

- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-FINRA-2023-008 on the subject line.

#### Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-FINRA-2023-008. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of FINRA. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to File Number SR-FINRA-2023-008 and should be submitted on or before May 25, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>25</sup>

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2023-09446 Filed 5-3-23; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-97399]

### Order Granting Application by Long-Term Stock Exchange, Inc. for an Exemption, Pursuant to Section 36(a) of the Exchange Act, From the Rule Filing Requirements of Section 19(b) of the Exchange Act With Respect to Certain Rules Incorporated by Reference

April 28, 2023.

The Long-Term Stock Exchange, Inc. ("LTSE" or "Exchange") filed with the Securities and Exchange Commission (the "Commission" or "SEC") an application<sup>1</sup> for an exemption under Section 36(a) of the Securities Exchange Act of 1934 ("Exchange Act")<sup>2</sup> and Rule 0-12 thereunder<sup>3</sup> from the rule filing requirements of Section 19(b) of the Exchange Act<sup>4</sup> with respect to the rules of the Exchange relating to continuing education. Section 36 of the Exchange Act authorizes the Commission to conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Exchange Act or of any rule or regulation thereunder, to the extent that such exemption is necessary or appropriate in the public interest, and is consistent with the protection of investors.

LTSE has requested that the Commission grant the Exchange an exemption from the rule filing requirements of Section 19(b) of the Exchange Act for changes to LTSE Rule 2.154 (Continuing Education) effected solely by virtue of changes to Financial Industry Regulatory Authority, Inc. ("FINRA") Rule 1240 (Continuing Education) that are incorporated by reference into LTSE Rule 2.154. Specifically, the Exchange requests that it be permitted to incorporate by reference a change made to FINRA Rule 1240 without the need for the Exchange to separately file a similar proposed rule change pursuant to Section 19(b) of the Exchange Act. The Exchange believes that this exemption is appropriate because it will promote consistency between LTSE and FINRA rules

pertaining to continuing education, which are not trading rules.<sup>5</sup>

As a condition of the requested exemption, LTSE has agreed to provide written notice to its members whenever a change is proposed to FINRA continuing education rules that are incorporated by reference into LTSE's continuing education rules.<sup>6</sup> Such notice would alert the Exchange's members to the FINRA proposed rule change and give them an opportunity to comment on the proposal.<sup>7</sup> The Exchange would similarly inform members in writing when the Commission approves any such proposed rule change.<sup>8</sup>

The Commission has issued exemptions similar to LTSE's request.<sup>9</sup> In granting one such exemption in 2022, the Commission repeated an earlier Commission statement that it would consider similar future exemption requests from other SROs, provided that:

- An SRO wishing to incorporate rules of another SRO by reference has submitted a written request for an order exempting it from the requirement in

<sup>5</sup> Exemptive Request, *supra* note 1, at pp. 1-2. A self-regulatory organization ("SRO") wishing to incorporate rules of another SRO by reference may submit a written request for an order exempting it from the requirement in Section 19(b) of the Exchange Act to file proposed rule changes relating to the rules incorporated by reference, if, among other things, the rules to be incorporated are categories of rules (rather than individual rules within a category) that are not trading rules (e.g., the SRO has requested incorporation of rules such as margin, suitability, or arbitration). *See also* Exchange Act Release No. 49260 (Feb. 17, 2004), 69 FR 8500 (Feb. 24, 2004).

<sup>6</sup> LTSE will provide such notice via a posting on the same website location where it posts its own rule filings pursuant to and within the timeframe required by Rule 19b-4(1) under the Exchange Act. The website posting will include a link to the location on FINRA's website where the applicable proposed rule change is posted. Exemptive Request, *supra* note 1, at p. 2, n.7.

<sup>7</sup> Exemptive Request, *supra* note 1, at p. 2.

<sup>8</sup> *Id.*

<sup>9</sup> *See, e.g.*, Exchange Act Release No. 94707 (Apr. 12, 2022), 87 FR 22962 (Apr. 18, 2022) (order granting The Nasdaq Stock Market LLC and five affiliated national securities exchanges an exemption under Section 36(a) of the Exchange Act from the rule filing requirements of Section 19(b) of the Exchange Act with respect to certain of its rules incorporating by reference FINRA rules); Exchange Act Release No. 83040 (Apr. 12, 2018), 83 FR 17198 (Apr. 18, 2018) (order granting MIAx PEARL, LLC, an exemption under Section 36(a) of the Exchange Act from the rule filing requirements of Section 19(b) of the Exchange Act with respect to certain of its rules incorporating by reference rules of the Miami International Securities Exchange, LLC); Exchange Act Release No. 61534 (Feb. 18, 2010), 75 FR 8760 (Feb. 25, 2010) (order granting BATS Exchange, Inc., an exemption under Section 36(a) of the Exchange Act from the rule filing requirements of Section 19(b) of the Exchange Act with respect to certain of its rules incorporating by reference rules of the Chicago Board Options Exchange, Inc., FINRA, and the New York Stock Exchange, LLC).

