

**DEPARTMENT OF HOMELAND SECURITY****8 CFR Parts 214 and 274a**

[CIS No. 2731–22, DHS Docket No. USCIS–2022–0015]

RIN 1615–AC82

**DEPARTMENT OF LABOR****Employment and Training Administration****20 CFR Part 655**

[DOL Docket No. ETA–2022–0008]

RIN 1205–AC14

**Exercise of Time-Limited Authority To Increase the Numerical Limitation for FY 2023 for the H–2B Temporary Nonagricultural Worker Program and Portability Flexibility for H–2B Workers Seeking To Change Employers; Correction**

**AGENCY:** U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS), and Employment and Training Administration and Wage and Hour Division, U.S. Department of Labor (DOL).

**ACTION:** Temporary rule; correction and correcting amendment.

**SUMMARY:** On December 15, 2022, the Department of Homeland Security and Department of Labor jointly published a temporary rule titled “Exercise of Time-Limited Authority to Increase the Numerical Limitation for FY 2023 for the H–2B Temporary Nonagricultural Worker Program and Portability Flexibility for H–2B Workers Seeking to Change Employers.” The temporary rule contains errors that this document corrects.

**DATES:** Effective on December 21, 2022.

**FOR FURTHER INFORMATION CONTACT:** Charles L. Nimick, Chief, Business and Foreign Workers Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, 5900 Capital Gateway Drive, Camp Springs, MD 20746; telephone 240–721–3000 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** In the temporary rule, FR Doc. 2022–27236, beginning on page 76816 in the issue of Thursday, December 15, 2022, make the following corrections:

1. On page 76816, in the first column, the DOL docket is corrected to read “[DOL Docket No. ETA 2022–0008]”.

2. On page 76829, in the third column, in footnote 93, the citation to

“(h)(6)(xii)(A)(1)(b)” is corrected to read “(h)(6)(xiii)(A)(1)(i)”.

3. On page 76830, in the second column, in footnote 94, the citation to “(h)(6)(xii)(A)(1)(c)” is corrected to read “(h)(6)(xiii)(A)(1)(iii)”.

4. On page 76831, in the second column, in footnote 100, the citation to “(h)(6)(xii)(A)(2)” is corrected to read “(h)(6)(xiii)(A)(2)”.

5. On page 76840, in the third column, in footnote 142, the citation to “*Notification of Temporary Travel Restrictions Applicable to Land Ports of Entry and Ferries Service Between the United States and Mexico*, 87 FR 24048 (Apr. 22, 2022)” is corrected to read “*Notification of Temporary Travel Restrictions Applicable to Land Ports of Entry and Ferries Service Between the United States and Canada*, 87 FR 24048 (Apr. 22, 2022)”.

**List of Subjects in 8 CFR Part 214**

Administrative practice and procedure, Aliens, Cultural exchange program, Employment, Foreign officials, Health professions, Reporting and recordkeeping requirements, Students.

Accordingly, 8 CFR part 214 is corrected by making the following correcting amendments:

**DEPARTMENT OF HOMELAND SECURITY****PART 214—NONIMMIGRANT CLASSES**

■ 1. The authority citation for part 214 continues to read as follows:

**Authority:** 6 U.S.C. 202, 236; 8 U.S.C. 1101, 1102, 1103, 1182, 1184, 1186a, 1187, 1221, 1281, 1282, 1301–1305, 1357, and 1372; sec. 643, Pub. L. 104–208, 110 Stat. 3009–708; Pub. L. 106–386, 114 Stat. 1477–1480; section 141 of the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands, and with the Government of Palau, 48 U.S.C. 1901 note and 1931 note, respectively; 48 U.S.C. 1806; 8 CFR part 2; Pub. L. 115–218, 132 Stat. 1547 (48 U.S.C. 1806).

**§ 214.2 [Amended]**

■ 2. In § 214.2:

■ a. In paragraph (h)(6)(xiii)(C)(1), remove the citation “(h)(6)(xiii)(A)(1)(a)” and add “(h)(6)(xiii)(A)(1)(i)” in its place.

■ b. In paragraph (h)(6)(xiii)(C)(2), remove the citation “(h)(6)(xii)(A)(1)(ii)”

and add “(h)(6)(xiii)(A)(1)(ii)” in its place.

