

those individuals who have applied for Lifeline and/or ACP benefits; are currently receiving Lifeline and/or ACP benefits; are individuals who enable another individual in their household to qualify for Lifeline and/or ACP benefits; are minors whose status qualifies a parent or guardian for Lifeline and/or ACP benefits; or are individuals who have received Lifeline and/or ACP benefits.

### Categories of Records

The categories of records involved in the matching program include, but are not limited to, the last four digits of the applicant's Social Security Number, date of birth, and first and last name. The National Verifier will transfer these data elements to the Indiana Family and Social Services Administration Division of Family Resources, which will respond either "yes" or "no" that the individual is enrolled in a qualifying assistance program: SNAP and Medicaid administered by the Indiana Family and Social Services Administration Division of Family Resources.

### System(s) of Records

The records shared as part of this matching program reside in the Lifeline system of records, FCC/WCB-1, Lifeline, which was published in the **Federal Register** at 86 FR 11526 (Feb. 25, 2021).

The records shared as part of this matching program reside in the ACP system of records, FCC/WCB-3, Affordable Connectivity Program, which was published in the **Federal Register** at 86 FR 71494 (Dec. 16, 2021).

Federal Communications Commission.

**Marlene Dortch,**  
*Secretary.*

[FR Doc. 2023-17687 Filed 8-16-23; 8:45 am]

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## FEDERAL ELECTION COMMISSION

[Notice 2023-12]

### Agency Procedure Regarding Litigation

**AGENCY:** Federal Election Commission.

**ACTION:** Agency procedure.

**SUMMARY:** The Federal Election Commission is adopting a procedure governing its actions in litigation.

**DATES:** Applicable on August 17, 2023.

**SUPPLEMENTARY INFORMATION:** The Federal Election Campaign Act provides a cause of action for "any party aggrieved by an order of the Commission dismissing a complaint filed by such party . . . or by a failure

of the Commission to act on such complaint." 52 U.S.C. 30109(a)(8). The procedure in this notice applies to actions to be taken by the Commission and its Office of General Counsel in such cases.

Whenever a suit is commenced against the Commission pursuant to 52 U.S.C. 30109(a)(8), the Commission will, within forty-five (45) days of the service of such suit upon the Commission, vote in executive session, or by tally, as to whether it will defend the action. The certification of such vote, regardless of outcome, will be published on the Commission's public website. Publication of the vote certification, subject to appropriate redactions, will be accomplished as quickly as practicable. The Office of General Counsel may not file any responsive pleading except upon the affirmative votes of four or more commissioners authorizing defense of the Commission pursuant to 52 U.S.C. 30107(a)(6).

Notwithstanding the foregoing, in any case where the Commission does not agree, by four or more affirmative votes, to defend an action under 52 U.S.C. 30109(a)(8) alleging a failure of the Commission to act, or where the lack of a quorum prevents Commission action, the Office of General Counsel will:

1. Apprise the court that the Commission has not voted to defend the action;
2. Inform the United States Assistant Attorney General for the Civil Division that the Commission has not voted to defend the action; and
3. File, under seal, a copy of each vote certification, subject to appropriate redactions, concerning the underlying administrative complaint giving rise to the lawsuit. The Office of General Counsel will continue to file each such vote certification until the conclusion of the lawsuit.

In addition to the foregoing, the Office of General Counsel will notify each respondent to any relevant Matters Under Review that a lawsuit has been filed and provide each such respondent with a copy of this notice.

This notice represents a general statement announcing the general course of action that the Commission intends to follow. This agency procedure does not constitute an agency regulation requiring notice of proposed rulemaking, opportunities for public participation, prior publication, and delay in effective date under 5 U.S.C. 553 of the Administrative Procedures Act ("APA"). The provisions of the Regulatory Flexibility Act, 5 U.S.C. 605(b), which apply when notice and

comment are required by the APA or another statute, are not applicable.

Dated: August 14, 2023.

On behalf of the Commission,

**Dara S. Lindenbaum,**

*Chair, Federal Election Commission.*

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## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than September 1, 2023.

*A. Federal Reserve Bank of Minneapolis* (Stephanie Weber, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291. Comments can also be sent electronically to [MA@mpls.frb.org](mailto:MA@mpls.frb.org):

1. *Bradley Dean Meester, Bigelow, Minnesota, as co-trustee of First State Bank Southwest KSOP Plan and Trust, Worthington, Minnesota;* to retain voting shares of First Rushmore Bancorporation, Inc., Worthington, Minnesota, and thereby indirectly retain voting shares of First State Bank Southwest, Pipestone, Minnesota.

*B. Federal Reserve Bank of Kansas City* (Jeffrey Imgarten, Assistant Vice President) One Memorial Drive, Kansas

City, Missouri 64198-0001. Comments can also be sent electronically to [KCApplicationComments@kc.frb.org](mailto:KCApplicationComments@kc.frb.org):

1. *John M. DuBray, III, Columbus, Nebraska*; to acquire voting shares of Clark Bancshares, Inc., and thereby indirectly acquire voting shares of Bank of Clarks, all of Clarks, Nebraska.

Board of Governors of the Federal Reserve System.

**Michele Taylor Fennell,**

*Deputy Associate Secretary of the Board.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

[Document Identifier: CMS-10592]

#### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

**ACTION:** Notice.

**SUMMARY:** The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

**DATES:** Comments must be received by October 16, 2023.

**ADDRESSES:** When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to <http://www.regulations.gov>. Follow the instructions for "Comment or Submission" or "More Search Options" to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address:

CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: \_\_, Room C4-26-05, 7500 Security Boulevard, Baltimore, Maryland 21244-1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing>.

**FOR FURTHER INFORMATION CONTACT:** William N. Parham at (410) 786-4669.

#### SUPPLEMENTARY INFORMATION:

##### Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS-10592 Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers

Under the PRA (44 U.S.C. 3501-3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term "collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

#### Information Collection

1. *Type of Information Collection Request:* Extension of a currently collection; *Title of Information Collection:* Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers; *Use:* Section 1321(a) requires HHS to issue regulations setting standards for meeting the requirements under title I of the Affordable Care Act including the offering of Qualified Health Plans (QHPs) through the Exchanges. On March 27, 2012, HHS published the rule CMS-9989-F: *Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers*. The Exchange rule contains provisions that mandate reporting and data collections necessary to ensure that health insurance issuers are meeting the requirements of the Affordable Care Act. These information collection requirements are set forth in 45 CFR part 156.

The reporting requirements and data collection in the Exchange rule address minimum requirements that health insurance issuers must meet in order to comply with provisions in the Affordable Care Act with respect to participation in a State-based or the Federally-facilitated Exchange (FFE).

Information collected by the Exchanges or Medicaid and CHIP agencies will be used to determine eligibility for coverage through the Exchange and insurance affordability programs (*i.e.*, Medicaid, CHIP, and advance payment of the premium tax credits); evaluate how CMS can best communicate eligibility and enrollment updates to issuers; and assist consumers in enrolling in a QHP if eligible. Applicants include anyone who may be eligible for coverage through any of these programs. *Form Number:* CMS-10592 (OMB control number: 0938-1341); *Frequency:* Annually; *Affected Public:* Private Sector: Business or other for-profits; *Number of Respondents:* 302; *Number of Responses:* 302; *Total Annual Hours:* 148,584. (For policy questions regarding this collection, contact Anne Pesto at 410-786-3492.)

Dated: August 14, 2023.

**William N. Parham, III,**

*Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.*

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