

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission(s) may be obtained by calling (202) 927-5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request maybe found at [www.reginfo.gov](http://www.reginfo.gov).

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-2102.

*Type of Review:* Revision of a currently approved collection.

*Title:* Form 13930—Central Withholding Agreement; Form 13920—Directed Withholding and Deposit Verification Form.

*Form:* 13920; 13930.

*Abstract:* Form 13930 will be used by an individual who wishes to have a Central Withholding Agreement (CWA). IRC Section 1441(a) requires withholding on certain payments of Non Resident Aliens (NRAs). Section 1.1441-4(b)(3) of the Income Tax Regulations provides that the withholding can be considered for adjustment if a CWA is applied for and granted. Form 13920 is used by withholding agents to verify to IRS that required deposits were made and give the amount of such deposits.

*Affected Public:* Private Sector: Businesses and other for-profits, Not-for-profit institutions; Individuals or households.

*Estimated Total Burden Hours:* 11,900.

**Dawn D. Wolfgang,**

*Treasury PRA Clearance Officer.*

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**BILLING CODE 4830-01-P**

#### DEPARTMENT OF THE TREASURY

##### Office of the Comptroller of the Currency

##### Agency Information Collection Activities; Information Collection Renewal; Submission for OMB Review; Privacy of Consumer Financial Information

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

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

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number. The OCC is soliciting comment concerning its information collection titled, "Privacy of Consumer Financial Information (Regulation P)." The OCC is also giving notice that it has sent the collection to OMB for review.

**DATES:** You should submit written comments by April 22, 2013.

**ADDRESSES:** Because paper mail in the Washington, DC area and at the OCC is subject to delay, commenters are encouraged to submit comments by email if possible. Comments may be sent to: Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557-0216, 400 7th Street SW., Suite 3E-218, Mail Stop 9W-11, Washington, DC 20219. In addition, comments may be sent by fax to (571) 465-4326 or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov). You may personally inspect and photocopy comments at the OCC, 400 7th Street SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649-6700. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

All comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not enclose any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Additionally, please send a copy of your comments by mail to: OCC Desk

Officer, 1557-0216, U.S. Office of Management and Budget, 725 17th Street NW., #10235, Washington, DC 20503, or by email to: [oira\\_submission@omb.eop.gov](mailto:oira_submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** You can request additional information or a copy of the collection from Johnny Vilela or Mary H. Gottlieb, OCC Clearance Officers, (202) 649-5490, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 400 7th Street SW., Suite 3E-218, Mail Stop 9W-11, Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** The OCC is proposing to extend OMB approval of the following information collection titled "Privacy of Consumer Financial Information (Regulation P)." There have been no changes to the requirements of the regulations; however, the regulations have been transferred to the Bureau of Consumer Financial Protection (CFPB) pursuant to title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, 124 Stat. 1955, July 21, 2010 (Dodd-Frank Act) and republished as CFPB regulations (76 FR 79028 (December 21, 2011)). The burden estimates have been revised to remove the burden for national banks and Federal savings associations with over \$10 billion in total assets and any affiliates thereof, which is now carried by CFPB pursuant to section 1025 of the Dodd-Frank Act. The OCC retains supervisory and enforcement authority for national banks and Federal savings associations with total assets of \$10 billion or less that are not an affiliate of an insured depository institution with over \$10 billion in total assets.

*Title:* Privacy of Consumer Financial Information (Regulation P) (12 CFR part 1016).

*OMB Control No.:* 1557-0216.

*Description:*

The Gramm-Leach-Bliley Act (Act) (Pub. L. 106-102) requires this information collection. The CFPB's regulation implements the Act's notice requirements and restrictions on a financial institution's ability to disclose nonpublic personal information about consumers to nonaffiliated third parties.

The information collection requirements in part 1016 are as follows:

*§ 1016.4(a)—Disclosure (institution)—Initial privacy notice to consumers requirement—*A national bank or Federal savings association must provide a clear and conspicuous notice that accurately reflects its privacy policies and practices to customers and consumers.

*§ 1016.5(a)—Disclosure (institution)—Annual privacy notice to customers requirement*—A national bank or Federal savings association must provide a clear and conspicuous notice to customers that accurately reflects its privacy policies and practices not less than annually during the continuation of the customer relationship.

*§ 1016.8—Disclosure (institution)—Revised privacy notices*—If a national bank or Federal savings association wishes to disclose information in a way that is inconsistent with the notices previously given to a consumer, the national bank or Federal savings association must provide consumers with a clear and conspicuous revised notice of the national bank's or Federal savings association's policies and procedures and a new opt out notice.

