

submitted, and will not be modified to remove confidential, contact or any identifiable information. Public comments may also be viewed electronically or in paper in Room M-4365A, 2001 C Street NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

**FDIC:** The FDIC encourages interested parties to submit written comments. Please include your name, affiliation, address, email address, and telephone number(s) in your comment. You may submit comments to the FDIC, identified by RIN 3064-AF86, by any of the following methods:

**Agency Website:** <https://www.fdic.gov/resources/regulations/federal-register-publications>. Follow instructions for submitting comments on the FDIC's website.

**Mail:** James P. Sheesley, Assistant Executive Secretary, Attention: Comments/Legal OES (RIN 3064-AF86), Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

**Hand Delivered/Courier:** Comments may be hand-delivered to the guard station at the rear of the 550 17th Street NW building (located on F Street NW) on business days between 7 a.m. and 5 p.m.

**Email:** [comments@FDIC.gov](mailto:comments@FDIC.gov). Include "RIN 3064-AF86" on the subject line of the message.

**Public Inspection:** Comments received, including any personal information provided, may be posted without change to <https://www.fdic.gov/resources/regulations/federal-register-publications>. Commenters should submit only information that the commenter wishes to make available publicly. The FDIC may review, redact, or refrain from posting all or any portion of any comment that it may deem to be inappropriate for publication, such as irrelevant or obscene material. The FDIC may post only a single representative example of identical or substantially identical comments, and in such cases will generally identify the number of identical or substantially identical comments represented by the posted example. All comments that have been redacted, as well as those that have not been posted, that contain comments on the merits of this document will be retained in the public comment file and will be considered as required under all applicable laws. All comments may be accessible under the Freedom of Information Act.

#### FOR FURTHER INFORMATION CONTACT:

**OCC:** Andrew Tschirhart, Risk Expert, Capital and Regulatory Policy, (202) 649-6370; or Carl Kaminski, Assistant

Director, or Joanne Phillips, Counsel, Chief Counsel's Office, (202) 649-5490, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

**Board:** Molly Mahar, Senior Associate Director, (202) 973-7360, Juan Climent, Assistant Director, (202) 872-7526, Tudor Rus, Manager, (202) 475-6359, Francis Kuo, Lead Financial Institution Policy Analyst (202) 530-6224, Lesley Chao, Lead Financial Institution Policy Analyst, (202) 974-7063, Lars Arnesen, Senior Financial Institution Policy Analyst, (202) 452-2030, Division of Supervision and Regulation; or Charles Gray, Deputy General Counsel, (202) 510-3484, Reena Sahni, Associate General Counsel, (202) 452-3236, Jay Schwarz, Assistant General Counsel, (202) 452-2970, Josh Strazanac, Senior Counsel, (202) 452-2457, Brian Kesten, Counsel, (202) 475-6650, Jacob Fraley, Attorney, (202) 452-3127, Vivien Lee, Attorney, (202) 452-2029, Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. For users of TTY-TRS, please call 711 from any telephone, anywhere in the United States.

**FDIC:** Andrew J. Felton, Deputy Director, (202) 898-3691; Ryan P. Tetrick, Deputy Director, (202) 898-7028; Elizabeth Falloon, Senior Advisor, (202) 898-6626; Julia E. Paris, Senior Cross-Border Specialist, (202) 898-3821, Division of Complex Institution Supervision and Resolution; R. Penfield Starke, Acting Deputy General Counsel, [rstarke@fdic.gov](mailto:rstarke@fdic.gov); Celia P. Van Gorder, Acting Assistant General Counsel, (202) 898-6749; F. Angus Tarpley III, Counsel, (202) 898-8521; Dena S. Kessler, Counsel, (202) 898-3833, Legal Division; Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:** On September 19, 2023, the agencies published in the **Federal Register** a proposal to require certain large depository institution holding companies, U.S. intermediate holding companies of foreign banking organizations, and insured depository institutions, to issue and maintain outstanding a minimum amount of long-term debt.<sup>1</sup> The notice of proposed

<sup>1</sup> Long-Term Debt Requirements for Large Bank Holding Companies, Certain Intermediate Holding Companies of Foreign Banking Organizations, and Large Insured Depository Institutions, 88 FR 64524 (September 19, 2023), <https://www.federalregister.gov/documents/2023/09/19/2023-19265/long-term-debt-requirements-for-large->

rulemaking stated that the comment period would close on November 30, 2023. The agencies have received requests to extend the comment period. An extension of the comment period will provide additional opportunity for the public to consider the proposal and prepare comments, including to address the questions posed by the agencies. Therefore, the agencies are extending the end of the comment period for the proposal from November 30, 2023, to January 16, 2024.

