

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Farm Service Agency

7 CFR Part 762

RIN 0560-AG46

Interest Assistance Program

AGENCY: Farm Service Agency, USDA.

ACTION: Proposed rule; correction and extension of comment period.

SUMMARY: This document corrects the e-mail address for submission of public comments on the proposed rule regarding the Farm Service Agency's (FSA's) Interest Assistance Program published June 22, 2005, and extends the comment period to ensure that all public comments are received by the Agency. The original comment period for the proposed rule closes on August 22, 2005, and FSA is extending it until September 6, 2005. Respondents who sent comments to the earlier e-mail address are encouraged to contact the person named below to find out if their comments were received and re-submit them to the e-mail address below if necessary.

DATES: The comment due date for the proposed rule published June 22, 2005 (70 FR 36055), is extended from August 22, 2005, to September 6, 2005.

FOR FURTHER INFORMATION CONTACT: Tracy L. Jones, Senior Loan Officer, Farm Service Agency; telephone: (202) 720-6771; facsimile: (202) 720-6797; E-mail: Tracy.Jones@wdc.usda.gov. Persons with disabilities who require alternative means for communication (Braille, large print, audio tape, etc.) should contact the USDA Target Center at (202) 720-2600 (voice and TDD). All comments and supporting documents on this rule may be viewed by contacting the information contact. All comments received, including names and addresses, will become a matter of public record.

SUPPLEMENTARY INFORMATION: (1) This document corrects the proposed rule regarding FSA's Interest Assistance Program published June 22, 2005 (70 FR

36055-36060). Due to a computer system upgrade in FSA, some e-mail addresses were changed and, while the original addresses still work in most cases, some e-mail may not be received by the correct person. Accordingly, in the proposed rule, in the first column, in the **ADDRESSES** section, the e-mail address shown,

“*Tracy.Jones@wdc.usda.gov*” is corrected to read

“*Tracy.Jones@wdc.usda.gov*.”

(2) As a result of the correction, this document also extends the comment period until September 6, 2005 in order to ensure that the public can submit timely comments.

Signed in Washington, DC, on August 5, 2005.

Thomas B. Hofeller,

Acting Administrator, Farm Service Agency.

[FR Doc. 05-15864 Filed 8-10-05; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Chap. I

[Docket No. 05-15]

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

12 CFR Chap. II

[Docket No. OP-1232]

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Chap. III

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

12 CFR Chap. V

[No. 2005-26]

Request for Burden Reduction Recommendations; Rules Relating to Banking Operations; Directors, Officers and Employees; and Rules of Procedure; Economic Growth and Regulatory Paperwork Reduction Act of 1996 Review

AGENCIES: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve

System (Board); Federal Deposit Insurance Corporation (FDIC); and Office of Thrift Supervision (OTS), Treasury.

ACTION: Notice of regulatory review; request for comments.

SUMMARY: The OCC, Board, FDIC, and OTS (“we” or “the Agencies”) are reviewing our regulations to identify outdated, unnecessary, or unduly burdensome regulatory requirements pursuant to the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (EGRPRA). Today, we request your comments and suggestions on ways to reduce burden in rules we have categorized as Banking Operations; Directors, Officers and Employees; and Rules of Procedure. All comments are welcome. We specifically invite comment on the following issues: whether statutory changes are needed; whether the regulations contain requirements that are not needed to serve the purposes of the statutes they implement; the extent to which the regulations may adversely affect competition; whether the cost of compliance associated with reporting, recordkeeping, and disclosure requirements, particularly on small institutions, is justified; whether any regulatory requirements are inconsistent or redundant; and whether any regulations are unclear.

We will analyze the comments received and propose burden-reducing changes to our regulations where appropriate. Some of your suggestions for burden reduction might require legislative changes. Where legislative changes would be required, we will consider your suggestions in recommending appropriate changes to Congress.

DATES: Written comments must be received no later than November 9, 2005.

ADDRESSES: You may submit comments by any of the following methods:

EGRPRA Web site: <http://www.EGRPRA.gov>.

- Comments submitted at the Agencies' joint Web site will automatically be distributed to all the Agencies. Comments received at the EGRPRA Web site and by other means will be posted on the Web site to the extent possible.

Individual agency addresses: You are also welcome to submit comments to the Agencies at the following contact points (due to delays in paper mail delivery in the Washington area, commenters may prefer to submit their comments by alternative means):

OCC: You may submit comments, identified by [docket ##], by any of the following methods:

- *E-mail:*

regs.comments@occ.treas.gov. Include [docket ##] in the subject line of the message. Please include your name and address.

