

and other sources including member fees and interest income, should be adequate to cover budgeted expenses.

The major expenditures recommended by the Committee for the 2023–2024 fiscal period include \$350,000 for research; \$340,000 for education and promotions; and \$277,393 for management and staff. By comparison, budgeted expenses for these items during the 2022–2023 fiscal period were \$350,000; \$330,000; and \$274,105, respectively.

The Committee unanimously recommended increasing the assessment rate after drawing down financial reserves in previous seasons. The Committee desires to maintain a financial reserve of around \$250,000, and without increasing the assessment rate, the Committee will not be able to maintain financial reserves at this level. The Committee estimates production for the 2023–2024 fiscal period to be 22,000,000 25-pound containers or equivalent of Florida tomatoes. At the current assessment rate, assessment income should equal \$550,000 (22,000,000 containers multiplied by \$0.025). By increasing the assessment rate by \$0.01, assessment income should be \$770,000 (22,000,000 containers multiplied by \$0.035). This amount, along with Foreign Agricultural Service Market Access Program grants, and other income, should provide sufficient funds to meet anticipated 2023–2024 fiscal period expenses, while maintaining financial reserves at around \$250,000.

Prior to arriving at this budget and assessment rate, the Committee considered maintaining the current assessment rate of \$0.025. However, the Committee would need to further draw down reserves to meet its expenses. The Committee members did not want to utilize additional funds from reserves to meet 2023–2024 fiscal period expenses. Consequently, the alternative of maintaining the current assessment rate was rejected.

A review of historical and preliminary information pertaining to the upcoming fiscal period indicates the average grower price for the 2023–2024 season should be approximately \$11.00 per 25-pound container of tomatoes or equivalent. Therefore, the estimated assessment revenue for the 2023–2024 crop year as a percentage of total grower revenue should be about 0.32 percent (\$0.035 divided by \$11.00 multiplied by 100).

This action increases the assessment obligation imposed on Florida tomato handlers. Assessments are applied uniformly on all handlers, and some of the costs may be passed on to

producers. However, these costs are expected to be offset by the benefits derived from the operation of the Order.

The Committee's meetings are widely publicized throughout the Florida tomato industry and all interested persons are invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the September 20, 2023, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons were invited to submit comments on this rulemaking, including the regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Order's information collection requirements have been previously approved by OMB and assigned OMB No. 0581–0178 Vegetable and Specialty Crops. No changes in those requirements would be necessary as a result of this rulemaking. Should any changes become necessary, they would be submitted to OMB for approval.

This rulemaking will not impose any additional reporting or recordkeeping requirements on either small or large Florida tomato handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

AMS has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rulemaking.

A proposed rule concerning this action was published in the **Federal Register** on March 7, 2024 (89 FR 16471). Copies of the proposed rule were provided to all Florida tomato handlers. The proposal was also made available through the internet by USDA and the Office of the Federal Register. A 30-day comment period ending April 8, 2024, was provided for interested persons to respond to the proposal. AMS received three comments during the comment period. Two commentors supported the action and one commenter did not address the merits of the proposed rule. Accordingly, AMS made no changes to the rule as proposed.

A small business guide on complying with fruit, vegetable, and specialty crop

marketing agreements and orders may be viewed at: <https://www.ams.usda.gov/rules-regulations/moa/small-businesses>. Any questions about the compliance guide should be sent to Richard Lower at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendations submitted by the Committee and other available information, AMS has determined that this rulemaking is consistent with and will effectuate the purposes of the Act.

List of Subjects in 7 CFR Part 966

Marketing agreements, Reporting and recordkeeping requirements, Tomatoes.

For the reasons set forth in the preamble, the Agricultural Marketing Service amends 7 CFR part 966 as follows:

PART 966—TOMATOES GROWN IN FLORIDA

■ 1. The authority citation for part 966 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Revise § 966.234 to read as follows:

§ 966.234 Assessment rate.

On and after August 1, 2023, an assessment rate of \$0.035 per 25-pound container or equivalent is established for Florida tomatoes.

Melissa Bailey,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2024–14551 Filed 7–2–24; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 500

Rules of Practice

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 9 of the Code of Federal Regulations, Part 200 to End, revised as of January 1, 2024, amend section 500.7 by revising paragraph (a)(5) to read as follows:

§ 500.7 Refusal to grant inspection.

(a) * * *

(5) Is unfit to engage in any business requiring inspection as specified in section 401 of the FMIA, section 18(a) of the PPIA, or section 18 of the EPIA.

* * * * *

[FR Doc. 2024-14682 Filed 7-2-24; 8:45 am]

BILLING CODE 0099-10-P

CONSUMER FINANCIAL PROTECTION BUREAU

12 CFR Part 1002

[Docket No. CFPB-2024-0018]

RIN 3170-AA09

Small Business Lending Under the Equal Credit Opportunity Act (Regulation B); Extension of Compliance Dates

AGENCY: Consumer Financial Protection Bureau.