**Michael J. Hsu,**

*Acting Comptroller of the Currency.*

By order of the Board of Governors of the Federal Reserve System, acting through the Secretary of the Board under delegated authority.

**Ann E. Misback,**

*Secretary of the Board.*

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on November 20, 2023.

**James P. Sheesley,**

*Assistant Executive Secretary.*

[FR Doc. 2023-26202 Filed 11-28-23; 8:45 am]

**BILLING CODE 4810-33-6210-01-6714-01-P**

## DEPARTMENT OF EDUCATION

### 34 CFR Chapter VI

[Docket ID ED-2023-OPE-0039]

#### Negotiated Rulemaking Committee; Negotiator Nominations and Schedule of Committee Meetings

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Intent to establish rulemaking committee.

**SUMMARY:** We announce our intention to establish a negotiated rulemaking committee to prepare proposed regulations for Federal programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA). The committee will include representatives of organizations or groups with interests that are significantly affected by the subject matter of the proposed regulations. We request nominations for individual negotiators who represent key stakeholder constituencies for the issues to be negotiated to serve on the committee. We also announce the creation of a subcommittee, and request nominations for individuals with pertinent expertise to participate on the subcommittee. The Department has also set a schedule for committee meetings.

*bank-holding-companies-certain-intermediate-holding-companies.*

**DATES:** We must receive your nominations for negotiators to serve on the committee on or before December 13, 2023. The dates and times of the committee meetings are set out in the *Schedule for Negotiations* section in the **SUPPLEMENTARY INFORMATION** section. All meetings will be virtual.

**ADDRESSES:** Please email your nominations for negotiators to [negregnominations@ed.gov](mailto:negregnominations@ed.gov). If you are unable to email your nomination, please contact Aaron Washington. Telephone: (202) 987–0911. Email: [aaron.washington@ed.gov](mailto:aaron.washington@ed.gov).

**FOR FURTHER INFORMATION CONTACT:** For information about negotiated rulemaking, see “The Negotiated Rulemaking Process for Title IV Regulations—Frequently Asked Questions” at <https://www2.ed.gov/policy/highered/reg/hearulemaking/hea08/neg-reg-faq.html>. For information on the nomination submission process, email: [negregnominations@ed.gov](mailto:negregnominations@ed.gov).

For information about the content of this document, including additional information about the negotiated rulemaking process, please contact Aaron Washington. Telephone: (202) 987–0911. Email: [aaron.washington@ed.gov](mailto:aaron.washington@ed.gov).

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On March 24, 2023, we published in the **Federal Register** (88 FR 17777) an announcement of our intent to establish a negotiated rulemaking committee. We also announced public hearings at which interested parties could comment on the topics for negotiation suggested by the Department and suggest additional topics for consideration for action by the negotiated rulemaking committee. Those hearings took place virtually on April 11–13, 2023.

You may view written comments submitted in response to the aforementioned **Federal Register** notification through the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Instructions for finding comments are available on the site under “FAQ.” Enter Docket ID ED–2023–OPE–0039 in the search box to locate the appropriate docket.

##### **Committee Topics**

After considering the information received at the public hearing and the written comments, we have decided to establish the Program Integrity and Institutional Quality Committee

(Committee) to address the following topics:

1. The Secretary’s recognition of accrediting agencies under 34 CFR part 602 and related parts;
2. Institutional eligibility under 34 CFR 600.2, including State authorization as a component of such eligibility under 34 CFR 600.9;
3. The requirements for distance education under 34 CFR 600.2 that pertain to clock hour programs and reporting for students who enroll primarily online;
4. Return of title IV funds, to address requirements for participating institutions to return unearned title IV funds in a manner that protects students and taxpayers while easing the administrative burden for institutions of higher education under 34 CFR 668.22;
5. Cash management, to address timely student access to disbursements of title IV, HEA Federal student financial assistance and provisions related to credit balances, escheatment, and loss of such funds under 34 CFR part 668, subpart K; and
6. The eligibility requirements for participants in the Federal TRIO Programs.