- *Fax:* (202) 874-4448.

- *Mail:* Public Information Room, Office of the Comptroller of the Currency, 250 E Street, SW., Mailstop 1-5, Washington, DC 20219. Attention: Docket ##.

Public Inspection: You may inspect and photocopy comments at the Public Information Room. You can make an appointment to inspect the comments by calling (202) 874-5043.

Board: You may submit comments, identified by Docket Number ##, by any of the following methods:

- Agency Web site: <http://www.federalreserve.gov>

Follow the instructions for submitting comments at <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *E-mail:*

regs.comments@federalreserve.gov. Include docket number in the subject line of the message.

- *Fax:* (202) 452-3819 or (202) 452-3102.

- *Mail:* Jennifer J. Johnson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW., Washington, DC 20551.

All public comments are available from the Board's Web site at <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>, as submitted, except as necessary for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper in Room MP-500 of the Board's Martin Building (20th and C Streets, NW.) between 9 a.m. and 5 p.m. on weekdays.

FDIC: You may submit comments, identified as EGRPRA burden reduction comments, by any of the following methods:

- Agency Web site: <http://www.fdic.gov/regulations/laws/federal/propose.html>.

- *E-mail:* comments@fdic.gov.

Include "EGRPRA burden reduction comment" in the subject line of the message.

- *Mail:* Robert E. Feldman, Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429.

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

Public Inspection: You may inspect comments at the FDIC Public Information Center, Room 100, 801 17th Street, NW., between 9 a.m. and 4:30 p.m. on business days.

OTS: You may submit comments, identified by "No. ##," by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *E-Mail:*

regs.comments@ots.treas.gov. Include "No. ##" in the subject line of the message, and provide your name and telephone number.

- *Fax:* (202) 906-6518.

- *Mail:* Regulation Comments, Chief Counsel's Office, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

- *Hand Delivery:* Comments may be hand delivered to the Guard's Desk, East Lobby Entrance, 1700 G Street, NW., from 9 a.m. to 4 p.m. on business days, Attention: Regulation Comments, Chief Counsel's Office.

Public Inspection: OTS will post comments and the related index on the OTS Internet Site at <http://www.ots.treas.gov/pagehtml.cfm?catNumber=67&an=1>.

In addition, you may inspect comments at the Public Reading Room, 1700 G Street, NW., by appointment. To make an appointment for access, call (202) 906-5922, send an e-mail to public.info@ots.treas.gov, or send a fax to (202) 906-7755. (Please identify the material you would like to inspect to assist us in serving you.) OTS schedules appointments on business days between 10 a.m. and 4 p.m. In most cases, appointments will be available the next business day following the date OTS receives a request.

FOR FURTHER INFORMATION CONTACT:

OCC

- *Heidi Thomas*, Special Counsel, Legislative and Regulatory Activities Division, (202) 874-5090.

- *Lee Walzer*, Counsel, Legislative and Regulatory Activities Division, (202) 874-5090.

Board:

- *Patricia A. Robinson*, Assistant General Counsel, Legal Division, (202) 452-3005.

- *Michael J. O'Rourke*, Counsel, Legal Division, (202) 452-3288.

- *John C. Wood*, Counsel, Division of Consumer and Community Affairs, (202) 452-2412.

- *Kevin H. Wilson*, Supervisory Financial Analyst, Division of Banking Supervision and Regulation, (202) 452-2362.

- For users of Telecommunications Device for the Deaf (TDD) only, contact (202) 263-4869.

FDIC

- *Claude A. Rollin*, Special Assistant to the Vice Chairman, (202) 898-8741.

- *Steven D. Fritts*, Associate Director, Division of Supervision and Consumer Protection, (202) 898-3723.

- *Ruth R. Amberg*, Senior Counsel, Legal Division, (202) 898-3736.

- *Susan van den Toorn*, Counsel, Legal Division, (202) 898-8707.

OTS

- *Glenn Gimble*, Senior Project Manager, Thrift Policy, Supervision Policy, (202) 906-7158.

- *Josephine Battle*, Program Analyst, Thrift Policy, Supervision Policy, (202) 906-6870.

- *Karen Osterloh*, Special Counsel, Regulations and Legislation Division, Chief Counsel's Office, (202) 906-6639.

