactions and Transactions of Interest.

The Internal Revenue Service (IRS) issued a proposed rule that identifies transactions that are the same as, or substantially similar to, certain micro-captive transactions as listed transactions, a type of reportable transaction, and certain other micro-captive transactions as transactions of interest, another type of reportable transaction. Material advisors and certain participants in the listed transactions and transactions of interest are required to file disclosures with IRS and are subject to penalties for failure to disclose. Comments are due **06/12/2023**. The proposed rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-11/pdf/2023-07315.pdf. Federal Register, Vol. 88, No. 69, 04/11/2023, 21547-21564.

IRS Issues Proposed Rule on Supervisory Approval of Penalties.

IRS issued a proposed rule regarding supervisory approval of certain penalties assessed by IRS. The proposed rule is necessary to address uncertainty regarding various aspects of supervisory approval of penalties that have arisen due to recent judicial decisions. Comments are due **07/10/2023**. The proposed rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-11/pdf/2023-07232.pdf. *Federal* *Register*, Vol. 88, No. 69, 04/11/2023, 21564-21572.

IRS Issues Proposed Rule on Repatriations of Intangible Property.

IRS issued a proposed rule that, in certain cases, would terminate the continued application of certain tax provisions arising from a previous transfer of intangible property to a foreign corporation when the intangible property is repatriated to certain United States persons. The proposed rule would affect certain United States persons that previously transferred intangible property to a foreign corporation. Comments are due **07/03/2023**. The proposed rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-05-03/pdf/2023-08843.pdf. Federal Register, Vol. 88, No. 85, 05/03/2023, 27819-27832.

IRS Issues Proposed Rule on Valuable Consideration Rules for Exchanges of Life Insurance and Other Life Insurance Contract Transactions.

IRS issued a proposed rule to provide guidance on the application of the transfer for valuable consideration rules and associated information reporting requirements for reportable policy sales of interests in life insurance contracts to exchanges of life insurance contracts qualifying for nonrecognition of gain or loss, as well as to certain acquisitions of interests in life insurance contracts in transactions that qualify as corporate reorganizations. The proposed rule affects parties involved in life insurance contract transactions, including with respect to payments of reportable death benefits. Comments are due 07/10/2023. The proposed rule may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-05-10/pdf/2023-09637.pdf. Federal

Register, Vol. 88, No. 90, 05/10/2023, 30058-30068.

FHFA Issues Proposed Rule on Fair Lending and Fair Housing.

The Federal Housing Finance Agency (FHFA) seeks comment on a proposed rule meant to address barriers to sustainable housing opportunities for underserved communities by codifying existing FHFA practices in regulation and adding new requirements related to fair lending, fair housing, and Equitable Housing Finance Plans. The proposed rule would improve FHFA's fulfillment of its statutory purposes and its oversight of the Federal National Mortgage Association (Fannie Mae), Federal Home Loan Mortgage Corporation (Freddie Mac), and Federal Home Loan Banks, and their fulfillment of their statutory purposes. Comments are due 06/26/2023. The proposed rule may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-26/pdf/2023-08602.pdf. Federal Register, Vol. 88, No. 80, 04/26/2023, 25293-25309.

FHFA Issues Proposed Rule on Prudential Management and Operations Standards.

FHFA seeks comment on a proposed rule to amend its prudential management and operations standards Rule (Rule) to clarify that FHFA may establish prudential management and operations standards (Standards) as regulations as well as guidelines. The proposed amendments to the Rule would also revise definitions and make other conforming changes. FHFA has not proposed to establish new Standards or to revise Standards already established. However, FHFA has proposed that the Rule and some of the existing Standards in the appendix to the Rule be made applicable to the Office of Finance of the Federal Home Loan Bank System. Comments are due **07/03/2023**. The proposed rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-05-04/pdf/2023-09320.pdf. Federal Register, Vol. 88, No. 86, 05/04/2023, 28433-28440.

FHFA Announces Regulatory Review.

FHFA announced a regulatory review to be conducted in accordance with the process set forth in its Regulatory Review Plan. Under its plan, FHFA reviews its regulations at least every five years, except for regulations that were adopted or substantially amended within the two years prior to announcement of a regulatory review and rules of agency organization, procedure, or practice. Regulations administered by FHFA are published in chapter XII of title 12 of the Code of Federal Regulations, except for two regulations of predecessor agencies which FHFA has not yet moved. FHFA hereby requests comment on its regulations for purposes of improving effectiveness and reducing burden. Comments are due 06/13/2023. The notice may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-14/pdf/2023-07928.pdf. Federal Register, Vol. 88, No. 72, 04/14/2023, 22919-22920.

FHFA Seeks Comment on National Survey of Mortgage Originations Information Collection.

FHFA seeks comment regarding an information collection titled, National Survey of Mortgage Originations. The survey is a recurring quarterly survey of individuals who have recently obtained a loan secured by a first mortgage on single-family residential property. The survey questionnaire is sent to a representative sample of approximately 6,000 recent mortgage borrowers each calendar quarter and typically consists of about 96 multiple choice and short answer questions designed to obtain information about borrowers' experiences in choosing and in taking out a mortgage. Comments are due **05/15/2023**. The notice may be viewed at: <u>https://www.govinfo.gov/content/pkg/FR-</u> <u>2023-04-14/pdf/2023-07863.pdf</u>. *Federal Register*, Vol. 88, No. 72, 04/14/2023, 23032-23045.

SBA Rescinds SBLC Moratorium and Loan Authorization Requirement.

The Small Business Administration (SBA) issued a final rule which amends the business loan program regulations to lift the moratorium on licensing new Small Business Lending Companies (SBLCs). The final rule also adds a new type of lending entity called a Community Advantage SBLC. SBA also removed the requirement for a Loan Authorization in the 7(a) and 504 Loan Programs. The final rule is effective **05/12/2023**. The final rule may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-12/pdf/2023-07181.pdf. Federal Register, Vol. 88, No. 70, 04/12/2023, 21890-21900.

SBA Amends Disaster Assistance Loan Program.

