

cooperative agreement, or other activity related to this system of records and who need to have access to the records to perform their activity.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

This an electronic system of records that resides on the FCC’s network, USAC’s network, and FCC contractors’ and vendors’ networks.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Records in this system of records can be retrieved by any category field, e.g., first name or email address.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

The information in this system is maintained and disposed of in accordance with the National Archives and Records Administration (NARA) General Records Schedule GRS 3.2, Information Systems Security Records (DAA–GRS–2013–0006).

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

The electronic records, files, and data are stored within FCC, USAC, other program administrator, contractor, and vendor accreditation boundaries and maintained in databases housed on their network databases. Access to the electronic files is restricted to authorized employees, staff and contractors; and to IT staff, contractors, and vendors who maintain the IT networks and services. Other employees and contractors may be granted access on a need-to-know basis. The electronic files and records are protected by the FCC, USAC, and third-party privacy safeguards, a comprehensive and dynamic set of IT safety and security protocols and features that are designed to meet all Federal privacy standards, including those required by the Federal Information Security Modernization Act of 2014 (FISMA), the Office of Management and Budget (OMB), and the National Institute of Standards and Technology (NIST).

**RECORD ACCESS PROCEDURES:**

Individuals wishing to request access to and/or amendment of records about themselves should follow the Notification Procedure below.

**CONTESTING RECORD PROCEDURES:**

Individuals wishing to request access to and/or amendment of records about themselves should follow the Notification Procedure below.

**NOTIFICATION PROCEDURES:**

Individuals wishing to determine whether this system of records contains information about themselves may do so by writing to [privacy@fcc.gov](mailto:privacy@fcc.gov). Individuals requesting access must also comply with the FCC’s Privacy Act regulations regarding verification of identity to gain access to records as required under 47 CFR part 0, subpart E.

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

None.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary.*

[FR Doc. 2023–27896 Filed 12–19–23; 4:15 pm]

**BILLING CODE 6712–01–P**

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Agency Information Collection Activities: Proposed Collection Renewal; Comment Request; OMB No. 3064–0083; –0182; –0198**

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

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

**SUMMARY:** The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to take this opportunity to comment on the request to renew the existing information collections described below (OMB Control No. 3064–0083; –0182; –0198). The notices

of the proposed renewal for these information collections were previously published in the **Federal Register** on October 19, 2023, allowing for a 60-day comment period.

**DATES:** Comments must be submitted on or before January 22, 2024.

**ADDRESSES:** Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency Website:* <https://www.fdic.gov/resources/regulations/federal-register-publications/>.
- *Email:* [comments@fdic.gov](mailto:comments@fdic.gov). Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202–898–3767), Regulatory Counsel, MB–3128, 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 17th Street NW building (located on F Street NW), on business days between 7 a.m. and 5 p.m.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Manny Cabeza, Regulatory Counsel, 202–898–3767, [mcabeza@fdic.gov](mailto:mcabeza@fdic.gov), MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:**

*Proposal to renew the following currently approved collection of information:*

1. *Title:* Recordkeeping and Disclosure Requirements in Connection with Regulation M (Consumer Leasing).

*OMB Number:* 3064–0083.

*Affected Public:* State nonmember banks and state savings associations engaging in consumer leasing.

*Burden Estimate:*

**SUMMARY OF ESTIMATED ANNUAL BURDEN**  
[OMB No. 3064–0083]

Information collection (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
Recordkeeping Requirements in Connection with Regulation M (Consumer Leasing), 12 CFR 1013.8.	Recordkeeping (On occasion) ...	17	100	00:22.5	638
Third-Party Disclosure Requirements in Connection with Regulation M (Consumer Leasing), 12 CFR 1013.3.	Third-Party Disclosure (On occasion).	17	100	00:22.5	638

SUMMARY OF ESTIMATED ANNUAL BURDEN—Continued  
[OMB No. 3064–0083]

Information collection (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
Total Annual Burden (Hours) .....	.....	.....	.....	.....	1,276

Source: FDIC.

*General Description of Collection:* Regulation M (12 CFR 1013), issued by the Bureau of Consumer Financial Protection, implements the consumer leasing provisions of the Truth in Lending Act. Regulation M requires lessors of personal property to provide consumers with meaningful disclosures about the costs and terms of the leases

for personal property. Lessors are required to retain evidence of compliance with Regulation M for twenty-four months. There is no change in the methodology or substance of this information collection. The change in burden is due solely to the decrease in the estimated number of respondents from 19 in 2021 to 17.