*§ 1016.7(a)—Disclosure (institution)—Form of opt out notice to consumers; opt out methods—Form of opt out notice*—If a national bank or Federal savings association is required to provide an opt-out notice under § 1016.10(a), it must provide a clear and conspicuous notice to each of its consumers that accurately explains the right to opt out under that section. The notice must state:

- That the national bank or Federal savings association discloses or reserves the right to disclose nonpublic personal information about its consumer to a nonaffiliated third party;
- That the consumer has the right to opt out of that disclosure; and
- A reasonable means by which the consumer may exercise the opt out right.

A national bank or Federal savings association provides a reasonable means to exercise an opt out right if it:

- Designates check-off boxes on the relevant forms with the opt out notice;
- Includes a reply form with the opt out notice;
- Provides electronic means to opt out; or
- Provides a toll-free number to opt out.

*§§ 1016.10(a)(2) and 1016(c)—Consumers must take affirmative actions to exercise their rights to prevent financial institutions from sharing their information with nonaffiliated parties—*

- Opt out—Consumers may direct that the national bank or Federal savings association not disclose nonpublic personal information about them to a nonaffiliated third party, other than permitted by §§ 1016.13–1016.15.
- Partial opt out—Consumer also may exercise partial opt out rights by selecting certain nonpublic personal information or certain nonaffiliated

third parties with respect to which the consumer wishes to opt out.

*§§ 1016.7(h) and 1016(i)—Reporting (consumer)—Consumers may exercise continuing right to opt out—Consumer may opt out at any time*—A consumer may exercise the right to opt out at any time. A consumer's direction to opt out is effective until the consumer revokes it in writing or, if the consumer agrees, electronically. When a customer relationship terminates, the customer's opt out direction continues to apply.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses or other for-profit; individuals.

*Estimated Annual Number of Institution Respondents:* Initial Notice, 3; Annual Notice and Change in Terms, 1,793; Opt-out Notice, 897.

*Estimated Average Time per Response per Institution:* Initial Notice, 80 hours; Annual Notice and Change in Terms, 8 hours; Opt-out Notice, 8 hours.

*Estimated Subtotal Annual Burden Hours for Institutions:* 21,760 hours.

*Estimated Annual Number of Consumer Respondents:* 2,526,802.

*Estimated Average Time per Consumer Response:* 0.25 hours.

*Estimated Subtotal Annual Burden Hours for Consumers:* 631,701 hours.

*Estimated Total Annual Burden Hours:* 653,461 hours.

*Comments:* The OCC issued a 60-day **Federal Register** notice on January 14, 2013. 78 FR 2720. No comments were received. Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the information collection burden;

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

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: March 18, 2013.

**Michele Meyer**,  
Assistant Director, Legislative and Regulatory Activities Division.

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## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

[Docket ID OCC-2011-0028]

### FEDERAL RESERVE SYSTEM

[OP-1438]

### FEDERAL DEPOSIT INSURANCE CORPORATION

#### Interagency Guidance on Leveraged Lending

**AGENCY:** The Office of the Comptroller of the Currency (OCC), Department of the Treasury; Board of Governors of the Federal Reserve System (Board); and the Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Final guidance.

**SUMMARY:** The OCC, Board, and the FDIC (collectively, the "agencies") are issuing final guidance on leveraged lending. This guidance outlines for agency-supervised institutions high-level principles related to safe-and-sound leveraged lending activities, including underwriting considerations, assessing and documenting enterprise value, risk management expectations for credits awaiting distribution, stress-testing expectations, pipeline portfolio management, and risk management expectations for exposures held by the institution. This guidance applies to all financial institutions supervised by the OCC, Board, and FDIC that engage in leveraged lending activities. The number of community banks with substantial involvement in leveraged lending is small; therefore, the agencies generally expect community banks to be largely unaffected by this guidance.

**DATES:** This guidance is effective on March 22, 2013. The compliance date for this guidance is May 21, 2013.

**FOR FURTHER INFORMATION CONTACT:**

*OCC:* Louise A. Francis, Commercial Credit Technical Expert, (202) 649-6670, [louise.francis@occ.treas.gov](mailto:louise.francis@occ.treas.gov); or Kevin Korzeniewski, Attorney, Legislative and Regulatory Activities Division, (202) 649-5490, 400 7th Street SW., MS 7W-2, Washington, DC 20219.

*Board:* Carmen Holly, Supervisory Financial Analyst, Policy Section, (202) 973-6122, [carmen.d.holly@frb.gov](mailto:carmen.d.holly@frb.gov); Robert Cote, Senior Supervisory Financial Analyst, Risk Section, (202) 452-3354, [robert.f.cote@frb.gov](mailto:robert.f.cote@frb.gov); or Benjamin W. McDonough, Senior Counsel, Legal Division, (202) 452-2036, [benjamin.w.mcdonough@frb.gov](mailto:benjamin.w.mcdonough@frb.gov); Board of Governors of the Federal Reserve System, 20th and C Streets NW., Washington, DC 20551.