SUPPLEMENTARY INFORMATION:

I. Overview of the EGRPRA Review and the Steps Taken So Far

The Agencies¹ are asking for your comments and suggestions on ways in which we can reduce regulatory burden consistent with our statutory obligations. Today, we request your input to help us identify which regulatory requirements in three categories—Banking Operations; Directors, Officers and Employees; and Rules of Procedure—are outdated, unnecessary, or unduly burdensome. We list the rules in these categories in a chart at the end of this notice. Please send us your recommendations at our Web site, <http://www.EGRPRA.gov>, or to one of the listed addresses.

Today's request for comment is the fifth notice in our multi-year review of regulations for burden reduction required by section 2222 of EGRPRA.² We described the EGRPRA review's requirements in our first EGRPRA notice. In summary, EGRPRA requires us to:

¹ The National Credit Union Administration has participated in planning the EGRPRA review but has issued, and will issue, requests for comment separately.

² Public Law 104-208, Sept. 30, 1996, 12 U.S.C. 3311. We published our first notice in the **Federal Register** on June 16, 2003, at 68 FR 35589; our second notice on January 21, 2004, at 69 FR 2852; our third notice on July 20, 2004, at 69 FR 43347; and our fourth notice on February 3, 2005, at 70 FR 5571. You may view the notices at our Web site, <http://www.EGRPRA.gov>.

- Categorize our regulations by type.
- Publish the regulations by category to request comments on which regulations contain requirements that are: outdated, unnecessary, or unduly burdensome.
- Publish a summary of those comments.
- Eliminate unnecessary regulations to the extent appropriate.
- Report to Congress: summarizing the significant issues raised and their relative merits and analyzing whether legislative change is required to reduce burden.

The first publication and review cycle must be completed by September 2006. The regulatory response and report to Congress will occur after the publication cycle is finished.

We have identified 13 categories of rules to implement our EGRPRA review. The categories are: Applications and Reporting; Banking Operations; Capital; Community Reinvestment Act; Consumer Protection: Lending Related Rules; Consumer Protection: Account/Deposit Relationships and Miscellaneous Consumer Rules; Directors, Officers and Employees; International Operations; Money Laundering; Powers and Activities; Rules of Procedure; Safety and Soundness; and Securities. You may see the categories and the rules placed within them at our Web site, <http://www.EGRPRA.gov>.

We previously requested public comment about possible burden reduction in eight categories of rules. Our June 16, 2003, notice requested comment on three categories: Applications and Reporting; Powers and Activities; and International Operations. Our January 21, 2004, notice requested comment on Consumer Protection: Lending Related Rules. Our July 20, 2004, notice requested comment on Consumer Protection: Account/Deposit Relationships and Miscellaneous Consumer Rules. Our February 3, 2005, notice requested comment about three categories: Money Laundering, Safety and Soundness, and Securities. Today, we request comment on rules related to Banking Operations; Directors, Officers and Employees; and Rules of Procedure.

In addition to soliciting written comments, we held banker outreach meetings in Orlando, St. Louis, Denver, San Francisco, New York City, Nashville, Seattle, Chicago, Phoenix, and New Orleans to hear directly from the industry about ways the Agencies could reduce regulatory burden. More than 450 representatives from the industry have attended the outreach

meetings. The Agencies also have held three outreach meetings with over 100 participants for representatives of consumer and community groups to obtain their input on regulatory burden reduction. The consumer meetings were held in Arlington, Virginia, San Francisco, and Chicago. Another consumer meeting is scheduled for September, 2005 in Boston. These meetings have helped focus our regulatory burden reduction efforts. We anticipate holding additional outreach events this year. You may learn more about the meetings and related recommendations at our EGRPRA Web site, <http://www.EGRPRA.gov>.

We received 19 comments in response to the first notice, about 560 to the second notice, over 100 to the third notice, and 123 to the fourth notice. The Agencies appreciate the response to our notices and outreach meetings. The written comments and remarks at the meetings came from individuals, banks, savings associations, holding companies, industry trade groups, and consumer and community groups. You may view the comments at our EGRPRA Web site, <http://www.EGRPRA.gov>. We are actively reviewing the feedback received about specific ways to reduce regulatory burden, as well as conducting our own analyses.

In addition, Congress has considered various legislative proposals to reduce burden on the financial services industry. In 2004 and 2005, representatives of the Agencies and industry leaders testified before congressional committees about these legislative reform proposals and other ideas for reducing burden on the financial services industry. We will continue to post information about legislative and regulatory reform efforts on our Web site.