2. *Title:* Retail Foreign Exchange Transactions.

*OMB Number:* 3064–0182.

*Forms:* None.

*Affected Public:* Insured state nonmember banks and state savings associations.

*Burden Estimate:*

SUMMARY OF ESTIMATED ANNUAL BURDEN  
[OMB No. 3064–0182]

Information collection (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Recordkeeping Requirements, 12 CFR 349.19, 12 CFR 349.21(b)(2), 12 CFR 349.25(a) (Mandatory) .....	Recordkeeping (Annual) .....	1	1	1,332:00	1,332
2. Reporting Requirements, 12 CFR 349.16 (Mandatory) .....	Reporting (Annual) .....	1	1	16:00	16
3. Disclosure Requirements, 12 CFR 349.22(a), 12 CFR 349.17(a)(4)(ii), 12 CFR 349.18, 12 CFR 349.25(c) and (d), 12 CFR 349.27, 12 CFR 349.28(a) and (b) (Mandatory) .....	Third-Party Disclosure (Annual) .....	1	1	276:00	276
Total Annual Burden (Hours) .....	.....	.....	.....	.....	1,624

Source: FDIC.

*General Description of Collection:* This information collection implements section 742(c)(2) of the Dodd-Frank Act (7 U.S.C. 2(c)(2)(E)) and FDIC regulations governing retail foreign exchange transactions as set forth at 12 CFR part 349, subpart B. The regulation allows banking organizations under FDIC supervision to engage in off-exchange transactions in foreign currency with retail customers provided they comply with various reporting, recordkeeping and third-party disclosure requirements specified in the rule. If an institution elects to conduct such transactions, compliance with the information collection is mandatory. Reporting Requirements—part 349, subpart B requires that, prior to initiating a retail foreign exchange business; a banking institution must provide the FDIC with a notice certifying that the institution has written policies and procedures, and risk measurement and management systems and controls in place to ensure that retail foreign exchange transactions are conducted in a safe and sound manner. The institution must also provide information about how it intends to manage customer due diligence, new product approvals and haircuts applied to noncash margin.

Recordkeeping Requirements—part 349 subpart B requires that institutions engaging in retail foreign exchange transactions keep full, complete and systematic records of account, financial ledger, transaction, memorandum orders and post execution allocations of bunched orders. In addition, institutions are required to maintain records regarding their ratio of profitable accounts, possible violations of law, records of noncash margin and monthly statements and confirmations issued. Disclosure Requirements—The regulation requires that, before opening an account that will engage in retail foreign exchange transactions, a banking institution must obtain from each retail foreign exchange customer an acknowledgement of receipt and understanding of a written disclosure specified in the rule and of disclosures about the banking institution’s fees and other charges and of its profitable accounts ratio. The institution must also provide monthly statements to each retail foreign exchange customer and must send confirmation statements following every transaction. The customer dispute resolution provisions of the regulation require certain endorsements, acknowledgements and signature language as well as the timely

provision of a list of persons qualified to handle a customer’s request for arbitration.

After reviewing the requirements in subpart B and the similar ICRs currently approved by OMB for the OCC and the Federal Reserve, the FDIC has determined that subpart B imposes more recordkeeping requirements than those listed in the 2021 ICR. While the 2021 ICR listed 12 CFR 349.19 as the only recordkeeping requirement in subpart B,<sup>1</sup> the FDIC notes that the requirement in 12 CFR 349.21(b)(2)<sup>2</sup> also meets the definition of a recordkeeping requirement, as does the requirement in 12 CFR 349.25(a).<sup>3</sup> The OCC and the

<sup>1</sup> See footnote 7.

<sup>2</sup> 12 CFR 349.21(b)(2) requires FDIC-supervised institutions that are engaged in, or that offer to engage in, retail foreign exchange transactions to establish written policies and procedures that include: Haircuts for noncash margin collected pursuant to 12 CFR 349.21 (12 CFR 349.21(b)(2)(i)), and annual evaluation and, if appropriate, modification of the haircuts (12 CFR 349.21(b)(2)(ii)).