SBA issued a direct final rule to amend the disaster assistance regulations to reflect changes made to the Small Business Act by several recent statutes. The changes provide two new types of disaster declaration authority and revise eligibility for the Military Reservist Economic Injury Disaster Loan (MREIDL) program. The direct final rule conforms the regulations to the Act by adopting the new statutory requirements without change. The final rule is effective **06/05/2023**, unless significant adverse comment is received by **05/19/2023**. If significant adverse comment is received, SBA will publish a timely withdrawal of the rule in the *Federal Register*. The final rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-19/pdf/2023-08010.pdf. Federal Register, Vol. 88, No. 75, 04/19/2023, 24107-24110.

SBA Revises 8(a) Business Development Program.

SBA issued a final rule to amend the ownership and control requirements for the 8(a) Business Development program, including recognizing a process for allowing a change of ownership for a former participant that is still performing one or more 8(a) contracts and permitting an individual to own an applicant or participant where the individual can demonstrate that financial obligations have been settled and discharged. The final rule also made several changes relating to 8(a) contracts, including clarifying that a contracting officer cannot limit an 8(a) competition to participants having more than one certification and clarifying the rules pertaining to issuing sole source 8(a) orders under an 8(a) multiple award contract. The final rule also made revisions to incorporate changes to SBA's other government contracting programs, including changes to implement a statutory amendment from the National Defense Authorization Act, to include blanket purchase agreements in the list of contracting vehicles that are covered by the definitions of consolidation and bundling, and to more clearly specify the requirements relating to waivers of the nonmanufacturer rule. The final rule is effective **05/30/2023**. The final rule may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-27/pdf/2023-07855.pdf. Federal Register, Vol. 88, No. 81, 04/27/2023, 26164-

26217.

SBA Issues Correction to Affiliation and Lending Criteria for the SBA Business Loan Programs.

SBA issued a correction to a final rule that appeared in the Federal Register on 04/10/2023, which amended various regulations governing SBA's 7(a) Loan Program and 504 Loan Program, including regulations on use of proceeds for partial changes of ownership, lending criteria, loan conditions, reconsiderations, and affiliation standards, to expand access to capital to small businesses and drive economic recovery. On page 21085, in the right column, instruction 5 is corrected to read as indicated in the correction. The correction is effective 05/11/2023. The correction may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-21/pdf/2023-08396.pdf. Federal Register, Vol. 88, No. 77, 04/21/2023, 24474.

Agencies Issue NOFAs for Several Programs.

- The Rural Housing Service (RHS) issued a notice of funding availability (NOFA) under the Housing Preservation Grant (HPG) program for fiscal year 2023. The NOFA makes available grant funds to sponsoring organizations for the repair or rehabilitation of housing owned or occupied by low- and very-low-income rural citizens under the HPG Program. See the NOFA for details and deadlines. The NOFA may be viewed at: https://www.govinfo.gov/content/pkg/F R-2023-04-19/pdf/2023-08211.pdf. Federal Register, Vol. 88, No. 75, 04/19/2023, 24148-24154.
- The Rural Utilities Service (RUS) issued a notice of funding availability (NOFA) for Broadband Technical Assistance (BTA) for fiscal year 2023. BTA provides competitive cooperative agreement funding to eligible entities to receive or deliver broadband technical assistance and training that

promotes the expansion of broadband into rural areas. See the NOFA for details and deadlines. The NOFA may be viewed at:

https://www.govinfo.gov/content/pkg/F <u>R-2023-04-19/pdf/2023-08233.pdf</u>. *Federal Register*, Vol. 88, No. 75, 04/19/2023, 24154-24159.

- The Rural Housing Service (RHS) issued a • notice of funding availability (NOFA) under the Community Facilities Technical Assistance and Training (TAT) Grant Program for fiscal year 2023. The purpose of the TAT Grant Program is to provide technical assistance and training with respect to essential community facilities programs. The technical assistance and/or training will assist communities, Indian tribes, and nonprofit corporations to identify and plan for community facility needs that exist in their area. RHS also issued a correction to the NOFA. See the NOFA for details regarding the program and the correction for updated deadlines. The NOFA may be viewed at: https://www.govinfo.gov/content/pkg/F R-2023-04-21/pdf/2023-08447.pdf. Federal Register, Vol. 88, No. 77, 04/21/2023, 24544-24548. The correction may be viewed at: https://www.govinfo.gov/content/pkg/F R-2023-05-04/pdf/2023-09459.pdf. Federal Register, Vol. 88, No. 86, 05/04/2023, 28483.
- The Rural Business-Cooperative Service (RBC) issued a notice of funding availability (NOFA) under the Rural Cooperative Development Grant (RCDG) program for fiscal year 2023. The primary objective of the RCDG program is to improve the economic condition of rural areas by helping individuals and businesses start, expand or improve rural cooperatives and other mutually owned businesses through Cooperative

Development Centers. See the NOFA for details and deadlines. The NOFA may be viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-04-26/pdf/2023-08761.pdf. Federal Register, Vol. 88, No. 80, 04/26/2023, 25369-25377.

• The Federal Crop Insurance Corporation (FCIC) issued a notice of funding availability (NOFA) under the Additional Payment (ADD PAY) Program. The ADD PAY Program is a one-time additional payment to approved insurance providers administering eligible crop insurance contracts for 2021 reinsurance year specialty crops. See the NOFA for details and deadlines. The NOFA may be viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-05-02/pdf/2023-09203.pdf. Federal Register, Vol. 88, No. 84, 05/02/2023, 27433-27434.

The Rural Housing Service (RHS) issued a • notice of funding availability (NOFA) for Multifamily Housing Nonprofit Transfer Technical Assistance (MFH NP TA) Grants and Off-Farm Labor Housing Technical Assistance (Off-FLH TA) Grants. The MFH NP TA Grants are intended to provide technical assistance to multifamily housing borrowers and applications to facilitate the acquisition of section 515 properties by nonprofit organizations and public housing authorities. The Off-FLH TA Grants are intended to provide technical assistance to gualified section 514 loans and section 516 grant applicants to encourage the development of domestic and migrant Off-FLH projects. See the NOFA for details and deadlines. The NOFA may be viewed at: https://www.govinfo.gov/content/pkg/F R-2023-05-04/pdf/2023-09460.pdf. Federal Register, Vol. 88, No. 86, 05/04/2023, 28469-28483.

