

rely on certain representations from their counterparties when determining whether a transaction falls within the definition of a “transaction conducted through a foreign branch.” Based on its understanding of the current state of the security-based swap market, the Commission staff estimates that nine entities will incur burdens under this collection of information, whether solely in connection with the business conduct requirements or also in connection with the application of the *de minimis* exception.

The Commission estimates the one-time third-party disclosure burden associated with developing representations under this collection of information will be, for each U.S. bank counterparty that will make such representations, no more than five hours, and up to \$2,000 for the services of outside professionals. Across the nine respondents, this amounts to approximately 45 hours, or 15 hours per year when annualized over three years. This estimate assumes little or no reliance on standardized disclosure language.

The Commission expects that the majority of the burden associated with the new disclosure requirements will be experienced during the first year as language is developed and trading documentation is amended. The Commission further believes that the ongoing third-party disclosure burden associated with this requirement will be 10 hours per U.S. bank counterparty for verifying representations with existing counterparties, for a total of approximately 90 hours across the nine respondents.¹

The Commission believes that some of the entities that will comply with Rule 3a71-3 will seek outside counsel to help them develop new representations contemplated by Rule 3a71-3. For PRA purposes, the Commission assumes that all nine respondents will seek outside counsel for the first year only and will, on average, consult with outside counsel for a cost of up to \$2,000. The Commission also assumes that none of the nine respondents will seek outside legal services for year two or year three. Thus, the Commission expects the aggregate cost to the nine respondents over the three-year period will be \$18,000, or \$6,000 per year when annualized over three years. The Commission expects the total labor cost per respondent will be approximately

\$666.67 when annualized over three years.

b. Representations Regarding U.S.-Person Status

Pursuant to Rule 3a71-3(a)(4)(iv), persons may rely on representations from a counterparty that the counterparty does not satisfy the criteria defining U.S. person set forth in Rule 3a71-3(a)(4)(i), unless such person knows or has reason to know that the representation is not accurate. Commission staff has estimated, based on its understanding of OTC derivatives markets, including the domiciles of counterparties that are active in the market, that approximately 3,000 entities will provide representations that they do not meet the criteria necessary to be U.S. persons.

As with representations regarding whether a transaction is conducted through a foreign branch, the Commission estimates the maximum total third-party disclosure burden associated with developing new representations will be, for each counterparty that will make such representations, no more than five hours and up to \$2,000 for the services of outside professionals. Across the 3,000 respondents, this aggregates to a maximum of approximately 15,000 hours, or 5,000 hours per year when annualized over three years. This estimate assumes little or no reliance on standardized disclosure language.

The Commission expects that the majority of the burden associated with the disclosure requirements will be experienced during the first year as language is developed and trading documentation is amended. After the new representations are developed and incorporated into trading documentation, the Commission believes that the annual third-party disclosure burden associated with this requirement will be no more than approximately 10 hours per counterparty for verifying representations with existing counterparties and onboarding new counterparties. Across the 3,000 respondents, this aggregates to a maximum of approximately 30,000 hours.

The Commission believes that some of the entities that comply with Rule 3a71-3 will seek outside counsel to help them develop new representations. For PRA purposes, the Commission assumes that all 3,000 respondents will seek outside legal for the first year only and will, on average, consult with outside counsel for a cost of up to \$2,000. The Commission also assumes that none of those 3,000 respondents will seek

outside legal services for year two or year three. Thus, the Commission expects that the aggregate cost over those 3,000 respondents over the three-year period will be \$6 million, or \$2 million per year when annualized over three years. The Commission expects the total labor cost per respondent will be approximately \$666.67 when annualized over three years.

Written comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (b) the accuracy of the Commission's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing by October 25, 2022.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

Please direct your written comments to: David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or send an email to: PRA_Mailbox@sec.gov.

Dated: August 22, 2022.

J. Matthew DeLesDernier,
Deputy Secretary.

[FR Doc. 2022-18386 Filed 8-25-22; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270-255, OMB Control No. 3235-0305]

**Submission for OMB Review;
Comment Request; Extension: Rule 13e-1**

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“Commission”) has submitted to the Office of Management and Budget this request for extension of the previously

¹ The Commission staff estimates that this burden will consist of 10 hours of in-house counsel time for each security-based swap market participant that will make such representations. See Business Conduct Adopting Release, at 30097, note 1581.

approved collection of information discussed below.

Rule 13e-1 (17 CFR 240.13e-1) under the Securities Exchange Act of 1934 (U.S.C. 78 *et seq.*) makes it unlawful for an issuer who has received notice that it is the subject of a tender offer made under Section 14(d)(1) of the Exchange Act to purchase any of its equity securities during the tender offer, unless it first files a statement with the Commission containing information required by the rule. This rule is in keeping with the Commission's statutory responsibility to prescribe rules and regulations that are necessary for the protection of investors. Public companies are the respondents. We estimate that it takes approximately 10 burden hours per response to provide the information required under Rule 13e-1 and that the information is filed by approximately 10 respondents. We estimate that 25% of the 10 hours per response (2.5 hours) is prepared by the company for a total annual reporting burden of 25 hours (2.5 hours per response × 10 responses).