**Christina E. McDonald,**

*Federal Register Liaison, U.S. Department of Homeland Security.*

**Laura Dawkins,**

*Federal Register Liaison, U.S. Department of Labor.*

[FR Doc. 2022–27804 Filed 12–20–22; 8:45 am]

**BILLING CODE 9111–97–P**

**FEDERAL ELECTION COMMISSION****11 CFR Part 104****Reports by Political Committees and Other Persons (52 U.S.C. 30104)***CFR Correction*

This rule is being published by the Office of the Federal Register to correct an editorial or technical error that appeared in the most recent annual revision of the Code of Federal Regulations.

In Title 11 of the Code of Federal Regulations, revised as of January 1, 2022, in part 104, make the following amendments:

■ 1. In § 104.3:

■ a. Revise paragraphs (a)(3)(vii)(B) and (C) and remove paragraph (D).

■ b. Revise paragraph (b)(3)(vii)(B).

■ c. Redesignate paragraph (b)(3)(vii)(C) as paragraph (b)(3)(vii)(D) and revise newly redesignated paragraph (b)(3)(vii)(D).

■ d. Add new paragraph (b)(3)(vii)(C).

The revisions and additions read as follows:

**§ 104.3 Contents of Reports (52 U.S.C. 30104(b), 30114).**

\* \* \* \* \*

(a) \* \* \*

(3) \* \* \*

(vii) \* \* \*

(B) Loans made, guaranteed, or endorsed by a candidate to his or her authorized committee including loans derived from a bank loan to the candidate or from an advance on a candidate’s brokerage account, credit card, home equity line of credit, or other lines of credit described in 11 CFR 100.83 and 100.143; and

(C) Total loans;

\* \* \* \* \*

(b) \* \* \*

(3) \* \* \*

(vii) \* \* \*

(B) For each independent expenditure reported, the committee must also provide a statement which indicates whether such independent expenditure is in support of, or in opposition to a particular candidate, as well as the

name of the candidate and the office sought by such candidate (including State and Congressional district, when applicable), and a certification, under penalty of perjury, as to whether such independent expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, any candidate or authorized committee or agent of such committee; and

(C) For an independent expenditure that is made in support of or opposition to a presidential primary candidate and is publicly distributed or otherwise publicly disseminated in six or more states but does not refer to any particular state, the political committee must report the independent expenditure as a single expenditure—*i.e.*, without allocating it among states—and must indicate the state with the next upcoming presidential primary among those states where the independent expenditure is distributed, as specified in § 104.4(f)(2). The political committee must use memo text to indicate the states in which the communication is distributed.

(D) The information required by paragraphs (b)(3)(vii)(A) through (C) of this section shall be reported on Schedule E as part of a report covering the reporting period in which the aggregate disbursements for any independent expenditure to any person exceed \$200 per calendar year. Schedule E shall also include the total of all such expenditures of \$200 or less made during the reporting period.

\* \* \* \* \*

[FR Doc. 2022-27819 Filed 12-20-22; 8:45 am]

BILLING CODE 0099-10-P

## BUREAU OF CONSUMER FINANCIAL PROTECTION

### 12 CFR Part 1003

[Docket No. CFPB-2019-0021]

RIN 3170-AA76

#### Home Mortgage Disclosure (Regulation C); Judicial Vacatur of Coverage Threshold for Closed-End Mortgage Loans

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Technical amendment.

**SUMMARY:** In April 2020, the Consumer Financial Protection Bureau (Bureau or CFPB) issued a final rule (2020 HMDA Rule) to amend Regulation C to increase the threshold for reporting data about closed-end mortgage loans. The 2020 HMDA Rule increased the closed-end mortgage loan reporting threshold from

25 loans to 100 loans in each of the two preceding calendar years, effective July 1, 2020. On September 23, 2022, the United States District Court for the District of Columbia vacated the 2020 HMDA Rule as to the increased loan-volume reporting threshold for closed-end mortgage loans. As a result of the September 23, 2022 order, the threshold for reporting data about closed-end mortgage loans is 25, the threshold established by the 2015 HMDA Rule. Accordingly, this technical amendment updates the *Code of Federal Regulations* to reflect the closed-end mortgage loan reporting threshold of 25 mortgage loans in each of the two preceding calendar years.