II. Request for Comment on Rules Related to: Banking Operations; Directors, Officers and Employees; and Rules of Procedure

Today, we are asking the public to identify ways in which the rules related to Banking Operations; Directors, Officers and Employees; and Rules of Procedure may be outdated, unnecessary, or unduly burdensome. As shown on the chart at the end of this notice, there are 28 regulations in these categories.

Specific issues to consider. While all comments are welcome, we specifically invite comment on the following issues:

A. Need for statutory change. (1) Do any statutory requirements underlying the rules impose unnecessary,

redundant, conflicting or unduly burdensome requirements? (2) Are there less burdensome alternatives?

B. Need and purpose of the regulations. (1) Are the regulations consistent with the purposes of the statutes that they implement? (2) Have circumstances changed so that a rule is no longer necessary or needs revision? (3) Do changes in the financial products and services offered to consumers and businesses suggest a need to revise certain regulations (or statutes)? (4) Do any of the regulations impose compliance burdens not required by the statutes they implement?

C. General approach/flexibility. (1) Would a different general approach to regulating achieve statutory goals with less burden? (2) Do any of these rules impose unnecessarily inflexible requirements?

D. Effect of the regulations on competition. Do any of the regulations or statutes create competitive disadvantages for insured depository institutions compared to the rest of the financial services industry or competitive disadvantages for one type of insured depository institution over another?

E. Reporting, recordkeeping, and disclosure requirements. (1) Which reporting, recordkeeping, or disclosure requirements impose the most compliance burdens? (2) Are any of the reporting or recordkeeping requirements unnecessary to demonstrate compliance with the law?

F. Consistency and redundancy. (1) Are any of the requirements under one regulation inconsistent with or duplicative of requirements under another regulation? (2) If so, are the inconsistencies not warranted by the purposes of the regulations?

G. Clarity. Are any of the regulations drafted unclearly?

H. Burden on small insured institutions. We have particular interest in minimizing burden on small insured institutions (those with assets of \$150 million or less). Are there appropriate ways to amend these rules to minimize adverse economic impact on small insured institutions?

The Agencies appreciate the efforts of all interested parties to help us eliminate outdated, unnecessary, or unduly burdensome regulatory requirements.

**Rules for which we are requesting comment now:
Banking Operations; Directors, Officers and Employees; and Rules of Procedure**

Subject	National Banks	State Member Banks	State Non- Member Banks	Thrifts	Holding Companies Bank ³ ----- Thrift
1. Banking Operations					
Interagency Regulations					
Prohibition of Payment of Interest on Demand Deposits	12 CFR Part 217 [Reg. Q]	12 CFR Part 217 [Reg. Q]	12 CFR Part 329	12 CFR 561.16	
OCC Regulations					
Assessment of Fees	12 CFR Part 8				
Bank Operations	12 CFR Part 7, Subpart C				
Board Regulations					
Availability of Funds and Collection of Checks	12 CFR Part 229 [Reg. CC]				
Collection of Checks and Other Items by Federal Reserve Banks and Funds Transfers Through Fedwire	12 CFR Part 210 [Reg. J]				
Reimbursement for Providing Financial Records; Recordkeeping Requirements for Certain Financial Records	12 CFR Part 219 [Reg. S]				
Reserve Requirements of Depository Institutions	12 CFR Part 204 [Reg. D]				
The Payment System Risk Reduction Policy	Federal Reserve Regulatory Service 9-1000				

³ Foreign banking organizations that conduct banking operations in the U.S., either directly through branches and agencies or indirectly through U.S. bank subsidiaries or commercial lending company subsidiaries, generally are subject to the same regulatory regime as domestic bank holding companies.

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank ³ ----- Thrift
1. Banking Operations (continued)					
FDIC Regulations					
Assessments	12 CFR Part 327	12 CFR Part 327	12 CFR Part 327	12 CFR Part 327	
Assessment of Fees upon Entrance to or Exit from the Bank Insurance Fund or the Savings Association Insurance Fund	12 CFR Part 312	12 CFR Part 312	12 CFR Part 312	12 CFR Part 312	
Determination of Economically Depressed Regions				12 CFR Part 357	
OTS Regulations					
Assessments and Fees				12 CFR Part 502	----- 12 CFR Part 502
2. Directors, Officers and Employees					
Interagency Regulations					
Disclosure of Financial Information	12 CFR Part 18		12 CFR Part 350		
Golden Parachute and Indemnification Programs	12 CFR Part 359	12 CFR Part 359	12 CFR Part 359	12 CFR Part 359; See also: 12 CFR 545.121	12 CFR Part 359 ----- 12 CFR Part 359
Limits on Extensions of Credit to Executive Officers, Directors and Principal Shareholders; Related Disclosure Requirements	12 CFR Part 31	12 CFR Part 215 [Reg. O]	12 CFR 337.3; 12 CFR Part 349	12 CFR 563.43	

