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Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary, Office of Managing Director.*

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**BILLING CODE 6712-01-S**

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Agency Information Collection Activities: Proposed Revision of Information Collection; National Survey of Unbanked and Underbanked Households; Comment Request

**AGENCY:** Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Notice and request for comment.

**SUMMARY:** The FDIC, as part of its continuing effort to reduce paperwork and respondent burden and as required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), invites the general public and other Federal agencies to comment on the survey collection instrument for its second National Survey of Unbanked and Underbanked Households ("Household Survey"), currently approved under OMB Control No. 3064-0167, scheduled to be conducted in partnership with the U.S. Census Bureau as a supplement to its June 2011 Current Population Survey ("CPS"). The collection is a key component of the FDIC's efforts to comply with a Congressional mandate contained in section 7 of the Federal Deposit Insurance Reform Conforming Amendments Act of 2005 ("Reform Act") (Pub. L. 109-173), which calls for the FDIC to conduct ongoing surveys "on efforts by insured depository

institutions to bring those individuals and families who have rarely, if ever, held a checking account, a savings account or other type of transaction or check cashing account at an insured depository institution (hereafter in this section referred to as the 'unbanked') into the conventional finance system." Section 7 further instructs the FDIC to consider several factors in its conduct of the surveys, including: (1) "What cultural, language and identification issues as well as transaction costs appear to most prevent 'unbanked' individuals from establishing conventional accounts"; and (2) "what is a fair estimate of the size and worth of the 'unbanked' market in the United States." The household survey is designed to address these factors and provide a factual basis on the proportions of unbanked households. Such a factual basis is necessary to adequately assess banks' efforts to serve these households as required by the statutory mandate.

To satisfy the Congressional mandate, the FDIC designed two complementary surveys: a survey of FDIC-insured depository institutions and a survey of households. The first survey of FDIC-insured depository institutions, aimed at collecting data on their efforts to serve underbanked, as well as unbanked, populations (underbanked populations include individuals who have an account with an insured depository but also rely on non-bank alternative financial service providers for transaction services or high cost credit products), was conducted in mid-2007, with the results released in February 2008. The first survey of unbanked and underbanked households was conducted in January 2009 as a CPS supplement and the results were released to the public in December 2009. The household survey sought to estimate the proportions of unbanked and underbanked households in the U.S. and to identify the factors that inhibit the participation of these households in the mainstream banking system. The results of these ongoing surveys will help policymakers and bankers understand the issues and challenges underserved households perceive when deciding how and where to conduct financial transactions. This notice addresses the next Household Survey.

**DATES:** Comments must be submitted on or before June 18, 2010.

**ADDRESSES:** Interested parties are invited to submit written comments by any of the following methods. All comments should refer to "National

Survey of Unbanked and Underbanked Households":

- <http://www.FDIC.gov/regulations/laws/federal/>.

- *E-mail:* [comments@fdic.gov](mailto:comments@fdic.gov).

Include the name and number of the collection in the subject line of the message.

- *Mail:* Leneta Gregorie (202-898-3719), Counsel, Legal Division, 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.

#### FOR FURTHER INFORMATION CONTACT:

Interested members of the public may obtain a copy of the survey and related instructions by clicking on the link for the *National Unbanked and Underbanked Household Survey* on the following Web page: <http://www.fdic.gov/regulations/laws/federal/notices.html>. Interested members of the public may also obtain additional information about the collection, including a paper copy of the proposed collection and related instructions, without charge, by contacting Leneta Gregorie at the address identified above, or by calling (202) 898-3719.

**SUPPLEMENTARY INFORMATION:** The FDIC is considering possible revisions to the following collection of information:

*Title:* National Unbanked and Underbanked Household Survey.

*OMB Number:* 3064-0167.

*Frequency of Response:* Once.

*Affected Public:* U.S. Households.

*Estimated Number of Respondents:* 50,000.

*Average time per response:* 10 minutes (0.166 hours) per respondent.

*Estimated Total Annual Burden:* 0.166 hours × 50,000 respondents = 8,334 hours.

#### General Description of Collection

A mandate in section 7 of the Reform Act requires the FDIC to conduct ongoing surveys on efforts by banks to bring unbanked individuals and families into the conventional finance system. Section 7 further instructs the FDIC to consider several factors in its conduct of the surveys, including the size of the unbanked market in the United States and the cultural, language and identification issues as well as transaction costs that appear to most prevent unbanked individuals from establishing conventional accounts. To obtain this information, the FDIC partnered with the U.S. Census Bureau, which administered the Household Survey supplement ("FDIC

Supplement”) to households that participated in the January 2009 CPS. The FDIC supplement has yielded significant data on the extent and demographic characteristics of the population that is unbanked or underbanked, the use by this population of alternative financial services, and the reasons why some households do not make greater use of traditional banking services. The Household Survey was the first survey of its kind to be conducted at the national level. An executive summary of the results of the Household Survey, the full report, and the survey instrument can be accessed through the following link: [http://www.economicinclusion.gov/about\\_survey.html](http://www.economicinclusion.gov/about_survey.html).