As a part of the negotiated rulemaking process, we are forming a Federal TRIO Programs Subcommittee to expand the range of expertise and constituencies represented on this topic. The Committee will consider the subcommittee’s recommendations in its consideration of proposed regulations relating to changes to participant eligibility requirements in the Federal TRIO Programs.

The subcommittee will address TRIO participant eligibility and make recommendations to the Committee. The subcommittee is not authorized to make decisions for the Committee. The subcommittee may be comprised of some members of the Committee (negotiators), as well as individuals who are not Committee members but who have expertise that will be helpful in developing proposed regulations. Therefore, in addition to asking for nominations for individual negotiators who represent key stakeholder constituencies for issues to be negotiated to serve on the Committee (see *Constituencies for Negotiator Nominations*), we seek nominations for individuals with expertise regarding the Federal TRIO Programs, particularly the eligibility requirements, to serve on the subcommittee. Before conclusion of the negotiations, the subcommittee will present its recommendations for regulatory changes to the Committee for its consideration.

We intend to select negotiators for the Committee who represent the interests of those significantly affected by the topics proposed for negotiation. In so doing, we will comply with the requirement in section 492(b)(1) of the HEA that the individuals selected must have demonstrated expertise or experience in the relevant topics proposed for negotiations. We will also select negotiators who reflect the diversity among program participants, in accordance with section 492(b)(1) of the HEA. Our goal is to establish a committee that will allow significantly affected parties to be represented while keeping the size manageable. We encourage negotiators, to the extent they are able, to demonstrate support from organizations, entities, or individuals beyond themselves.

We generally select a primary and alternate negotiator for each constituency represented on a committee. The primary negotiator participates for the purpose of determining consensus. The alternate participates for the purpose of determining consensus in the absence of the primary negotiator. The Department will provide more detailed information to both primary and alternate negotiators selected to participate on the Committee about the logistics and protocols of the meetings. The subcommittee will only include primary members. We will not select alternates for the subcommittee.

Members of the public may observe the Committee meetings, will have access to individuals representing their constituencies, and may be able to participate in informal working groups on issues between the meetings.

At the end of each day of the main committee meetings (except for the final day of the final session), the Department will reserve 30 minutes for public comment. We will provide information on how to request time to speak on our website at [www2.ed.gov/policy/highered/reg/hearulemaking/2023/index.html](http://www2.ed.gov/policy/highered/reg/hearulemaking/2023/index.html). We will notify speakers of the time slot reserved for them and provide information on how to log in to the hearing as a speaker. An individual may make only one presentation during the public comment periods. If we receive more registrations than we can accommodate, we reserve the right to reject the registration of an entity or individual affiliated with an entity to present comments to ensure that a broad range of entities and individuals are able to present.

### Constituencies for Negotiator Nominations

We have identified the following constituencies as having interests that are significantly affected by the topics proposed for negotiation. We plan to include negotiators who represent these constituencies. We particularly encourage individuals or organizations representing the interests of historically underserved or low-income communities to nominate themselves. We also encourage institutions of higher education that are currently recipients of a Federal TRIO Program grant to submit nominations under the appropriate constituency on the main committee.