The Rural Housing Service (RHS) issued a • notice of funding availability (NOFA) to announce the acceptance of applications under the Rural Community Development Initiative (RCDI) program for fiscal year 2023. The grants will be made to gualified intermediary organizations that will provide financial and technical assistance to recipients to develop their capacity and ability to undertake projects related to housing, community facilities, or community and economic development that will support the community. See the NOFA for details and deadlines. The NOFA may be viewed at:

https://www.govinfo.gov/content/pkg/F R-2023-05-04/pdf/2023-09520.pdf. Federal Register, Vol. 88, No. 86, 05/04/2023, 28459-28469.

 The Farm Service Agency (FSA) issued a notice of funding availability (NOFA) for the Rice Production Program (RPP) to provide financial assistance to rice producers affected by higher production costs during the 2022 crop year. RPP will provide a one-time payment to assist rice producers with additional expenses associated with the 2022 crop year costs for rice. See the NOFA for details and deadlines. The NOFA may be viewed at: https://www.govinfo.gov/content/pkg/F <u>R-2023-05-10/pdf/2023-09945.pdf</u>. Federal Register, Vol 88, No. 90, 05/10/2023, 30070-30073.

FSA Seeks Comment on Power of Attorney Information Collection.

The Farm Service Agency (FSA) seeks comment regarding an information collection titled, Power of Attorney. Individuals or entities that want to appoint another to act as an attorney-in-fact in connection with certain FSA programs and related actions must complete a power of attorney form, Form FSA-211. The form is used by a grantor to appoint another to act on the individual's or entity's behalf for certain FSA programs or other specific actions, giving the appointee legal authority to enter into certain programs, agreements, or contracts, or other specific actions on the grantor's behalf. The form also provides FSA a source to verify an individual's authority to sign and act for another in the event of errors or fraud. Comments are due **07/03/2023**. The notice may be viewed at: <u>https://www.govinfo.gov/content/pkg/FR-</u> <u>2023-05-02/pdf/2023-09213.pdf</u>. *Federal Register*, Vol. 88, No. 84, 05/02/2023, 27432.

RHS Updates Section 538 Guaranteed Rural Rental Housing Program.

The Rural Housing Service (RHS) issued a final rule to update the process for competitive lender submissions regarding proposed projects for the Section 538 Guaranteed Rural Rental Housing Program (GRRHP). The purpose of Section 538 GRRHP is to increase the supply of affordable rural rental housing, using loan guarantees that encourage partnerships between RHS, private lenders, and public agencies. The process updates are effective **04/28/2023**. The final rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-28/pdf/2023-08952.pdf. Federal Register, Vol. 88, No. 82, 04/28/2023, 26221-26228.

CCC Increases Sugar Marketing Allotments and Processor Allocations.

The Commodity Credit Corporation (CCC) announced an increase to the fiscal year 2023 overall sugar marketing allotment quantity, increase in beet and State cane sugar allotments, revised company allocations to sugar beet and sugar cane processors, and reassigned beet and cane sugar marketing allocations to raw cane sugar imports already anticipated. The adjustments apply to all domestic beet and cane sugar marketed for human consumption in the United States from **10/01/2022**, through **09/30/2023**. See the notice for the specific allotments and allocations. The notice may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-11/pdf/2023-07509.pdf. Federal Register, Vol. 88, No. 69, 04/11/2023, 21604-21606.

CFTC Issues Proposed Rule on DCO Risk Management Regulations for Treatment of Separate Accounts.

The Commodity Futures Trading Commission (CFTC) issued a proposed rule to amend its derivatives clearing organization (DCO) risk management regulations adopted under the Commodity Exchange Act to permit futures commission merchants that are clearing members to treat the separate accounts of a single customer as accounts of separate entities for purposes of certain CFTC regulations. The proposed amendments would establish the conditions under which a DCO may permit such separate account treatment. Comments are due 06/13/2023. The proposed rule may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-14/pdf/2023-06248.pdf. Federal Register, Vol. 88, No. 72, 04/14/2023, 22934-22955.

SEC Adopts Updated EDGAR Filer Manual.

The Securities and Exchange Commission (SEC) issued a final rule to adopt amendments to Volume II of the Electronic Data Gathering, Analysis, and Retrieval system (EDGAR) Filer Manual (Filer Manual) and related rules and forms. The Filer Manual contains information needed for filers to make submissions on EDGAR. Filers must comply with the applicable provisions of the Filer Manual in order to assure the timely acceptance and processing of filings made in electronic format. Filers must consult the Filer Manual in conjunction with SEC rules governing mandated electronic filings when preparing documents for electronic submission. The final rule is effective **04/20/2023**. The final rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-20/pdf/2023-08216.pdf. Federal Register, Vol. 88, No. 76, 04/20/2023, 24329-24330.

SEC Issues Proposed Rule to Amend Regulation Systems Compliance and Integrity.

SEC issued a proposed rule to amend Regulation Systems Compliance and Integrity (Regulation SCI) under the Securities Exchange Act. The proposed amendments would expand the definition of "SCI entity" to include a broader range of key market participants in the U.S. securities market infrastructure and update certain provisions of Regulation SCI to take account of developments in the technology landscape of the markets since the adoption of Regulation SCI. The proposed expansion would broaden the definition of "SCI entity." The proposed updates would amend provisions of Regulation SCI relating to systems classification and lifecycle management, third party/vendor management, cybersecurity, SCI review, role of current SCI industry standards, and recordkeeping and related matters. Further, SEC seeks comment on whether significant-volume alternative trading systems and/or broker-dealers using electronic or automated systems for trading of corporate debt securities or municipal securities should be subject to Regulation SCI. Comments are due 06/13/2023. The proposed rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-14/pdf/2023-05775.pdf. Federal Register, Vol. 88, No. 72, 04/14/2023, 23146-23274.

