

personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** A copy of this ICR, with applicable supporting documentation, may be obtained by email to [SuitEAforms@opm.gov](mailto:SuitEAforms@opm.gov), or by contacting Alexys Stanley, 202-606-1800, or U.S. Office of Personnel Management, Suitability Executive Agent Programs, P.O. Box 699, Slippery Rock, PA 16057.

**SUPPLEMENTARY INFORMATION:** As required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13) as amended (44 U.S.C. chapter 35), OPM is soliciting comments for this collection (OMB No. 3206-0194). OPM is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

### Background

The Questionnaire for Public Trust Positions, SF 85P and Supplemental Questionnaire for Selected Positions, SF 85P-S, are information collections completed by applicants for, or incumbents of, Federal Government civilian positions, or positions in private entities performing work for the Federal Government under contract (SF 85P only). The collections are used as the basis of information for background investigations to establish that such persons are:

Suitable for employment or retention in Federal employment in a public trust position or fit for employment or retention in Federal employment in the excepted service when the duties to be performed are equivalent in degree of trust reposed in the incumbent to a public trust position;

Fit to perform work on behalf of the Federal Government pursuant to the Government contract, when the duties to be performed are equivalent in degree

of trust reposed in the individual to a public trust position;

Eligible for physical and logical access to federally controlled facilities or information systems, when the duties to be performed by the individual are equivalent to the duties performed by an employee in a public trust position.

For applicants, the SF 85P and SF 85P-S are to be used only after a conditional offer of employment has been made. The SF 85P-S is supplemental to the SF 85P and is used only as approved by OPM, for certain positions such as those requiring carrying of a firearm. eApp (Electronic Application) is a web-based system application that houses the SF 85P and SF 85P-S. A variable in assessing burden hours is the nature of the electronic application. The electronic application includes branching questions and instructions which provide for a tailored collection from the respondent based on varying factors in the respondent's personal history. The burden on the respondent is reduced when the respondent's personal history is not relevant to a particular question. The question branches, or expands for additional details, only for those persons who have pertinent information to provide regarding that line of questioning. Accordingly, the burden on the respondent will vary depending on whether the respondent's personal history relates to the information collection.

OPM recommends renewal of the form without any proposed changes.

### Analysis

**Agency:** Office of Personnel Management, Suitability Executive Agent Programs.

**Title:** Questionnaire for Public Trust Positions (SF 85P) and Supplemental Questionnaire for Selected Positions (SF 85P-S).

**OMB Number:** 3206-0258.

**Affected Public:** Individuals.

**Number of Respondents:** 152,700 (SF 85P); 16,700 (SF 85P-S).

**Estimated Time per Respondent:** 155 minutes (SF 85P); 10 minutes (SF 85P-S).

**Total Burden Hours:** 394,475 (SF 85P); 2,783 (SF 85P-S).

**Stephen Hickman,**

*Federal Register Liaison.*

[FR Doc. 2023-24121 Filed 10-31-23; 8:45 am]

**BILLING CODE 6325-66-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-98739; File No. S7-08-22]

### Notice of the Text of the Amendment to the National Market System Plan Governing the Consolidated Audit Trail for Purposes of Short Sale-Related Data Collection

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Notice of the text of amendment to national market system plan.

**SUMMARY:** The Securities and Exchange Commission ("Commission") is publishing notice of the text of the adopted amendment to the National Market System Plan Governing the Consolidated Audit Trail ("CAT NMS Plan") in connection with the Commission's issuance of Release No. 34-98738, "Short Position and Short Activity Reporting by Institutional Investment Managers" ("Adopting Release"), published elsewhere in this issue of the **Federal Register**.

**DATES:** The effective date for the amendment to the CAT NMS Plan is January 2, 2024.

**Compliance date:** The compliance date for the amendment to the CAT NMS Plan is July 1, 2025.

**FOR FURTHER INFORMATION CONTACT:** Timothy M. Riley, Branch Chief; Patrice M. Pitts, Special Counsel; James R. Curley, Special Counsel; Jessica Kloss, Attorney-Advisor; Brendan McLeod, Attorney-Advisor; Roland Lindmayer, Attorney-Advisor; and Josephine Tao, Assistant Director, Office of Trading Practices, Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549, at (202) 551-5777.

### SUPPLEMENTARY INFORMATION:

#### I. Background

In the Adopting Release, the Commission is adopting new 17 CFR 240.13f-2 ("Rule 13f-2") and related Form SHO (referenced in 17 CFR 249.332) under the Securities Exchange Act of 1934 ("Exchange Act"). Rule 13f-2 requires certain institutional investment managers to report, on a monthly basis on new Form SHO, certain prescribed short position data and short activity data for certain equity securities. The Commission is not adopting the proposed amendment to the CAT NMS Plan that would have required the reporting to the Consolidated Audit Trail of "buy to cover" order marking. The Commission is adopting an amendment to the CAT

NMS Plan, pursuant to 17 CFR 242.608(a)(2) and (b)(2), to require the reporting to the Consolidated Audit Trail of reliance on the bona fide market making exception in Regulation SHO, with some non-substantive, technical changes with regard to the wording of the rule text.<sup>1</sup> This Notice is being given of the text of the adopted amendment to the CAT NMS Plan. For a full discussion of the adopted amendment to the CAT NMS Plan, see the Adopting Release.

