SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–66208; File No. SR–Phlx–2012–06]

Self-Regulatory Organizations; NASDAQ OMX PHXL LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the Real-Time Risk Management Fee and Other Clarifying Amendments


Correction

In notice document 2012–1583 appearing on pages 4077–4079 in the issue of January 26, 2012 make the following correction:

On page 4079, in the first column, in the last full paragraph, in the last sentence, “February 13, 2012”, should read “February 16, 2012.”

BILLING CODE 1505–01–D

SMALL BUSINESS ADMINISTRATION

Community Advantage Pilot Program

AGENCY: U.S. Small Business Administration.

ACTION: Notice of changes to Community Advantage Pilot Program.

SUMMARY: On February 18, 2011, SBA published a notice introducing the Community Advantage Pilot Program. In that notice, SBA provided an overview of the Community Advantage Pilot Program requirements, including the application process to participate, and SBA modified or waived as appropriate certain regulations, which otherwise apply to the 7(a) loan program, for the Community Advantage Pilot Program. SBA continues to refine and improve the design of the Community Advantage Pilot Program. To support SBA’s commitment to expanding access to capital for small businesses and entrepreneurs in underserved markets, SBA is issuing this Notice to revise several of the original program requirements, including certain regulatory waivers, as described more fully below.

In the February 18, 2011 notice, SBA waived the regulations at 13 CFR 120.213, 120.214 and 120.215 and set the maximum allowable interest rate that CA Lenders may charge for CA loans at prime + 4%. SBA is now increasing the maximum allowable rate that a CA Lender may charge a borrower to prime + 6%. Therefore, SBA is continuing to waive the regulations at 13 CFR 120.213, 120.214 and 120.215 to allow CA Lenders to charge prime + 6% on CA Loans. Additionally, in response to comments received on the initial notice announcing the CA Pilot Program, SBA is modifying the program requirements to allow participating CA Lenders to contract with a third party (an LSP) to assist with one or more of these functions. However, the CA Lender itself, not the LSP, has ultimate responsibility for evaluating, processing, closing, and liquidating its SBA loan portfolio.

SBA is also removing “Tier Two—Conditional Delegation” from the levels of delegated authority that a CA Lender may receive. Thus, there will only be two distinct categories: delegated authority and non-delegated authority. The remaining pilot program requirements pertaining to delegated authority, including how to request delegated authority and when a CA Lender can begin processing CA loans using delegated authority, remain unchanged.

Preparedness to better clarify the expected costs and schedule of oversight. The February 18, 2011 notice provided that all participating lenders will receive an examination after the first year of operation. The revised strategy removes this requirement and explains that SBA will monitor CA Lenders using various oversight tools, including but not limited to Off-Site Reviews, Desk Reviews, Agreed Upon Procedures On-Site Reviews, On-Site Risk Based Reviews and On-Site Examinations. SBA’s Office of Credit Risk Management (OCRM) will evaluate the CA Lender’s level of activity, performance metrics, risk rating, effectiveness in reaching SBA targeted underserved market segments and other relevant information to determine the appropriate oversight tool(s) to employ. Lender risk evaluations will also include a review of information from SBA’s processing, servicing and liquidation/guaranty purchase centers. SBA anticipates that the cost for off-site monitoring through desk reviews conducted by OCRM will be approximately $150 per $1 million in loans outstanding. Additional costs for more extensive reviews and examinations will vary based on the CA Lender’s portfolio size and performance, as well as OCRM’s assessment of the CA Lender.
All other SBA guidelines and regulatory waivers related to the CA Pilot Program remain unchanged. In connection with the CA Pilot Program, SBA also issued a Community Advantage Participant Guide to provide more detailed guidance on the CA Pilot Program requirements. This guide was posted on SBA’s Web site at http://www.sba.gov. SBA has issued a revised Community Advantage Participant Guide that incorporates all of these changes. The revised Community Advantage Participant Guide is available on SBA’s Web site at http://www.sba.gov/sites/default/files/files/CA-20-Participant%20Guide.pdf.

In addition to issuing this Notice and the revised CA Participant Guide, SBA will modify SBA Forms 2301, Parts A, B, C, and D to reflect these changes. Finally, SBA will modify the Community Advantage Lender Participation Application (SBA Form 2301, Part E). The application form also may be found on SBA’s Web site at http://www.sba.gov/sites/default/files/tools_sba_forms_2301e.pdf.

SBA may provide additional guidance, through SBA notices, which may also be published on SBA’s Web site at http://www.sba.gov/category/lender-navigation/forms-notices-sops/notices. Questions regarding the CA Pilot Program may be directed to the Lender Relations Specialist in the local SBA district office. The local SBA district office may be found at http://www.sba.gov/about-offices-list/2.


Karen G. Mills, Administrator.


SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator’s disaster declaration, 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: Harris, Galveston, Liberty, Montgomery, Waller.

The Interest Rates are:

For Physical Damage:

Homeowners with Credit Available Elsewhere ................................ 4.125
Homeowners without Credit Available Elsewhere ........................ 2.063
Businesses with Credit Available Elsewhere .............................. 6.000
Businesses without Credit Available Elsewhere ............................ 4.000
Non-Profit Organizations with Credit Available Elsewhere .......... 3.125
Non-Profit Organizations without Credit Available Elsewhere ...... 3.000

For Economic Injury:

Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere ................................................ 4.000
Non-Profit Organizations without Credit Available Elsewhere .... 3.000

The number assigned to this disaster for physical damage is 12998B and for economic injury is 129990.

The State which received an EIDL Declaration # is Texas.

(Docket No. SSA 2011–0102)

Privacy Act of 1974, as Amended; Computer Matching Program (SSA/the States); Match 6000 and 6003

AGENCY: Social Security Administration (SSA).

ACTION: Notice of a renewal of an existing computer matching program that will expire on June 30, 2012.

SUMMARY: In accordance with the provisions of the Privacy Act, as amended, this notice announces a renewal of an existing computer matching program that we are currently conducting with the States.

DATES: We will file a report of the subject matching program with the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

ADDRESSES: Interested parties may submit comments on this notice by either telefaxing to (410) 966–0869 or writing to the Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, 617 Altmeyer Building, 6401 Security Boulevard, Baltimore, MD 21235–6401. All comments received will be available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: The Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, as shown above.

SUPPLEMENTARY INFORMATION:

A. General


The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with records in other Federal, State, or local government records. It requires Federal agencies involved in computer matching programs to:

(1) Negotiate written agreements with the other agency or agencies participating in the matching programs;
(2) Obtain approval of the matching agreement from the Data Integrity Boards of the participating Federal agencies;
(3) Publish notice of the computer matching program in the Federal Register.

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #12998 and #12999]

Texas Disaster #TX–00385

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Texas dated 01/30/2012.

Incident: Severe Storms and Flooding.

Incident Period: 01/09/2012.

DATES: Effective Date: 01/30/2012.

Physical Loan Application Deadline Date: 03/30/2012.

Economic Injury (Eidl) Loan Application Deadline Date: 10/30/2012.

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

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #TX–00385]