SEC Issues Proposed Rule Regarding Electronic Filings.

SEC issued a proposed rule requiring electronic filing or submission of certain forms and other filings or submissions that are required to be filed with or submitted to SEC under the Securities Exchange Act and the rules and regulations under the Exchange Act. The proposal requires the electronic filing or submission on SEC's Electronic Data Gathering, Analysis, and Retrieval (EDGAR) system, using structured data where appropriate, for certain forms filed or submitted by self-regulatory organizations (SROs). The proposal would require the information currently contained in Form 19b-4(e) to be publicly posted on the SRO's website and remove the manual signature requirements for SRO proposed rule change filings. SEC has also proposed that a clearing agency post supplemental material to its website. In addition, the proposal would amend rules under the Exchange Act and the Securities Act to require the electronic filing or submission on EDGAR, using structured data where appropriate, of certain forms, reports and notices provided by broker-dealers, security-based swap dealers and major security-based swap participants. The proposed amendments also would require withdrawal in certain circumstances of notices filed in connection with an exception to counting certain dealing transactions toward determining whether a person is a securitybased swap dealer. Finally, SEC has proposed to allow electronic signatures in certain broker-dealer filings, and has proposed amendments regarding the Financial and **Operational Combined Uniform Single Report** to harmonize with other rules, make technical corrections, and provide clarifications. Comments are due **05/22/2023**. The proposed rule may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-18/pdf/2023-06330.pdf. Federal

Register, Vol. 88, No. 74, 04/18/2023, 23920-24055.

SEC Reopens Comment Periods for Proposed Rules.

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SEC issued a proposed rule to reopen the comment period for a previously published proposed rule meant to modernize beneficiary ownership reporting. In the previously published proposed rule, SEC proposed to amend certain rules that govern beneficial ownership reporting to modernize the filing deadlines for initial and amended beneficial ownership reports filed on Schedules 13D and 13G. The proposed rule also would deem holders of certain cashsettled derivative securities as beneficial owners of the reference equity securities and clarify the disclosure requirements of Schedule 13D with respect to derivative securities. In addition, the proposal would clarify and affirm the operation of the beneficial ownership reporting rules as applied to two or more persons that form a group under the Securities Exchange Act, and provide new exemptions to permit such persons to communicate and consult with each other, jointly engage issuers, and execute certain transactions without being subject to regulation as a group. Finally, the proposed rule would require that Schedules 13D and 13G be filed using a structured, machine-readable data language. SEC has reopened the comment period to allow comments on the additional analysis and data contained in a staff memorandum that was added to the comment file on 04/28/2023. Comments are now due **06/27/2023**. The proposed rule may be viewed at: https://www.govinfo.gov/content/pkg/F R-2023-05-04/pdf/2023-09454.pdf. Federal Register, Vol. 88, No. 86, 05/04/2023, 28440-28442.

SEC issued a proposed rule to reopen the comment period for a previously published proposal meant to amend the rule under the Securities Exchange Act that defines certain terms used in the statutory definition of "exchange." The reopening provides supplemental information and economic analysis regarding trading systems that trade crypto asset securities that would be newly included in the definition of "exchange" under the proposed rule. The comment period for the proposed amendments published **03/18/2022**, at 87 FR 29059, is reopened. Comments are now due **06/13/2023**. The proposed rule may be viewed at: https://www.govinfo.gov/content/pkg/F R-2023-05-05/pdf/2023-08544.pdf. Federal Register, Vol. 88, No. 87, 05/05/2023, 29448-29493.

FTC Seeks Comment on Negative Option Rule.

The Federal Trade Commission (FTC) seeks comment on proposed amendments to its Negative Option Rule to combat unfair or deceptive practices that include recurring charges for products or services consumers do not want and cannot cancel without undue difficulty. Negative option offers come in a variety of forms, but all share a central feature: each contain a term or condition that allows a seller to interpret a customer's silence, or failure to take an affirmative action, as acceptance of an offer. Comments are due **06/23/2023**. The proposed rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-24/pdf/2023-07035.pdf. Federal Register, Vol. 88, No. 78, 04/24/2023, 24716-24739.

FCC Issues Final Rule Targeting and Eliminating Unlawful Text Messages.

The Federal Communications Commission (FCC) issued a final rule which requires mobile wireless providers to block texts, at the network level, on a reasonable Do-Not-Originate list, which include numbers that purport to be from invalid, unallocated, or unused North American Numbering Plan (NANP) numbers, and NANP numbers for which the subscriber to the number has requested that texts purporting to originate from that number be blocked. In addition, FCC requires mobile wireless providers and other entities to maintain a point of contact for texters to report erroneously blocked texts. The final rule sets forth restrictions on telemarketing, telephone solicitations, and facsimile advertising. The final rule is effective 05/11/2023. The final rule may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-11/pdf/2023-07405.pdf. Federal Register, Vol. 88, No. 69, 04/11/2023, 21497-21500.

FCC Seeks Comment on Call Authentication Proposed Rule.

FCC seeks comment on additional measures to strengthen its caller ID authentication framework and further stem the tide of illegally spoofed calls. Specifically, FCC seeks comment on the use of third-party caller ID authentication solutions, including whether any changes should be made to FCC's rules to permit, prohibit, or limit their use. FCC also seeks comment on whether to eliminate the STIR/SHAKEN implementation extension for providers that cannot obtain Service Provider Code tokens, which are necessary to participate in the STIR/SHAKEN caller ID authentication framework. Comments are due 06/05/2023. The proposed rule may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-05-05/pdf/2023-09543.pdf. Federal Register, Vol. 88, No. 87, 05/05/2023, 29035-29043.

VA Seeks Comment on Credit Underwriter Information Collection.