ACTION: Interim final rule with request for public comment.

SUMMARY: In light of court orders in ongoing litigation, the Consumer Financial Protection Bureau (CFPB or Bureau) is amending Regulation B to extend the compliance dates set forth in its 2023 small business lending rule and to make other date-related conforming adjustments.

DATES: This interim final rule is effective August 2, 2024. Comments must be received on or before August 2, 2024.

ADDRESSES: You may submit comments, identified by Docket No. CFPB-2024-0018 or RIN 3170-AA09, by any of the following methods:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. A brief summary of this document will be available at <https://www.regulations.gov/docket/CFPB-2024-0018>.

- **Email:** 2024-IFR-SBLcompliance@cfpb.gov. Include Docket No. CFPB-2024-0018 or RIN 3170-AA09 in the subject line of the message.

- **Mail/Hand Delivery/Courier:** Comment Intake—Small Business Lending Compliance Dates, c/o Legal Division Docket Manager, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

Instructions: The CFPB encourages the early submission of comments. All submissions should include the agency

name and docket number or Regulatory Information Number (RIN) for this rulemaking. Because paper mail is subject to delay, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to <https://www.regulations.gov>.

All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Proprietary information or sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information.

FOR FURTHER INFORMATION CONTACT:

George Karithanom, Regulatory Implementation and Guidance Program Analyst, 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.

SUPPLEMENTARY INFORMATION:

I. Background

In 2010, Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act). Section 1071 of that Act¹ amended the Equal Credit Opportunity Act (ECOA)² to require that financial institutions collect and report to the CFPB certain data regarding applications for credit for women-owned, minority-owned, and small businesses. Section 1071's statutory purposes are to (1) facilitate enforcement of fair lending laws, and (2) enable communities, governmental entities, and creditors to identify business and community development needs and opportunities of women-owned, minority-owned, and small businesses.

Section 1071 directs the CFPB to prescribe such rules and issue such guidance as may be necessary to carry out, enforce, and compile data pursuant to section 1071. On March 30, 2023, the CFPB issued a final rule to implement section 1071 by adding subpart B to Regulation B (2023 final rule). The 2023 final rule was published in the **Federal Register** on May 31, 2023.³ Further

¹ Public Law 111-203, tit. X, section 1071, 124 Stat. 1376, 2056 (2010), codified at ECOA section 704B, 15 U.S.C. 1691c-2.

² 15 U.S.C. 1691 *et seq.*

³ 88 FR 35150 (May 31, 2023).

details about section 1071 and this rulemaking can be found in the preamble to the 2023 final rule.

Subsequently, some lenders filed challenges to the 2023 final rule in the United States District Court for the Southern District of Texas.⁴ On July 31, 2023, the court issued an order⁵ that preliminarily enjoined the CFPB from implementing and enforcing the 2023 final rule against plaintiffs and their members pending the Supreme Court's reversal of *Community Financial Services Association of America, Ltd. v. CFPB*, 51 F.4th 616 (5th Cir. 2022), *cert. granted*, 143 S. Ct. 978 (2023) (*CFSA*), a trial on the merits, or until further court order. The court's order also stayed all deadlines for compliance with the requirements of the 2023 final rule for plaintiffs and their members pending the outcome of the Supreme Court case. The Texas court ordered that, in the event of a reversal in the Supreme Court case, the CFPB extend plaintiffs' and their members' deadlines for compliance with the 2023 final rule to compensate for the period stayed. Following motions to intervene by a number of other parties, on October 26, 2023, the Texas court extended the terms of its order to all covered financial institutions (*i.e.*, issued a nationwide stay).⁶

On May 16, 2024, the Supreme Court reversed the Fifth Circuit's ruling in *CFSA*.⁷

Summary of the Interim Final Rule

In this interim final rule, the CFPB is extending the compliance dates set forth in the 2023 final rule and making conforming adjustments. Consistent with existing court orders, the compliance dates are being extended 290 days to compensate for the period the rule was stayed (July 31, 2023 to May 16, 2024). Thus, covered financial institutions must begin collecting data as follows:

⁴ *Texas Bankers Ass'n v. CFPB*, No. 7:23-cv-00144 (S.D. Tex.).

⁵ Order Granting-in-Part and Denying-in-Part Pls.' Mot. for Prelim. Injunction, *Texas Bankers Ass'n*, No. 7:23-cv-00144 (S.D. Tex. July 31, 2023), ECF No. 25, https://files.consumerfinance.gov/f/documents/cfpb_pi_order_texas_bankers.pdf.

⁶ Order Granting Intervenor's Mot. For Prelim. Injunction, *Texas Bankers Ass'n*, No. 7:23-cv-00144 (S.D. Tex. Oct. 26, 2023), ECF No. 69, https://files.consumerfinance.gov/f/documents/cfpb_pi_second_order_texas_bankers.pdf.

⁷ *CFPB v. Cmty. Fin. Servs. Ass'n of Am., Ltd.*, 601 U.S. 416 (2024).