

not have a significant economic impact on a substantial number of small entities.

A. Statement of Reasons, Objectives, and Legal Basis for the Proposed Rule

Section 704B of the Equal Credit Opportunity Act (ECOA), as added by Section 1071 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act or Act), requires that financial institutions collect and report information concerning credit applications made by women- or minority-owned businesses and by small businesses. ECOA Section 704B becomes effective on the date that rulemaking authority for ECOA is transferred to the Consumer Financial Protection Bureau (CFPB), which is July 21, 2011. Although the CFPB will have the authority to issue rules to implement ECOA Section 704B for most entities, the Board retains authority to issue rules for certain motor vehicle dealers. This proposed rule excepts motor vehicle dealers that are subject to the Board's jurisdiction from the requirements of ECOA Section 704B temporarily, until the effective date of final rules that will be issued by the Board to implement that provision. The **SUPPLEMENTARY INFORMATION** above contains information on the reasons, objectives and legal basis for the proposed rule.

B. Small Entities Affected by the Proposed Rule

The proposed rule applies to motor vehicle dealers covered by Section 1029(a) of the Dodd-Frank Act.⁵ The total number of small entities covered by the final rules is unknown, because the Board does not have data on the number of small entities that are motor vehicle dealers covered by Section

⁵ Section 1029(a) of the Dodd-Frank Act states: "Except as permitted in subsection (b), the Bureau may not exercise any rulemaking * * * authority * * * over a motor vehicle dealer that is predominantly engaged in the sale and servicing of motor vehicles, the leasing and servicing of motor vehicles, or both." 12 U.S.C. 5519(a). Section 1029(b) of the Dodd-Frank Act states: "Subsection (a) shall not apply to any person, to the extent such person (1) provides consumers with any services related to residential or commercial mortgages or self-financing transaction involving real property; (2) operates a line of business (A) that involves the extension of retail credit or retail leases involving motor vehicles; and (B) in which (i) the extension of retail credit or retail leases are provided directly to consumers and (ii) the contract governing such extension of retail credit or retail leases is not routinely assigned to an unaffiliated third party finance or leasing source; or (3) offers or provides a consumer financial product or service not involving or related to the sale, financing, leasing, rental, repair, refurbishment, maintenance, or other servicing of motor vehicles, motor vehicle parts, or any related or ancillary product or service." 12 U.S.C. 5519(b).

1029(a). Furthermore, it is not clear how many motor vehicle dealers covered by Section 1029(a) receive credit applications from women- or minority-owned business or small businesses. Nevertheless, there are likely to be no small entities affected by the final rule because the rule merely preserves the status quo by granting a temporary exemption from the requirement to comply with the statute when it takes effect on July 21, 2011.

C. Recordkeeping, Reporting, and Compliance Requirements

The proposed rule would not impose any new recordkeeping, reporting, or compliance requirements. Instead, the proposed rule temporarily would delay such requirements until the Board issues final implementing regulations and the regulations become effective.

D. Identification of Duplicative, Overlapping, or Conflicting Federal Regulations

The Board has not identified any Federal statutes or regulations that would duplicate, overlap, or conflict with the proposed rule.

E. Significant Alternatives to the Proposed Revisions

The Board is not aware of any significant alternatives that would further minimize any significant economic impact of the proposed rule on small entities, but solicits comment on this approach.

List of Subjects in 12 CFR Part 202

Aged, Banks, Banking, Civil rights, Credit, Discrimination, Federal Reserve System, Marital status discrimination, Penalties, Religious discrimination, Reporting and recordkeeping requirements, Sex discrimination.

Authority and Issuance

For the reasons set forth in the preamble, the Board proposes to amend Regulation B, 12 CFR part 202, as follows:

PART 202—EQUAL CREDIT OPPORTUNITY (REGULATION B)

1. The authority citation for part 202 is revised to read as follows:

Authority: 15 U.S.C. 1691–1691f; Pub. L. 111–203, 124 Stat. 1376.

2. Add § 202.17 to read as follows:

§ 202.17 Data collection for credit applications by women-owned, minority-owned, or small businesses.

(a) *Effective date for motor vehicle dealers.* No motor vehicle dealer covered by section 1029(a) of the Dodd-Frank Wall Street Reform and Consumer

Protection Act, 12 U.S.C. 5519(a), shall be required to comply with the requirements of section 704B of the Equal Credit Opportunity Act, 15 U.S.C. 1691c–2, until the effective date of final rules issued by the Board to implement section 704B of the Act, 15 U.S.C. 1691c–2. This paragraph shall not be construed to affect the effective date of section 704B of the Act for any person other than a motor vehicle dealer covered by section 1029(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

By order of the Board of Governors of the Federal Reserve System, June 17, 2011.

Jennifer J. Johnson,
Secretary of the Board.

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SMALL BUSINESS ADMINISTRATION

13 CFR Chapter I

[Docket No.: SBA–2011–0012]

**Reducing Regulatory Burden;
Retrospective Review Under E.O.
13563**

AGENCY: Small Business Administration.
ACTION: Request for information.