The Department of Veterans Affairs (VA) seeks comment regarding an information collection titled, Non-Supervised Lender's Nomination and Recommendation of Credit Underwriter. Section 3702(d) allows for certain lenders to make automatically guaranteed housing loans. Automatic lending privileges eliminate the requirement for submission of loans to VA for prior approval. Lending institutions with automatic loan privileges may process and disburse such loans and subsequently report the loan to VA for issuance of guaranty. The information collection addresses the underwriter requirements for unsupervised lenders as found in 38 CFR 36.4352(b)(2) and (3). Comments are due within 30 days of publication. The notice may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-17/pdf/2023-08018.pdf. Federal Register, Vol. 88, No. 73, 04/17/2023, 23502-23503.

VA Seeks Comment on Native American Direct Loan Information Collection.

VA seeks comment regarding an information collection titled, Native American Direct Loan Processing (NADL). The information collected assists Native American Veterans in obtaining the VA home loan benefit to purchase, construct, or improve dwellings on trust lands, or to refinance their existing NADLs to a lower interest rate. Comments are due within 30 days of publication. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-05-03/pdf/2023-09352.pdf. Federal Register, Vol. 88, No. 85, 05/03/2023, 27956-27957.

FSOC Seeks Comment on Proposed Interpretive Guidance on Supervision of Certain Non-Bank Financial Companies. The Financial Stability Oversight Council (FSOC) seeks comment regarding a proposed interpretive guidance which would replace FSOC's existing interpretive guidance on nonbank financial company determinations. The proposed guidance describes the process FSOC intends to take in determining whether to subject a non-bank financial company to supervision and prudential standards by the Board of Governors of the Federal Reserve System. Comments are due **06/27/2023**. The proposed interpretive guidance may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-28/pdf/2023-08964.pdf. Federal Register, Vol. 88, No. 82, 04/28/2023, 26234-26244.

FSOC Seeks Comment on Analytic Framework for Financial Stability Risk Identification, Assessment, and Response.

FSOC seeks comment on a proposal to adopt an analytic framework that describes the approach FSOC expects to take in identifying, assessing, and responding to certain potential risks to U.S. financial stability. Dodd Frank Act Section 112 sets forth the duties and purposes of FSOC, which includes identifying risks to U.S. financial stability and responding to emerging threats to the stability of the U.S. financial system. Comments are due **06/27/2023**. The notice may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-04-28/pdf/2023-08969.pdf. Federal Register, Vol. 88, No. 82, 04/28/2023, 26305-26311.

CDFI Announces NOGA for Bond Guarantee Program.

The Community Development Financial Institutions (CDFI) Fund issued a notice of guarantee availability (NOGA) for the Bond Guarantee Program. The purpose of the CDFI Bond Guarantee Program is to support CDFI lending by providing guarantees for bonds issued for eligible community or economic development purposes. See the NOGA for details and deadlines. The NOGA may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-26/pdf/2023-08749.pdf. Federal Register, Vol. 88, No. 80, 04/26/2023, 25454-25470.

SSA Announces Fee Increase to Social Security Number Verification Service.

The Social Security Administration (SSA) announced a change in the subscription tier structure and associated fees for the electronic Consent Based Social Security Number (SSN) Verification (eCBSV) service. In accordance with statutory requirements, a permitted entity (PE) is required to provide payment to reimburse SSA for the development and support of the eCBSV system. Section 215 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (the Banking Bill) directs SSA to modify or develop a database for accepting and comparing fraud protection data provided electronically by a PE. In response to the statutory directive, SSA created eCBSV, a feebased SSN verification service. The eCBSV allows PEs to submit, based on the number holder's consent, the SSN, name, and date of birth of the number holder in connection with a credit transaction or a circumstance described in section 604 of the Fair Credit Reporting Act to SSA for verification via an application programming interface. Each PE must submit a certification statement that the PE is in compliance with the Banking Bill as part of their application to SSA. The notice provides a reviewed eCBSV Tier Fee Schedule. The revised fees will go into effect for subscription payments made on or after 07/10/2023. The notice may be viewed at: https://www.govinfo.gov/content/pkg/FR-2023-05-09/pdf/2023-09753.pdf. Federal Register, Vol. 88, No. 89, 05/09/2023, 29959-26660.

NCUA Seeks Comment on Climate-Related Financial Risk.

The National Credit Union Administration (NCUA) seeks comment on current and future climate and natural disaster risks to federallyinsured credit unions (FICUs), related entities, their members, and the National Credit Union Share Insurance Fund. NCUA also seeks input of any interested parties on the development of potential future guidance, regulation, reporting requirements, and/or supervisory approaches for FICUs' management of climate-related financial risks. Comments are due **06/26/2023**. The notice may be viewed at:

https://www.govinfo.gov/content/pkg/FR-2023-04-25/pdf/2023-08715.pdf. Federal Register, Vol. 88, No. 79, 04/25/2023, 25028-25031.

Proposed Rules and Comment Due Dates

	<u>Agency</u>	<u>Proposed Rule</u>	<u>Federal Register</u> <u>Publication Date</u> <u>and Page Number</u>	<u>Comment</u> <u>Due Date</u>
*	Commodity Futures Trading Commission (CFTC)	DCO Risk Management Regulations for the Treatment of Separate Accounts.	Federal Register, Vol. 88, No. 72, 04/14/2023, 22934- 22955.	Jun. 13, 2023
	Federal Communications Commission (FCC)	Targeting and Eliminating Unlawful Text Messages.	Federal Register, Vol. 88, No. 67, 04/07/2023, 20800- 20804.	May 08, 2023
*	FCC	Call Authentication Trust Anchor.	Federal Register, Vol. 88, No. 87, 05/05/2023, 29035- 29043.	Jun. 05, 2023 Reply Comments Due: Jul. 05, 2023
*	Federal Housing Finance Agency (FHFA)	Fair Lending, Fair Housing, and Equitable Housing Finance Plans.	Federal Register, Vol. 88, No. 80, 04/26/2023, 25293- 25309.	Jun. 26, 2023
*	FHFA	Prudential Management and Operations Standards.	Federal Register, Vol. 88, No. 86, 05/04/2023, 28433- 28440.	Jul. 03, 2023
*	Federal Trade Commission (FTC)	Amendments to Negative Option Rule.	Federal Register, Vol. 88, No. 78, 04/24/2023, 24716- 24739.	Jun. 23, 2023
*	Financial Stability Oversight Council (FSOC)	GUIDANCE: Authority To Require Supervision and Regulation of Certain Non- Bank Financial Companies.	Federal Register, Vol. 88, No. 82, 04/28/2023, 26234- 26244.	Jun. 27, 2023
*	Housing and Urban Development, Dept. of (HUD)	ANPR: Updates to Section 504 Regulations to Adopt Accessibility Standard.	Federal Register, Vol. 88, No. 79, 04/25/2023, 24938- 24944.	Jul. 24, 2023
	Internal Revenue Service	Use of Forfeitures in Qualified Retirement Plans.	Federal Register, Vol. 88, No. 38,	May 30, 2023