Nominations should include evidence of the nominee's specific knowledge of the issues listed under the Committee Topics heading earlier in this notice. The Department strongly encourages nominees to list all constituencies under which they would like to be considered. The Department reserves the discretion to have a nominee represent a constituency based upon their background and experience even if the individual was not nominated for that specific category. Constituencies for the Committee are:

- (1) Civil rights organizations and consumer advocates.
- (2) Legal assistance organizations.
- (3) State officials, including State higher education executive officers, State authorizing agencies, and State regulators of institutions of higher education.
- (4) State attorneys general.
- (5) Students or borrowers, including currently enrolled borrowers, or groups representing them.
- (6) U.S. military service members, veterans, or groups representing them.
- (7) Public four-year institutions of higher education.
- (8) Public two-year institutions of higher education.
- (9) Private nonprofit institutions of higher education.
- (10) Historically Black Colleges and Universities, Tribal Colleges and Universities, and Minority-serving institutions (institutions of higher education eligible to receive Federal assistance under title III, parts A and F, and title V of the HEA).
- (11) Proprietary institutions of higher education.
- (12) Institutional accrediting agencies recognized by the Secretary.
- (13) Programmatic accrediting agencies recognized by the Secretary, to include State agencies recognized for the approval of nurse education.
- (14) Financial aid administrators.

(15) Business officers from institutions of higher education.

The goal of the committee is to develop proposed regulations that reflect a final consensus of the committee. Consensus means that there is no dissent by any member of a negotiating committee, including the committee member representing the Department.

A negotiator is expected to represent the interests of their constituency and to participate in the negotiations in a manner consistent with the goal of developing proposed regulations on which the committee will reach consensus. If consensus is reached, all members of the organization or group represented by a negotiator are bound by the consensus and are prohibited from commenting negatively on the resulting proposed regulations. The Department will not consider any such negative comments on the proposed regulations that are submitted by a member of such an organization.

We are also interested in nominations for members of the Federal TRIO Programs Subcommittee from individuals who represent the following groups:

- (1) Institutions of higher education.
- (2) Public or private agencies or organizations, including community-based organizations with experience in serving disadvantaged youth.
- (3) Secondary schools, including local educational agencies with secondary schools.
- (4) Current or former participants in a Federal TRIO Program.
- (5) State officials, including State higher education executive officers, State authorizing agencies, and State regulators of institutions of higher education.

We encourage institutions of higher education, public and private agencies and organizations, and secondary schools that are currently recipients of a Federal TRIO Program grant to submit nominations.

### Nominations

We request that nominations for both the committee and the subcommittee include the information described in this section.

- (1) The name of the nominee;
- (2) The name of the constituency (or constituencies) for which the nominee is being nominated (see *Constituencies for Negotiator Nominations*);
- (3) The nominee's place of employment or institution at which they are or were enrolled and, if different, the organization the nominee represents;
- (4) A resume or evidence of the nominee's expertise and experience in

the topics proposed for negotiations; and

(5) The nominee's contact information, including email address, telephone number, and mailing address.

Please see the **ADDRESSES** section for submission information. We will confirm receipt of nominations to the submitter. The Department will provide additional information to those we select to serve as negotiators. Once complete, a list of negotiators will be posted here: <https://www2.ed.gov/policy/highered/reg/hearulemaking/2023/index.html>. The Department will also provide information at that site about how any committee vacancies can be filled at the beginning of the first committee meeting.

### Schedule for Negotiations

The Committee will meet for three sessions on the following dates:

*Session 1:* January 8–11, 2024.

*Session 2:* February 5–8, 2024.

*Session 3:* March 4–7, 2024.

Session times will be from 10 a.m. to 12 p.m. and 1 p.m. to 4 p.m., with a public comment period from approximately 3:30 p.m. to 4 p.m., Eastern time.

The subcommittee will meet for two sessions on the following dates:

*Session 1:* January 12, 2024.

*Session 2:* February 9, 2024.

Session times will be from 10 a.m. to 12 p.m. and 1 p.m. to 3 p.m., Eastern time. There will not be a public comment period for the subcommittee meetings.

All sessions will be conducted virtually and available for the public to view. Individuals who wish to observe the committee meetings will be required to register for each session they would like to observe. We will post registration links closer to the start of negotiations on our website at [www2.ed.gov/policy/highered/reg/hearulemaking/2023/index.html](https://www2.ed.gov/policy/highered/reg/hearulemaking/2023/index.html). The Department will also post recordings and transcripts of the meetings on that site.

**Accessible Format:** On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

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[www.govinfo.gov](http://www.govinfo.gov). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site. You may also access the documents of the Department published in the **Federal Register** by using the article search feature at [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Authority:** Program Authority: 20 U.S.C. 1098a.