SUMMARY: In response to the President's Executive Order 13563, Improving Regulation and Regulatory Review, the Small Business Administration (SBA) has developed a preliminary retrospective review plan for periodically analyzing its existing significant regulations to determine whether those regulations should be modified, streamlined, expanded or repealed. SBA is inviting members of the public to submit comments on this review plan, including the list of candidate rules for review. The goal of the retrospective review is to make SBA's regulatory program more effective and less burdensome in achieving the agency's regulatory objectives, while continuing to promote economic growth, innovation, and job creation within the small business community
DATES: Comments must be received on or before July 25, 2011.

ADDRESSES: You may submit comments, identified by Docket No. SBA–2011–0012 using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Identify comments by "Docket No. SBA–2011–0012, Regulatory Burden RFI," and follow the instructions for submitting comments.

• *Mail:* U.S. Small Business Administration, Office of the General Counsel, 409 Third Street, SW., Washington, DC 20416.

SBA will post comments on <http://www.regulations.gov>. If you wish to submit confidential business information (CBI) as defined in the User Notice at <http://www.regulations.gov>, please submit the information to Martin S. Conrey, Assistant General Counsel for Legislation and Appropriations, Office of General Counsel, 409 Third Street, SW., Washington, DC 20416. Highlight the information that you consider to be CBI, and explain why you believe this information should be held confidential. SBA will review the information and make the final determination of whether it will publish the information.

FOR FURTHER INFORMATION CONTACT: Martin S. Conrey, Assistant General Counsel for Legislation and Appropriations, Office of the General Counsel, 409 Third Street, SW., Washington, DC 20416; telephone 202-619-0638.

SUPPLEMENTARY INFORMATION: On January 18, 2011, President Obama issued Executive Order 13563, "Improving Regulation and Regulatory Review." The Executive Order requires Federal agencies to seek more affordable, less intrusive ways to achieve policy goals and give careful consideration to the benefits and costs of their regulations. The Executive Order also requires agencies to develop a preliminary plan for reviewing their regulations to determine, among other things, if they are outdated, ineffective, insufficient, or excessively burdensome on the public. On March 14, 2011, as part of SBA's implementation of the Executive Order, the agency published a notice in the **Federal Register** soliciting comments to assist the agency in the development of the preliminary plan required by the Executive Order, and to identify whether any of SBA's existing regulations should be modified, streamlined, expanded or repealed (76 FR 13532). SBA received 11 comments in Regulations.gov from a mix of small business trade organizations, a small business owner, an SBA loan program participating lender, an advocacy and research organization, associations of research universities, and members of the general public. Those comments are summarized in the *SBA's Preliminary Plan for Retrospective Review of Existing Regulations* (May 17, 2011), which is posted on the agency's Open Government Web site at <http://www.sba.gov/content/sba-preliminary-plan-retrospective-analysis-existing-rules>). In addition to the **Federal**

Register notice, SBA solicited ideas during the Small Business Jobs Act Tour (see <http://www.sba.gov/jobsacttour>) and the Startup America: Reducing Barriers roundtable events (see <http://www.sba.gov/content/startup-america-reducing-barriers-roundtables>). Comments provided at these events will be considered in developing the final plan.

To ensure that the plan meets the objectives of the Executive Order and to benefit from the expertise of interested members of the public, the SBA is now requesting public comments on this preliminary plan before finalizing it. To comment on the preliminary plan, visit <http://www.regulations.gov> and insert SBA-2011-0012 in the "Enter Keyword or ID" box. Once you are taken to the docket for the plan, click on the "Submit a Comment" bubble to open the comment form. When providing input, the SBA requests that commenters provide as much detail as possible and provide empirical evidence and data to support responses. The SBA will consider the public comments in development of the agency's final plan as well as the retrospective analysis of the rules.

SBA notes that this Request for comments is issued solely for information and program-planning purposes. SBA will give careful consideration to the responses, and may use them as appropriate during the retrospective review, but we do not anticipate providing a point-by-point response to each comment submitted. While responses to this request for comments do not bind the Agency to any further actions related to the response, all submissions will be made publically available on <http://www.regulations.gov>.

Authority: 15 U.S.C. 5(b)(6), E.O. 13653, 76 FR 3821.

Dated: June 16, 2011.

Michael A. Chodos,
Deputy General Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 65, 119, 121, 135, and 142

[Docket No. FAA-2008-0677; Notice No. 08-07A]

RIN 2120-AJ00

Qualification, Service, and Use of Crewmembers and Aircraft Dispatchers; Extension of Comment Period

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM); extension of comment period.

SUMMARY: This action extends the comment period for an SNPRM that was published on May 20, 2011. In that document, the FAA proposed to amend the regulations for crewmember and aircraft dispatcher training programs in domestic, flag, and supplemental operations. This extension is a result of requests for extension of the comment period. One request for extension was from the Air Transport Association of America, Cargo Airline Association, Air Carrier Association of America, Regional Airline Association, National Air Carrier Association, Boeing Company, and Airbus Americas. The second request for extension was from the Air Line Pilots Association. The third request for extension was from the International Air Transport Association.

DATES: The comment period for the SNPRM published on May 20, 2011, was scheduled to close on July 19, 2011, and is extended until September 19, 2011.

ADDRESSES: You may send comments identified by docket number FAA-2008-0677 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue, SE., Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at 202-493-2251.