	(IRS)		02/27/2023, 12282-	
*	IRS	Micro-Captive Listed Transactions and Micro- Captive Transactions of Interest.	12285. Federal Register, Vol. 88, No. 69, 04/11/2023, 21547- 21564.	Jun. 12, 2023
*	IRS	Repatriations of Intangible Property.	Federal Register, Vol. 88, No. 85, 05/03/2023, 27819- 27832.	Jul. 03, 2023
*	IRS	Rules for Supervisory Approval of Penalties.	Federal Register, Vol. 88, No. 69, 04/11/2023, 21564- 21572.	Jul. 10, 2023
*	IRS	Valuable Consideration Rules for Exchanges of Life Insurance and Other Life Insurance Contract Transactions.	Federal Register, Vol. 88, No. 90, 05/10/2023, 30058- 30068.	Jul. 10, 2023
	National Credit Union Administration (NCUA)	Chartering and Field of Membership.	Federal Register, Vol. 88, No. 39, 02/28/2023, 12606- 12621.	May 30, 2023
	Securities and Exchange Commission (SEC)	NOTICE: Comment Period Reopened for Investment Management Cybersecurity Release.	Federal Register, Vol. 88, No. 54, 03/21/2023, 16921- 16922.	May 22, 2023
*	SEC	Electronic Filings.	Federal Register, Vol. 88, No. 74, 04/18/2023, 23920- 24055.	May 22, 2023
	SEC	Cybersecurity Risk Management Rule.	Federal Register, Vol. 88, No. 65, 04/05/2023, 20212- 20354.	Jun. 05, 2023
	SEC	Amendments to Incident Response Program Requirements.	Federal Register, Vol. 88, No. 66, 04/06/2023, 20616- 20685.	Jun. 05, 2023

*	SEC	Amendments to Regulation Systems Compliance and Integrity.	Federal Register, Vol. 88, No. 72, 04/14/2023, 23146- 23274.	Jun. 13, 2023
*	SEC	Comment Period Reopened for Amendments to Definition of "Exchange."	Federal Register, Vol. 88, No. 87, 05/05/2023, 29448- 29493.	Jun. 13, 2023
*	SEC	Comment Period Reopened for Modernization of Beneficial Ownership Reporting.	Federal Register, Vol. 88, No. 86, 05/04/2023, 28440- 28442.	Jun. 27, 2023

Final Rules and Effective Dates

	<u>Agency</u>	<u>Final Rule</u>	<u>Federal Register</u> <u>Publication Date</u> and Page Number	Effective Date
	Bureau of Consumer Financial Protection (CFPB)	Section 1071 Small Business Data Collection Rule.	https://www.consu merfinance.gov/rule s-policy/final- rules/small- business-lending- under-the-equal- credit-opportunity- act-regulation-b/.	Released: Mar. 30, 2023
*	СГРВ	POLICY STATEMENT: Prohibition on Abusive Acts or Practices.	Federal Register, Vol. 88, No. 70, 04/12/2023, 21883- 21890.	Apr. 12, 2023 Comments Due: Jul. 03, 2023
*	СГРВ	NOTICE: Availability of Revised Methodology for Determining APORs.	Federal Register, Vol. 88, No. 76, 04/20/2023, 24393- 24394.	Apr. 21, 2023
*	СГРВ	ADVISORY OPINION: Time- Barred Debt.	Federal Register, Vol. 88, No. 83, 05/01/2023, 26475- 26477.	May 01, 2023

	CFPB	NOTICE: Comments Requested on Information Collection: Junk Fees Timing Study.	Federal Register, Vol. 88, No. 74, 04/18/2023, 23646.	Comments Due: May 18, 2023
	CFPB	NOTICE: Information Requested Regarding Data Brokers and Other Business Practices Involving Collection and Sale of Consumer Information.	Federal Register, Vol. 88, No. 54, 03/21/2023, 16951- 16954.	Comments Due: Jun. 13, 2023
-	СГРВ	NOTICE: Comments Requested on Information Collection: Student Loan Survey.	Federal Register, Vol. 88, No. 81, 04/27/2023, 25624- 25625.	Comments Due: Jun. 26, 2023
	Commodity Credit Corporation (CCC)	NOTICE: 2023 Cane Sugar Marketing Allotments and Cane and Beet Processor Allocations.	Federal Register, Vol. 88, No. 69, 04/11/2023, 21604- 21606.	lssued: Apr. 11, 2023
	Commodity Futures Trading Commission (CFTC)	Clearing Requirement Determination to Account for the Transition From LIBOR.	Federal Register, Vol. 87, No. 163, 08/24/2022, 52182- 52221.	Sep. 23, 2022 Amendatory Instructions 3 and 5, Effective: Jul. 01, 2023
-	Community Development Financial Institutions Fund (CDFI)	NOTICE: Guarantee Opportunity for Bond Guarantee Program.	Federal Register, Vol. 88, No. 80, 04/26/2023, 25454- 25470.	lssued: Apr. 26, 2023
	Farm Service Agency (FSA)	NOTICE: Funding Availability for Rice Production Program.	Federal Register, Vol 88, No. 90, 05/10/2023, 30070- 30073.	lssued: May 10, 2023
·	FSA	NOTICE: Comments Requested on Information Collection: Servicing Minor Program Loans and Farm Loan Program Direct Loan Servicing.	Federal Register, Vol. 88, No. 52, 03/17/2023, 16394- 16395.	Comments Due: May 16, 2023
	FSA	NOTICE: Comments Requested on Information Collection: Power of Attorney, Form FSA-211.	Federal Register, Vol. 88, No. 84, 05/02/2023, 27432.	Comments Due: Jul. 03, 2023