Subject	National Banks	State Member Banks	State Non-Member Banks	Thriffs	Holding Companies Bank ³ ----- Thrift
2. Directors, Officers and Employees (continued)					
Interagency Regulations (continued)					
Management Official Interlocks	12 CFR Part 26	12 CFR Part 212 [Reg. L]	12 CFR Part 348	12 CFR Part 563f	12 CFR Part 212 [Reg. L] ----- 12 CFR Part 563f
OCC Regulations					
Bank Activities and Operations – Corporate Practices	12 CFR Part 7, Subpart B				
OTS Regulations					
Board of Directors Composition				12 CFR 563.33	
Bond Coverage				12 CFR 563.190-.191	
Employment Contracts, Compensation, Pension Plans				12 CFR 563.39; 12 CFR 563.47; 12 CFR 563.161	
Restrictions on Transactions with Officers, Directors, and Others				12 CFR 560.130; 12 CFR 563.200-.201	----- 12 CFR 563.200-.201
3. Rules of Procedure					
Interagency Regulations					
Uniform Rules of Practice and Procedure	12 CFR Part 19	12 CFR Part 263	12 CFR Part 308	12 CFR Part 509	12 CFR Part 263 ----- 12 CFR Part 509
OCC Regulations					
Voluntary Liquidation	12 CFR 5.48				
FDIC Regulations					
Resolution and Receivership Rules	12 CFR Part 360	12 CFR Part 360	12 CFR Part 360	12 CFR Part 360	

Subject	National Banks	State Member Banks	State Non-Member Banks	Thrifts	Holding Companies Bank ³ ----- Thrift
3. Rules of Procedure (continued)					
FDIC Regulations (continued)					
Restrictions on Sale of Assets by the Federal Deposit Insurance Corporation	12 CFR Part 340	12 CFR Part 340	12 CFR Part 340	12 CFR Part 340	
OTS Regulations					
Investigative Proceedings and Formal Examinations				12 CFR Part 512	----- 12 CFR Part 512
Possession by Conservators and Receivers for Federal and State Savings Associations				12 CFR Part 558	
Removals, Suspensions and Prohibitions Where a Crime is Charged or Proven				12 CFR Part 508	----- 12 CFR Part 508

Dated: July 18, 2005.

Julie L. Williams,
Acting Comptroller of the Currency.

By order of the Board of Governors of the Federal Reserve System on August 1, 2005.

Jennifer J. Johnson,
Secretary of the Board.

By order of the Board of Directors.
Federal Deposit Insurance Corporation.

Dated at Washington, DC, this 19th day of July, 2005.

Robert E. Feldman,
Executive Secretary.

Dated: July 19, 2005.

Richard M. Riccobono,
Acting Director, Office of Thrift Supervision.
[FR Doc. 05-15923 Filed 8-10-05; 8:45 am]

BILLING CODE 4810-33; 6210-01; 6714-01; 6720-01-C

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM323; Notice No. 25-05-18-SC]

Special Conditions: Boeing Model 747-400 Airplane; Large Non-Structural Glass in the Passenger Compartment

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This action proposes special conditions for a Boeing Model 747-400 airplane modified by Lufthansa Technik AG. This airplane will have a novel or unusual design feature associated with the installation of large non-structural glass items in the cabin area of an executive interior occupied by passengers and crew. The proposed installation of these items in a passenger compartment, which can be occupied during taxi, takeoff, and landing, is a novel or unusual design feature with respect to the material used. The

applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Comments must be received on or before September 12, 2005.

ADDRESSES: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Transport Airplane Directorate, Attention: Rules Docket (ANM-113), Docket No. NM323, 1601 Lind Avenue SW., Renton, Washington 98055-4056; or delivered in duplicate to the Transport Airplane Directorate at that address. All comments must be marked: Docket No. NM323. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Alan Sinclair, Airframe/Cabin Safety Branch, ANM-115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW.,