<sup>1</sup> *See* Letter from James G. Buckley, Chief Regulatory Officer, LTSE, to Vanessa Countryman, Office of the Secretary, SEC, dated April 19, 2023 ("Exemptive Request").

<sup>2</sup> 15 U.S.C. 78mm.

<sup>3</sup> 17 CFR 240.0-12 (Commission procedures for filing applications for orders for exemptive relief under Section 36 of the Exchange Act).

<sup>4</sup> 15 U.S.C. 78s(b).

<sup>25</sup> 17 CFR 200.30-3(a)(12).

Section 19(b) of the Exchange Act to file proposed rule changes relating to the rules incorporated by reference, has identified the applicable originating SRO(s), together with the rules it wants to incorporate by reference, and otherwise has complied with the procedural requirements set forth in the Commission's release governing procedures for requesting exemptive orders pursuant to Rule 0–12 under the Exchange Act;

- The incorporating SRO has requested incorporation of categories of rules (rather than individual rules within a category) that are not trading rules (e.g., the SRO has requested incorporation of rules such as margin, suitability, or arbitration); and

- The incorporating SRO has reasonable procedures in place to provide written notice to its members each time a change is proposed to the incorporated rules of another SRO.<sup>10</sup>

The Exchange has satisfied each of these conditions. Moreover, granting LTSE an exemption from the rule filing requirements under Section 19(b) of the Exchange Act will promote efficient use of Commission and Exchange resources by avoiding duplicative rule filings based on simultaneous changes to identical rule text sought by more than one SRO.<sup>11</sup> The Commission therefore finds it appropriate in the public interest, and consistent with the protection of investors, to exempt the Exchange from the rule filing requirements under Section 19(b) of the Exchange Act with respect to the above-described rule the Exchange has incorporated by reference.

Accordingly, it is ordered, pursuant to Section 36 of the Exchange Act,<sup>12</sup> that LTSE is exempt from the rule filing requirements of Section 19(b) of the Exchange Act with respect to a change to LTSE Rule 2.154 resulting solely from changes made to FINRA Rule 1240 without the need for LTSE to separately file, pursuant to Section 19(b) of the Exchange Act, a proposed rule change similar to the one filed by FINRA, provided that LTSE promptly provides written notice to its members whenever a change is proposed to FINRA Rule 1240, and provided that it informs its members in writing when the Commission approves any such proposed change.

<sup>10</sup> See Exchange Act Release No. 94707 (Apr. 12, 2022), 87 FR 22962 (Apr. 18, 2022).

<sup>11</sup> See, e.g., 83 FR 17198, 17199 & n.15.

<sup>12</sup> 15 U.S.C. 78mm.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>13</sup>

**Sherry R. Haywood,**  
*Assistant Secretary.*

[FR Doc. 2023–09445 Filed 5–3–23; 8:45 am]

**BILLING CODE 8011–01–P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #17899 and #17900; NEVADA Disaster Number NV–00073]**

**Presidential Declaration of a Major Disaster for Public Assistance Only for the State of Nevada**

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

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of Nevada (FEMA–4708–DR), dated 04/27/2023.

*Incident:* Severe Winter Storms, Flooding, Landslides, and Mudslides.

*Incident Period:* 03/08/2023 through 03/19/2023.

**DATES:** Issued on 04/27/2023.

*Physical Loan Application Deadline Date:* 06/26/2023.

*Economic Injury (EIDL) Loan Application Deadline Date:* 01/29/2024.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. 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 President's major disaster declaration on 04/27/2023, Private Non-Profit organizations that provide essential services of a governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

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

*Primary Counties:* Douglas, Eureka, Lincoln, Lyon, Mineral, Storey

*The Interest Rates are:*

	Percent
<i>For Physical Damage:</i> Non-Profit Organizations with Credit Available Elsewhere	2.375

<sup>13</sup> 17 CFR 200.30–3(a)(76).

	Percent
Non-Profit Organizations without Credit Available Elsewhere .....	2.375
<i>For Economic Injury:</i> Non-Profit Organizations without Credit Available Elsewhere .....	2.375

The number assigned to this disaster for physical damage is 17899 B and for economic injury is 17900 O.

(Catalog of Federal Domestic Assistance Number 59008)

**Francisco Sánchez, Jr.,**  
*Associate Administrator, Office of Disaster Recovery & Resilience.*

[FR Doc. 2023–09480 Filed 5–3–23; 8:45 am]

**BILLING CODE 8026–09–P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #17901 and #17902; FLORIDA Disaster Number FL–00186]**

**Presidential Declaration of a Major Disaster for the State of Florida**

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

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for the State of Florida (FEMA–4709–DR), dated 04/27/2023.

*Incident:* Severe Storms, Tornadoes, and Flooding.

*Incident Period:* 04/12/2023 through 04/14/2023.

**DATES:** Issued on 04/27/2023.

*Physical Loan Application Deadline Date:* 06/26/2023.

*Economic Injury (EIDL) Loan Application Deadline Date:* 01/29/2024.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. 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 President's major disaster declaration on 04/27/2023, applications for disaster loans may be filed at the address listed above or other locally announced locations.

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

*Primary Counties (Physical Damage and Economic Injury Loans):* Broward