Federal	Targeting and Eliminating	Federal Register,	May 11, 2023
Communications Commission (FCC)	Unlawful Text Messages.	Vol. 88, No. 69, 04/11/2023, 21497- 21500.	
FCC	Effective Date for Rules that Implement Section 8 of TRACED Act.	Federal Register, Vol. 88, No. 13, 01/20/2023, 3668.	Amendments to 47 CFR 64.1200(a)(3)(ii) through (v), (b)(2) and (3), and (d): Jul. 20, 2023
FCC	Limits on Exempted Calls Under Telephone Consumer Protection Act.	Federal Register, Vol. 88, No. 13, 01/20/2023, 3668- 3677.	Jul. 20, 2023
Federal Crop Insurance Corporation (FCIC)	NOTICE: Funding Availability for Additional Payment Program.	Federal Register, Vol. 88, No. 84, 05/02/2023, 27433- 27434.	lssued: May 02, 2023
Federal Deposit Insurance Corporation (FDIC)	POLICY STATEMENT: Revised Interagency Statement on Allowances for Credit Losses.	Federal Register, Vol. 88, No. 81, 04/27/2023, 25479- 25488.	Issued: Apr. 27, 2023
FDIC	NOTICE: Updated Listing of Financial Institutions in Liquidations.	Federal Register, Vol. 88, No. 86, 05/04/2023, 28551.	lssued: May 04, 2023
FDIC	NOTICE: Comments Requested on Information Collection: Regulatory Capital Rules.	Federal Register, Vol. 88, No. 61, 03/31/2023, 19304- 19305.	Comments Due: May 30, 2023
FDIC	Technical Correction Instruction for Equal Housing Lending Poster.	Federal Register, Vol. 88, No. 78, 04/24/2023, 24677- 24678.	Jun. 23, 2023
FDIC	NOTICE: Comments Requested on Information Collection: Fast- Track Generic Qualitative Surveys.	Federal Register, Vol. 88, No. 78, 04/24/2023, 24796- 24797.	Comments Due: Jun. 23, 2023
Federal Emergency Management Agency	NOTICE: Comments Requested on Information Collection:	Federal Register, Vol. 88, No. 34,	Comments Due: May 22, 2023

(FEMA)	Application for Participation in the National Flood Insurance Program.	03/22/2023, 10644- 10649.	
FEMA	NOTICE: Notice of FY 2024 Financial Assistance/Subsidy Arrangement for Private Property Insurers Interested in Participating in WYO Program.	Federal Register, Vol. 88, No. 38, 02/27/2023, 12389- 12397.	Intent to Subscribe or Re-subscribe Arrangement Due: May 30, 2023
Federal Financial Institutions Examination Council (FFIEC)	NOTICE: Comments Requested on Information Collection: Appraiser Profession Survey.	Federal Register, Vol. 88, No. 55, 03/22/2023, 17224- 17226.	Comments Due: May 22, 2023
Federal Housing Finance Agency (FHFA)	NOTICE: Comments Requested on Information Collection: National Survey of Mortgage Originations.	Federal Register, Vol. 88, No. 72, 04/14/2023, 23032- 23045.	Comments Due: May 15, 2023
FHFA	NOTICE: Regulatory Review.	Federal Register, Vol. 88, No. 72, 04/14/2023, 22919- 22920.	Comments Due: Jun. 13, 2023
Federal Reserve Board (FRB)	NOTICE: Semiannual Regulatory Agenda.	Federal Register, Vol. 88, No. 35, 02/22/2023, 11366- 11367.	Issued: Feb. 22, 2023 Comments may be submitted any time during next 6 months.
FRB	POLICY STATEMENT: Revised Interagency Statement on Allowances for Credit Losses.	Federal Register, Vol. 88, No. 81, 04/27/2023, 25479- 25488.	lssued: Apr. 27, 2023
FRB	NOTICE: Comments Requested on Information Collection: Ongoing Intermittent Survey of Households.	Federal Register, Vol. 88, No. 61, 03/30/2023, 19145- 19146.	Comments Due: May 30, 2023
FRB	NOTICE: Comments Requested on Information Collection: Joint Statement for Assessing the Diversity Policies and Practices	Federal Register, Vol. 88, No. 61, 03/30/2023, 19146- 19147.	Comments Due: May 30, 2023
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		of Entities Regulated by the Agencies.		
*	Financial Crimes Enforcement Network (FinCEN)	NOTICE: Comments Requested on Information Collection: Registration of Money Services Businesses Regulation, Form 107.	Federal Register, Vol. 88, No. 69, 04/11/2023, 21746- 21747.	Comments Due: Jun. 12, 2023
*	Financial Stability Oversight Council (FSOC)	NOTICE: Proposed Analytic Framework for Financial Stability Risk Identification, Assessment, and Response.	Federal Register, Vol. 88, No. 82, 04/28/2023, 26305- 26311.	Comments Due: Jun. 27, 2023
	Housing and Urban Development, Dept. of (HUD)	NOTICE: Comments Requested on Information Collection: Housing Counseling Notice of Funding Opportunity.	Federal Register, Vol. 88, No. 54, 03/21/2023, 17000- 17001.	Comments Due: May 22, 2023
*	HUD	NOTICE: Reduction to Upfront and Annual Loan Guarantee Fees for Section 184 Indian Housing Program.	Federal Register, Vol. 88, No. 86, 05/04/2023, 28598.	Applicable: Jul. 01, 2023
	Internal Revenue Service (IRS)	NOTICE: Comments Requested on Information Collection: Reporting Requirements for Recipients of Points Paid on Residential Mortgages and Mortgage Interest Statement.	Federal Register, Vol. 88, No. 49, 03/14/2023, 15853.	Comments Due: May 15, 2023
*	National Credit Union Administration (NCUA)	POLICY STATEMENT: Revised Interagency Statement on Allowances for Credit Losses.	Federal Register, Vol. 88, No. 81, 04/27/2023, 25479- 25488.	lssued: Apr. 27, 2023
*	NCUA	NOTICE: Comments Requested on Climate-Related Financial Risk to Federally-Insured Credit Unions.	Federal Register, Vol. 88, No. 79, 04/25/2023, 25028- 25031.	Comments Due: Jun. 26, 2023
*	Office of the Comptroller of the Currency (OCC)	POLICY STATEMENT: Revised Interagency Statement on Allowances for Credit Losses.	Federal Register, Vol. 88, No. 81, 04/27/2023, 25479- 25488.	lssued: Apr. 27, 2023