An agency may conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

The public may view background documentation for this information collection at the following website: www.reginfo.gov. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice by September 26, 2022 to (i) www.reginfo.gov/public/do/PRAMain and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or by sending an email to: PRA_Mailbox@sec.gov.

Dated: August 22, 2022.

J. Matthew DeLesDernier,
Deputy Secretary.

[FR Doc. 2022-18385 Filed 8-25-22; 8:45 am]

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SMALL BUSINESS ADMINISTRATION

Tribal Consultation for Ownership and Control and Contractual Assistance; Requirements for the 8(a) Business Development (BD) Program and other Planned 8(a) BD Program Regulatory Proposals

AGENCY: Small Business Administration.

ACTION: Notice of tribal consultation meeting; request for comments.

SUMMARY: The U.S. Small Business Administration (SBA or Agency) announces that it is holding tribal consultation meetings in Anchorage, Alaska, Albuquerque, New Mexico, Oklahoma City, Oklahoma and Washington, DC, as well as a Listening Session in Honolulu, Hawaii, concerning forthcoming proposed revisions to the 8(a) Business Development (BD) program regulations. Additionally, SBA requests comments and input on how best to propose several program policies the Agency is contemplating that would impact Alaska Native Corporations (ANC), tribes, Native Hawaiian Organizations (NHO) (collectively, "entities"), and 8(a) Participants owned by such entities. Testimony presented at these tribal consultations will become part of the administrative record for SBA's consideration when the Agency deliberates on approaches to changes in the 8(a) BD program regulations.

DATES: The Tribal Consultation meeting dates are as follows:

1. Wednesday, September 14, 2022, 9:00 a.m. to 2:30 p.m. (AKDT), Anchorage, Alaska. Pre-registration for this Tribal Consultation meeting is requested by September 9, 2022.
2. Tuesday, September 20, 2022, 10:00 a.m. to 3:00 p.m. (MDT), Albuquerque, New Mexico. Pre-registration for this Tribal Consultation meeting is requested by September 16, 2022.
3. Thursday, September 22, 2022, 10:00 a.m. to 3:00 p.m. (CDT), Oklahoma City, Oklahoma. Pre-registration for this Tribal Consultation meeting is requested by September 19, 2022.
4. Wednesday, October 5, 2022, 10:00 a.m. to 3:00 p.m. (EDT), Washington, DC. Pre-registration for this Tribal Consultation meeting is requested by September 30, 2022.
5. The Listening Session will be held on Wednesday, September 28, 2022, 10:00 a.m. to 3:00 p.m. (HST), Honolulu, Hawaii. Pre-registration for this Listening Session is requested by September 23, 2022.

ADDRESSES:

Meeting Locations:

1. The Tribal Consultation meeting in Anchorage, Alaska will be held at the Z.J. Loussac Public Library, 3600 Denali Street, Anchorage, AK 99503.

2. The Tribal Consultation meeting in Albuquerque, New Mexico will be held at the Indian Pueblo Cultural Center, 2401 12th Street NW, Albuquerque, New Mexico 87104.

3. The Tribal Consultation meeting in Oklahoma City, Oklahoma will be held at the Metro Technology Centers, Springlake Campus Health Careers Center, 1720 Springlake Drive, Oklahoma City, OK 73111.

4. The Tribal Consultation meeting in Washington, DC will be held at SBA Headquarters, 409 Third Street SW, Washington, DC 20416. Commenters and attendees may participate in-person or remotely at this consultation meeting.

5. The Listening Session in Honolulu, Hawaii will be held at the SBA Hawaii District Office, 500 Ala Moana Boulevard, Suite 1-306, Honolulu, Hawaii 96813.

Pre-registration: Send pre-registration requests to attend and/or testify to Chequita Carter of SBA's Office of Native American Affairs, U.S. Small Business Administration, 409 3rd Street SW, Washington, DC 20416; Chequita.Carter@sba.gov; or Facsimile to (202) 481-2177.

Comments: You may submit comments, identified by Regulations Identifier Number (RIN) 3245-AH70, by any of the following methods:

- *Email:* to Jackson S. Brossy, Assistant Administrator, Office of Native American Affairs, U.S. Small Business Administration, at tribalconsultation@sba.gov.
- *Mail (for paper, disk, or CD-ROM submissions):* to Jackson S. Brossy, Assistant Administrator, Office of Native American Affairs, U.S. Small Business Administration, 409 3rd Street SW, Washington, DC 20416.

Instructions: All submissions received will become part of the administrative record for any rulemaking resulting from these tribal consultation meetings and listening session. As such, comments received may be posted on <http://www.regulations.gov>. If you wish to submit confidential business information (CBI) as defined in the User Notice at <http://www.regulations.gov>, please submit the comments to Jackson S. Brossy and highlight the information that you consider to be CBI and explain why you believe this information should be held confidential. SBA will make a final determination as to whether the comments will be published.

FOR FURTHER INFORMATION CONTACT:

Chequita Carter, Program Assistant for