Consistent with the statutory mandate to conduct the surveys on an ongoing basis, the FDIC already has in place arrangements for conduct of its second Household Survey as a supplement to the June 2011 CPS. However, prior to finalizing the next survey instrument, the FDIC seeks to solicit public comment on whether changes to the existing instrument are desirable and, if so, to what extent. It should be noted that, as a supplement of the CPS survey, the Household Survey needs to adhere to specific parameters that include limits in the length and sensitivity of the questions that can be asked of CPS respondents. Specifically, there is a strict limitation on the number of questions permitted (no more than 32) and the average time required to complete the survey (10 minutes on average).

#### Request for Comment

Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the FDIC’s functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

The FDIC will consider all comments to determine the extent to which the information collection should be modified prior to submission to OMB for review and approval. After the comment period closes, comments will be summarized and/or included in the FDIC’s request to OMB for approval of the collection. All comments will become a matter of public record.

Dated at Washington, DC, this 13th day of April 2010.

Federal Deposit Insurance Corporation.

**Robert F. Feldman,**

*Executive Secretary.*

[FR Doc. 2010–8913 Filed 4–16–10; 8:45 am]

**BILLING CODE 6714-01-P**

### FEDERAL DEPOSIT INSURANCE CORPORATION

#### **Intra-Agency Appeal Process: Guidelines for Appeals of Material Supervisory Determinations and Guidelines for Appeals of Deposit Insurance Assessment Determinations**

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Notice of guidelines.

**SUMMARY:** On April 13, 2010, the Federal Deposit Insurance Corporation (“FDIC”) Board of Directors (“Board”) adopted revised Guidelines for Appeals of Material Supervisory Determinations (“SARC Guidelines”). The SARC Guidelines govern the Supervision Appeals Review Committee (“SARC”) process and supersede the FDIC’s prior SARC Guidelines, which were adopted by the FDIC’s Board of Directors on September 16, 2008. In addition, on April 13, 2010, the Board also adopted revised Guidelines for Appeals of Deposit Insurance Assessment Determinations (“AAC Guidelines”), which govern the Assessment Appeals Committee (“AAC”) process and supersede the FDIC’s prior AAC Guidelines, which were adopted on June 28, 2004. The SARC Guidelines have been amended to extend the decision deadline for requests for review and to clarify the decisional deadline for written decisions by the SARC. Also, both the SARC Guidelines and the AAC Guidelines have been amended to make additional, limited technical clarifying and conforming amendments. Both sets of revised guidelines are effective upon adoption.

**DATES:** The revised SARC Guidelines and the revised AAC Guidelines became effective on April 13, 2010.

*For Further Information Concerning the SARC Guidelines Contact:* Patricia Colohan, Acting Associate Director, Division of Supervision and Consumer Protection, (202) 898–7283; Richard Bogue, Counsel, Legal Division, (202) 898–3726; Jeannette E. Roach, Counsel, Legal Division, (202) 898–3785, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429.

*For Further Information Concerning the AAC Guidelines Contact:* Christopher Bellotto, Counsel, (202) 898–3801, Legal Division, Federal

Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429.

#### **SUPPLEMENTARY INFORMATION:**

#### **Background**

##### *1. Guidelines for Appeals of Material Supervisory Determinations*

Section 309(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (Pub. L. 103–325, 108 Stat. 2160) (“Riegle Act”) required the FDIC (as well as the other Federal banking agencies and the National Credit Union Administration Board) to establish an independent intra-agency appellate process to review material supervisory determinations.

The Riegle Act defines the term “independent appellate process” to mean a review by an agency official who does not directly or indirectly report to the agency official who made the material supervisory determination under review. In the appeals process, the FDIC is required to ensure that (1) an appeal of a material supervisory determination is heard and decided expeditiously; and (2) appropriate safeguards exist for protecting appellants from retaliation by agency examiners.

On March 21, 1995, the FDIC’s Board of Directors adopted the original Guidelines for Appeals of Material Supervisory Determinations, which established and set forth procedures governing the SARC, whose purpose was to consider and decide appeals of material supervisory determinations as required by the Riegle Act. The SARC Guidelines were amended, after notice and comment, on July 9, 2004, adopting revised Guidelines and changing the composition and procedures of the SARC. (69 FR 41479 (July 9, 2004)).

The SARC Guidelines were amended again in 2008, after notice and comment, to modify the supervisory determinations eligible for appeal to eliminate the ability of an FDIC-supervised institution to file an appeal with the SARC with respect to determinations or the facts and circumstances underlying a recommended or pending formal enforcement-related action or decision, and to make limited technical amendments. (73 FR 54822 (Sept. 23, 2008)).

Although the FDIC considered it desirable in those instances to garner comments regarding the Guidelines, notice and comment rulemaking was not required, and the FDIC pointed out that notice and comment rulemaking need not be employed in making future