*	occ	NOTICE: Comments Requested on Information Collection: Securities Offering Disclosure Rules.	Federal Register, Vol. 88, No. 76, 04/20/2023, 24467- 24468	Comments Due: May 22, 2023
	occ	NOTICE: Comments Requested on Information Collection: Margin and Capital Requirements for Covered Swap Entities.	Federal Register, Vol. 88, No. 67, 04/07/2023, 20941- 20943.	Comments Due: Jun. 06, 2023
	Rural Business- Cooperative Service (RBC)	NOTICE: Funding Availability for Rural Cooperative Development Grants Program.	Federal Register, Vol. 88, No. 80, 04/26/2023, 25369- 25377.	lssued: Apr. 26, 2023
	Rural Housing Service (RHS)	NOTICE: Funding Availability for Housing Preservation Grant Program.	Federal Register, Vol. 88, No. 75, 04/19/2023, 24148- 24154.	lssued: Apr. 19, 2023
	RHS	NOTICE: Funding Availability for Community Facilities Technical Assistance and Training Grant Program.	Federal Register, Vol. 88, No. 77, 04/21/2023, 24544- 24548.	lssued: Apr. 21, 2023
		CORRECTION: Funding Availability Community Facilities Technical Assistance and Training Grant Program.	Federal Register, Vol. 88, No. 86, 05/04/2023, 28483.	lssued: May 04, 2023
	RHS	NOTICE: Funding Availability for Multifamily Housing and Nonprofit Transfer Technical Assistance Grants and Off-Farm Labor Housing Technical Assistance Grants.	Federal Register, Vol. 88, No. 86, 05/04/2023, 28469- 28483.	lssued: May 04, 2023
	RHS	NOTICE: Funding Availability for Rural Community Development Initiative for Fiscal Year 2023.	Federal Register, Vol. 88, No. 86, 05/04/2023, 28459- 28469.	lssued: May 04, 2023
	RHS	Updates to Process of Loan Guarantees Under Section 538 Guaranteed Rural Rental Housing Program.	Federal Register, Vol. 88, No. 82, 04/28/2023, 26221- 26228.	Apr. 28, 2023

*	Rural Utilities Service	NOTICE: Funding Availability for	Federal Register,	Issued:
	(RUS)	the Broadband Technical Assistance.	Vol. 88, No. 75, 04/19/2023, 24154- 24159.	Apr. 19, 2023
	RUS	Electric Program Coverage Ratios Clarification and Modifications.	Federal Register, Vol. 88, No. 40, 03/01/2023, 12806- 12810.	May 30, 2023 Comments Due: May 01, 2023
	Securities and Exchange Commission (SEC)	Adoption of Updated EDGAR Filer Manual.	Federal Register, Vol. 88, No. 76, 04/20/2023, 24329- 24330.	Apr. 20, 2023
	SEC	Enhancement of the Information Mutual Funds, Exchange-Traded Funds, and Other Funds Need Report About Proxy Votes.	Federal Register, Vol. 87, No. 245, 12/22/2022, 78770- 78818.	Jul. 01, 2024
÷	Small Business Administration (SBA)	CORRECTION: Affiliation and Lending Criteria for the SBA Business Loan Programs.	Federal Register, Vol. 88, No. 77, 04/21/2023, 24474.	May 11, 2023
	SBA	Rescission of Small Business Lending Company Moratorium and Removal of Loan Authorization Requirement.	Federal Register, Vol. 88, No. 70, 04/12/2023, 21890- 21900.	May 12, 2023
	SBA	Amendments to 8(a) Business Development Program.	Federal Register, Vol. 88, No. 81, 04/27/2023, 26164- 26217.	May 30, 2023
-	SBA	Amendments to Disaster Assistance Loan Program.	Federal Register, Vol. 88, No. 75, 04/19/2023, 24107- 24110.	Jun. 05, 2023 Comments Due: May 19, 2023
:	Social Security Administration (SSA)	NOTICE: Fee Increase to Social Security Number Verification Service.	Federal Register, Vol 88, No. 89, 05/09/2023, 29959- 29960.	lssued: May 09, 2023
	Veterans Affairs, Dept. of (VA)	NOTICE: Comments Requested on Information Collection: Non- Supervised Lender's Nomination and Recommendation of Credit Underwriter.	Federal Register, Vol. 88, No. 73, 04/17/2023, 23502- 23503.	Comments Due: Within 30 Days of Publication.

*	VA	NOTICE: Comments Requests on Information Collection: Native American Direct Loan.	Federal Register, Vol. 88, No. 85, 05/03/2023, 27956- 27957.	Comments Due: Within 30 Days of Publication.
	VA	NOTICE: Comments Requested on Information Collection: Statement of Purchaser or Owner Assuming Seller's Loan, Form 26-6382.	Federal Register, Vol. 88, No. 52, 03/17/2023, 16523.	Comments Due: May 16, 2023

* Denotes new item in the chart