**DATES:** This technical amendment is effective December 21, 2022.

**FOR FURTHER INFORMATION CONTACT:** Jaclyn Maier or Alexandra Reimelt, Senior Counsel, Office of Regulations, at 202-435-7700 or <https://reginquiries.consumerfinance.gov>. If you require this document in an alternative electronic format, please contact [CFPB\\_Accessibility@cfpb.gov](mailto:CFPB_Accessibility@cfpb.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Home Mortgage Disclosure Act (HMDA) requires certain banks, savings associations, credit unions, and for-profit nondepository institutions to collect, report, and disclose data about originations and purchases of mortgage loans, as well as mortgage loan applications that do not result in originations (for example, applications that are denied or withdrawn).<sup>1</sup> The Bureau's Regulation C, 12 CFR part 1003, implements HMDA, 12 U.S.C. 2801 through 2810.

In October 2015, the Bureau issued a final rule (2015 HMDA Rule) that, among other things, established institutional and transactional loan-volume coverage thresholds in Regulation C that determine whether financial institutions are required to report certain HMDA data on closed-end mortgage loans or open-end lines of credit.<sup>2</sup> These thresholds apply

<sup>1</sup> HMDA requires financial institutions to collect, record, and report data. The Bureau generally refers herein to the obligation to report data instead of listing all of these obligations in each instance.

<sup>2</sup> Home Mortgage Disclosure (Regulation C), 80 FR 66128 (Oct. 28, 2015). The reporting thresholds for closed-end mortgage loans and open-end lines of credit operate independently. Thus, an institution that meets the threshold for closed-end mortgage loans but not the threshold for open-end lines of credit is a covered institution and required to report HMDA data about its closed-end loans, provided it meets the other criteria for institutional coverage. Conversely, an institution that meets the threshold for open-end lines of credit but not the threshold for closed-end loans is a covered institution and

uniformly to covered depository and nondepository institutions; they took effect for depository institutions on January 1, 2017, and for nondepository institutions on January 1, 2018. The loan-volume thresholds in the 2015 HMDA Rule required an institution that originated at least 25 closed-end mortgage loans or at least 100 open-end lines of credit in each of the two preceding calendar years to report HMDA data, provided that the institution meets all other criteria for institutional coverage.

In April 2020, the Bureau issued a final rule (2020 HMDA Rule) to amend Regulation C to increase the thresholds for reporting data about both closed-end mortgage loans and open-end lines of credit.<sup>3</sup> In particular, the 2020 HMDA Rule set the closed-end mortgage loan reporting threshold at 100 in each of the two preceding calendar years, effective July 1, 2020, and the open-end line of credit reporting threshold at 200 in each of the two preceding calendar years, effective January 1, 2022.

On July 30, 2020, five nonprofit organizations and the City of Toledo, Ohio, initiated a lawsuit challenging the 2020 HMDA Rule.<sup>4</sup> On September 23, 2022, the United States District Court for the District of Columbia concluded that the 2020 HMDA Rule's increased reporting threshold for closed-end mortgage loans was arbitrary and capricious. The Court issued an order vacating and remanding the loan-volume reporting threshold for closed-end mortgage loans under the 2020 HMDA Rule. Accordingly, the threshold for reporting data about closed-end mortgage loans is 25 in each of the two preceding calendar years, which is the threshold set by the 2015 HMDA Rule. This technical amendment reflects the vacatur in the *Code of Federal Regulations* by replacing the closed-end reporting threshold numbers in §§ 1003.2(g)(1)(v)(A) and (2)(ii)(A), and 1003.3(c)(11), and comments 2(g)-5 and 3(c)(11)-2 with those in effect on June 30, 2020; and replacing in their entirety, comments 2(g)-1 and 3(c)(11)-1 with the versions in effect on June 30, 2020.

required to report HMDA data about its open-end lines of credit, provided it meets the other criteria for institutional coverage.

<sup>3</sup> Home Mortgage Disclosure (Regulation C), 85 FR 28364 (May 12, 2020), *vacated in part by Nat'l Cmty. Reinvestment Coal., et al. v. Consumer Fin. Prot. Bureau*, No. 20-cv-2074, 2022 WL 4447293 (D.D.C. Sept. 23, 2022).

<sup>4</sup> The five nonprofit organizations are the National Community Reinvestment Coalition, Montana Fair Housing, the Texas Low Income Housing Information Service, Empire Justice Center, and the Association for Neighborhood & Housing Development.