**Nasser H. Paydar,**

*Assistant Secretary, Office of Postsecondary Education.*

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**BILLING CODE 4000–01–P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[FF09E21000 FXES1111090FEDR245]

#### Endangered and Threatened Wildlife and Plants; Seven Species Not Warranted for Listing as Endangered or Threatened Species

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notification of findings.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce findings that seven species are not warranted for listing as endangered or threatened species under the Endangered Species Act of 1973, as amended (Act). After a thorough review of the best available scientific and commercial information, we find that it

is not warranted at this time to list Edison's ascyrum (*Hypericum edisonianum*), Florida (lowland) loosestrife (*Lythrum flagellare*), Florida pinesnake (*Pituophis melanoleucus mugitu*), mimic cavesnail (*Phreatodrobia imitata*), northern cavefish (*Amblyopsis spelaea*), smallscale darter (*Etheostoma microlepidum*), and Texas troglobitic water slater (*Lirceolus smithii*). However, we ask the public to submit to us at any time any new information relevant to the status of any of the species mentioned above or their habitats.

**DATES:** The findings in this document were made on November 29, 2023.

**ADDRESSES:** Detailed descriptions of the bases for these findings are available on the internet at <https://www.regulations.gov> under the following docket numbers:

Species	Docket No.
Edison's ascyrum .....	FWS–R4–ES–2023–0172
Florida (lowland) loosestrife .....	FWS–R4–ES–2023–0173
Florida pinesnake .....	FWS–R4–ES–2023–0174
Mimic cavesnail .....	FWS–R2–ES–2023–0175
Northern cavefish .....	FWS–R4–ES–2023–0176
Smallscale darter .....	FWS–R4–ES–2023–0177
Texas troglobitic water slater .....	FWS–R2–ES–2023–0178

Those descriptions are also available by contacting the appropriate person as specified under **FOR FURTHER INFORMATION CONTACT**. Please submit any

new information, materials, comments, or questions concerning this finding to the appropriate person, as specified

under **FOR FURTHER INFORMATION CONTACT**.

**FOR FURTHER INFORMATION CONTACT:**

Species	Contact information
Edison's ascyrum, Florida (lowland) loosestrife, and Florida pinesnake.	Lourdes Mena, Division Manager, Florida Ecological Services Field Office, <a href="mailto:lourdes_mena@fws.gov">lourdes_mena@fws.gov</a> , 904–460–4970.
Mimic cavesnail and Texas troglobitic water slater.	Karen Myers, Field Supervisor, Austin Ecological Services Field Office, <a href="mailto:karen_myers@fws.gov">karen_myers@fws.gov</a> , 512–937–7371.
Northern cavefish .....	Lee Andrews, Field Supervisor, Kentucky Ecological Services Field Office, <a href="mailto:lee_andrews@fws.gov">lee_andrews@fws.gov</a> , 502–695–0468 ext. 46108.
Smallscale darter .....	Dan Elbert, Field Supervisor, Tennessee Ecological Services Field Office, <a href="mailto:daniel_elbert@fws.gov">daniel_elbert@fws.gov</a> , 931–525–4973.

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#### SUPPLEMENTARY INFORMATION:

##### Background

Under section 4(b)(3)(B) of the Act (16 U.S.C. 1531 *et seq.*), we are required to make a finding on whether or not a

petitioned action is warranted within 12 months after receiving any petition that we have determined contains substantial scientific or commercial information indicating that the petitioned action may be warranted (“12-month finding”). We must make a finding that the petitioned action is: (1) Not warranted; (2) warranted; or (3) warranted, but precluded by other listing activity. We must publish a notification of these 12-month findings in the **Federal Register**.

#### Summary of Information Pertaining to the Five Factors

Section 4 of the Act (16 U.S.C. 1533) and the implementing regulations at part 424 of title 50 of the Code of Federal Regulations (50 CFR part 424) set forth procedures for adding species to, removing species from, or reclassifying species on the Lists of Endangered and Threatened Wildlife and Plants (Lists). The Act defines “species” as including any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife