

is controlled by the meaning of that term in section 14504a(a)(1)(A), the change in meaning made by the statutory amendment also applies to the term used in § 367.20. This is a necessary result of this basic principle: “First, always, is the question whether Congress has directly spoken to the precise question at issue. If the intent of Congress is clear, that is the end of the matter; for the court, as well as the agency, must give effect to the unambiguously expressed intent of Congress.” *Chevron, U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837, 842–43 (1984). Congress has clearly expressed its intent to change the meaning of the term “commercial motor vehicles” as used in section 14504a for years beginning after December 31, 2009. The relevant FMCSA regulation implementing the statutory provisions must be interpreted accordingly.

Purpose and Effect of This Interpretation

FMCSA has received a recommendation by the UCR Plan regarding an adjustment in fees for 2010 in accordance with 49 U.S.C. 14504a(d)(7)(A). Although FMCSA published a notice of proposed rulemaking regarding a recommended adjustment in the fees on September 3, 2009 (74 FR 45583), a final rule has not yet been issued due to unexpected delays. States may, of course, await the publication of the final rule before assessing and collecting UCR Plan fees for 2010. However, the interpretation of § 367.20 set forth in this regulatory guidance—namely, the fact that the fee schedule in § 367.20 is not limited, but can be used in any registration year—allows the States participating in the UCR Plan to consider the option of assessing and collecting fees for registration year 2010 by applying that existing fee structure. In doing so, States would have to base fees on the number of self-propelled vehicles (not including towed vehicles) that are owned or operated by exempt or non-exempt motor carriers, motor private carriers, or freight forwarders.

This option allows those States to continue meeting their commitment, in accordance with section 14504a(e)(1)(B), “that an amount at least equal to the revenue derived by the State from the unified carrier registration agreement shall be used for motor carrier safety programs, enforcement, or the administration of the UCR plan and UCR agreement.” In addition, the participating States will also have funds available to meet their share of the costs of participating in the Motor Carrier

Safety Assistance Program’s grants, as permitted by 49 U.S.C. 31103(a), as amended by section 4307 of SAFETEA-LU, 119 Stat. 1774. To be sure, because the fees set in § 367.20 were based on the previous definition of commercial motor vehicles that included trailers, many motor carriers would pay fees based on a smaller number of commercial motor vehicles, thus producing less revenues for the participating States. Nonetheless, registration and payment of fees for 2010 under § 367.20 would allow participating States an opportunity to receive at least a partial flow of revenues in order to meet the statutory objectives.

The final rule establishing the adjusted fees beginning with registration year 2010 is presently under consideration by the Agency and the Department and will most likely be reviewed by the Office of Information and Regulatory Affairs of the Office of Management and Budget. Once a final determination is made concerning a final rule, participating States that decided to assess and collect fees under the current fee schedule may then assess and collect the balance due from any motor carrier entities that registered and paid the fees established in the current fee schedule.

Regulatory Guidance

Part 367—Standards for Registration With States

Sections Interpreted

Section 367.20 Fees Under the Unified Carrier Registration Plan and Agreement for Each Registration Year.

Question: Do the fees set by this section apply to registration years beginning after December 31, 2009?

Guidance: Yes. The States participating in the Unified Carrier Registration Plan and Agreement may assess and collect fees pursuant to the fee schedule set forth in 49 CFR 367.20. The statutory amendment of the applicable definition of commercial motor vehicles in 49 U.S.C. 14504a that applies beginning after December 31, 2009, also governs the application of the fees established by this section.

Issued on: February 22, 2010.

Rose A. McMurray,

Associate Administrator and Chief Safety Officer.

[FR Doc. 2010–4294 Filed 3–1–10; 8:45 am]

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DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

Basel Comprehensive Quantitative Impact Study

AGENCY: Office of Thrift Supervision (OTS), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on proposed and continuing information collections, as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3507. The Office of Thrift Supervision within the Department of the Treasury will submit the proposed information collection requirement described below to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. Today, OTS is soliciting public comments on its proposal to extend this information collection.

DATES: Submit written comments on or before May 3, 2010.

ADDRESSES: Send comments, referring to the collection by title of the proposal or by OMB approval number, to Information Collection Comments, Chief Counsel’s Office, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552; send a facsimile transmission to (202) 906–6518; or send an e-mail to infocollection.comments@ots.treas.gov. OTS will post comments and the related index on the OTS Internet Site at <http://www.ots.treas.gov>. In addition, interested persons may inspect comments at the Public Reading Room, 1700 G Street, NW., by appointment. To make an appointment, call (202) 906–5922, send an e-mail to public.info@ots.treas.gov, or send a facsimile transmission to (202) 906–7755.

FOR FURTHER INFORMATION CONTACT: You can request additional information about this proposed information collection from Roberta M. Renz (202) 906–6447, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

SUPPLEMENTARY INFORMATION: OTS may not conduct or sponsor an information collection, and respondents are not required to respond to an information collection, unless the information collection displays a currently valid OMB control number. As part of the

approval process, we invite comments on the following information collection.

Comments should address one or more of the following points:

a. Whether the proposed collection of information is necessary for the proper performance of the functions of OTS;

b. The accuracy of OTS's estimate of the burden of the proposed information collection;

c. Ways to enhance the quality, utility, and clarity of the information to be collected;

d. Ways to minimize the burden of the information collection on respondents, including through the use of information technology.

We will summarize the comments that we receive and include them in the OTS request for OMB approval. All comments will become a matter of public record. In this notice, OTS is soliciting comments concerning the following information collection.

Title of Proposal: Basel Comprehensive Quantitative Impact Study.

OMB Number: 1550-ONEW.

Form Numbers: N/A.

Regulation requirement: 12 CFR Part 567.

Description: The International Convergence of Capital Measurement and Capital Standards: A Revised Framework, also known as the Basel II Capital Accord, sets out a general international capital framework for financial institutions. The Basel II Capital Accord was adopted under the auspices of the Basel Committee on Banking Supervision¹ (Basel Committee), and was implemented into domestic regulations in the United States by the Federal financial agencies on December 7, 2007 (72 FR 69288). In an effort to refine the Basel II Capital Accord, the Basel Committee will conduct a quantitative impact study (QIS) to assess the impact of the proposed revisions that were published by the Basel Committee on December 17, 2009.² As part of this effort, the OTS, in coordination with the other Federal

financial agencies, is proposing to collect data from national financial institutions with respect to the following subjects:

■ Revisions to the Basel II market risk framework³ and guidelines for computing capital for incremental risk in the trading book,⁴ including the incremental risk capital charge; the comprehensive risk measure for correlation trading portfolios; the new rules for securitization exposures in the trading book; and the revised capital charges for certain equity exposures subject to the standardized measurement method for market risk.

■ Enhancements to the Basel II framework⁵ including the revised risk weights for re-securitizations held in the banking book.

■ Enhancements to strengthen the resilience of the financial institution sector⁶ including the proposed changes to the definition of capital; the proposed introduction of a leverage ratio; and the proposed changes to the treatment of counterparty credit risk.

■ Liquidity enhancements referring to the international framework for liquidity risk measurement, standards and monitoring.⁷

■ Operational risk and countercyclical tools.

The OTS intends to collect data for the QIS from financial institutions subject to the Basel II Capital Framework⁸ and those subject to the current risk-based capital guidelines (Basel I).⁹ Unless otherwise noted, all data would be reported on a consolidated basis. Ideally, financial institutions should include all their assets in this information collection. However, due to data limitations, inclusion of some assets (for example, the portfolio of a minor subsidiary) may not be feasible. Exclusion of such assets is acceptable, as long as the remaining assets are representative of the financial institution as a whole.

Type of Review: New collection.

Affected Public: Businesses or other for-profit.

Estimated Number of Respondents: 5.

Estimated Burden Hours per Response: 117.

³ Basel Committee on Banking Supervision, *Revisions to the Basel II market risk framework*, July 2009.

⁴ Basel Committee on Banking Supervision, *Guidelines for computing capital for incremental risk in the trading book*, July 2009.

⁵ Basel Committee on Banking Supervision, *Enhancements to the Basel II framework*, July 2009.

⁶ See footnote 2.

⁷ Basel Committee on Banking and Supervision, *International Framework for liquidity risk measurement, standards and monitoring*, consultative document, December 17, 2009.

⁸ See 12 CFR Part 3, Appendix C.

⁹ See 12 CFR Part 3, Appendix A.

Estimated Frequency of Response: On occasion.

Estimated Total Burden: 585 hours.

Dated: February 24, 2010.

Ira L. Mills,

Paperwork Clearance Officer, Office of Chief Counsel, Office of Thrift Supervision.

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DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0585]

Proposed Information Collection (Brand Name or Equal) Activity: Comment Request

AGENCY: Office of Acquisition and Logistics, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Office of Acquisition and Logistics (OA&L), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information including each proposed extension of a currently approved collection and allow 60 days for public comment in response to the notice. This notice solicits comments on the information needed to allow firms to offer items that are equal to the brand name item stated in the bid.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before May 3, 2010.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at <http://www.Regulations.gov>; or to Arita Tillman, Office of Acquisition and Logistics (049A5A), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420; or e-mail: arita.tillman@va.gov. Please refer to "OMB Control No. 2900-0585" in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Arita Tillman at (202) 461-6859 or Fax.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104-13; 44 U.S.C. 3501-3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct

¹ The Basel Committee on Banking Supervision is a committee of banking supervisory authorities, which was established by the central bank Governors of the Group of Ten countries in 1975. It consists of senior representatives of bank supervisory authorities and central banks from Argentina, Australia, Belgium, Brazil, Canada, China, France, Germany, Hong Kong SAR, India, Indonesia, Italy, Japan, Korea, Luxembourg, Mexico, the Netherlands, Russia, Saudi Arabia, Singapore, South Africa, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. It usually meets at the Bank for International Settlements (BIS) in Basel, Switzerland, where its permanent Secretariat is located.

² Basel Committee on Banking Supervision, *Strengthening the resilience of the banking sector*, consultative document, December 17, 2009.