**II. Compliance Date**

The Commission is setting a compliance date of 20 months from publication in the **Federal Register**, which is 18 months after the effective date of the Adopting Release.<sup>2</sup>

**III. Statutory Authority and Text of the Amendment to the CAT NMS Plan**

Pursuant to the Exchange Act and, particularly, Sections 2, 3, 5, 6, 11A(a)(3)(B), 15, 15A, 17(a) and (b), 19, and 23(a) thereof, 15 U.S.C. 78b, 78c, 78e, 78f, 78k-1, 78o, 78o-3, 78q(a) and (b), 78s, and 78w(a), and pursuant to Rules 608(a)(2) and (b)(2) thereunder, the Commission is amending the CAT NMS Plan in the manner set forth below.

Amend Section 6.4 of the CAT NMS Plan by modifying paragraphs (d)(ii)(B) and (C) and adding paragraph (d)(ii)(D).

The revisions read as follows. Additions are *italicized*; deletions are [bracketed].

\* \* \* \* \*

**Section 6.4 Data Reporting and Recording by Industry Members**

\* \* \* \* \*

(d) Required Industry Member Data

- (i) No change.
- (ii) No change.
- (A) No change.
- (1)-(3) No change.
- (B) if the trade is cancelled, a cancelled trade indicator; [and]

(C) for original receipt or origination of an order, the Firm Designated ID for the relevant Customer, and in accordance with Section 6.4(d)(iv), Customer Account Information and Customer Identifying Information for the relevant Customer[.]; *and*

(D) for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

<sup>1</sup> See *Short Position and Short Activity Reporting by Institutional Investment Managers*, Exchange Act Release No. 34-98738 (Oct. 13, 2023), at n. 38 and accompanying text.

<sup>2</sup> *Id.* at 141 (discussing compliance date for amendment to the CAT NMS Plan).

By the Commission.  
 Dated: October 13, 2023.  
**J. Matthew DeLesDernier**,  
*Deputy Secretary*.  
 [FR Doc. 2023-23051 Filed 10-31-23; 8:45 am]  
**BILLING CODE 8011-01-P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #20034 and #20035; TENNESSEE Disaster Number TN-20001]

**Administrative Declaration of a Disaster for the State of Tennessee**

**AGENCY:** U.S. Small Business Administration.  
**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of Tennessee dated 10/26/2023.

*Incident:* Severe Storms and Straight-line Winds.

*Incident Period:* 06/25/2023 through 06/26/2023.

**DATES:** Issued on 10/26/2023.

*Physical Loan Application Deadline Date:* 12/26/2023.

*Economic Injury (EIDL) Loan Application Deadline Date:* 07/26/2024.

**ADDRESSES:** Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

**FOR FURTHER INFORMATION CONTACT:** Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205-6734.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov) or by phone at 1-800-659-2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

- Primary Counties:* Shelby
- Contiguous Counties:* Tennessee: Fayette, Tipton  
 Arkansas: Mississippi, Crittenden  
 Mississippi: Desoto, Marshall  
 The Interest Rates are:

	Percent
<i>For Physical Damage:</i> Homeowners with Credit Available Elsewhere .....	5.000

	Percent
Homeowners without Credit Available Elsewhere .....	2.500
Businesses with Credit Available Elsewhere .....	8.000
Businesses without Credit Available Elsewhere .....	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	2.375
Non-Profit Organizations without Credit Available Elsewhere .....	2.375
<i>For Economic Injury:</i> Business and Small Agricultural Cooperatives without Credit Available Elsewhere .....	4.000
Non-Profit Organizations without Credit Available Elsewhere .....	2.375

The number assigned to this disaster for physical damage is 20034B and for economic injury is 200350.

The States which received an EIDL Declaration are Arkansas, Mississippi, Tennessee.

(Catalog of Federal Domestic Assistance Number 59008)

**Isabella Guzman**,  
*Administrator*.

[FR Doc. 2023-24054 Filed 10-31-23; 8:45 am]  
**BILLING CODE 8026-09-P**

**SOCIAL SECURITY ADMINISTRATION**

[Docket No. SSA-2023-0028]

**Privacy Act of 1974; System of Records**

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Notice of a modified system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, we are issuing public notice of our intent to modify an existing system of records entitled, Race and Ethnicity Collection System (60-0104), last published on August 24, 2009. This notice publishes details of the modified system as set forth below under the caption, **SUPPLEMENTARY INFORMATION**.

**DATES:** The system of records notice (SORN) is applicable upon its publication in today's **Federal Register**, with the exception of the new routine uses, which are effective December 1, 2023.

We invite public comment on the routine uses or other aspects of this SORN. In accordance with the Privacy Act of 1974, we are providing the public a 30-day period in which to submit comments. Therefore, please submit any comments by December 1, 2023.