<sup>3</sup> 12 CFR 349.25(a)(1) requires FDIC-supervised institutions that are engaged in retail foreign exchange transactions to establish and implement internal policies, procedures, and controls designed to ensure that orders placed for retail foreign exchange transactions by retail foreign exchange customers are given priority over orders placed for retail foreign exchange transactions for a proprietary account of the FDIC-supervised

Federal Reserve each listed requirements that are analogous to those in 12 CFR 349.21(b)(2) and 12 CFR 349.25(a) as recordkeeping requirements in their similar ICRs,<sup>4</sup> in addition to

recordkeeping requirements that are analogous to those in 12 CFR 349.19.<sup>5</sup> The FDIC is revising its information collection to include this burden.

3. *Title:* Generic Information Collection for Qualitative Research.

OMB Number: 3064–0198.

*Affected Public:* General public including FDIC insured depository institutions.

*Burden Estimate:*

SUMMARY OF ESTIMATED ANNUAL BURDEN  
[OMB No. 3064–0198]

Information collection (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Generic Information Collection for Qualitative Research, (Voluntary).	Reporting (Once) .....	10,000	1	01:00	10,000
Total Annual Burden (Hours) .....	.....	.....	.....	.....	10,000

Source: FDIC.

*General Description of Collection:* The FDIC is requesting renewal of this approved collection to use occasional qualitative surveys to gather information from the public to inform qualitative research. While the subject and nature of the surveys to be deployed under this information collection are yet to be determined, based on prior experience it is expected that the number or respondents will range from a few to, at times, several thousands, but, in general, these surveys are expected to involve an average of 500 respondents. Likewise, the time to respond to the surveys can range from a few minutes to several hours, but it is expected that the average time to respond to a survey is approximately one hour. These surveys are completely voluntary in nature. FDIC estimates that approximately 20 such surveys will be conducted in any given year. Currently, the FDIC has a variety of methods to collect quantitative information from consumers and institutions (e.g., Call Reports, FDIC National Survey of Unbanked and Underbanked Households, etc.). Qualitative data would provide complementary information on insights, opinions, and perceptions that will inform how the FDIC approaches its mission to safeguard financial stability of the banking system and promote consumer protection and economic inclusion. This clearance would allow the FDIC to

engage with consumers and other relevant stakeholders through qualitative research methods such as focus groups, in-depth interviews, cognitive testing, and/or qualitative virtual methods. The purpose of the surveys is, in general terms, to obtain anecdotal information about regulatory burden, problems or successes in the bank supervisory process (including both safety-and-soundness and consumer related exams), the perceived need for regulatory or statutory change, and similar concerns. The information in these surveys is anecdotal in nature, that is, samples are not necessarily random, the results are not necessarily representative of a larger class of potential respondents, and the goal is not to produce a statistically valid and reliable database. Rather, the surveys are expected to yield anecdotal information about the particular experiences and opinions of members of the public, primarily staff at respondent banks or bank customers. The collection is noncontroversial and does not raise issues of concern to other Federal agencies; with the exception of information needed to provide remuneration for participants of focus groups and cognitive laboratory studies, personally identifiable information (PII) is collected only to the extent necessary and is not retained. Participation in this information collection will be voluntary and conducted in-person, by phone, or

using other methods, such as virtual technology. The types of collections that this generic clearance covers include, but are not limited to: Small discussion groups; focus groups of consumers, financial industry professionals, or other stakeholders; cognitive laboratory studies, such as those used to refine questions or assess usability of a website; qualitative customer satisfaction surveys (e.g., post-transaction surveys; opt-out web surveys); and in-person observation testing (e.g., website or software usability tests).

There is no change in the substance or methodology of this information collection.

**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, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

institution (12 CFR 349.25(a)(1)(i)), or an account in which a related person has an interest (12 CFR 349.25(a)(1)(ii), (iii), and (iv)). 12 CFR 349.14 defines “related person” as: (1) Any general partner, officer, director, or owner of ten percent or more of the capital stock of the FDIC-supervised insured depository institution; (2) An associated person or employee of the retail foreign exchange counterparty, if the retail foreign exchange counterparty is not an FDIC-supervised insured depository institution; (3) An institution-affiliated party, as that term is defined in 12 U.S.C. 1813(u)(1), (2), or (3), or employee of the retail foreign exchange counterparty, if the retail foreign

exchange counterparty is not an FDIC-supervised insured depository institution, or; (4) And relative or spouse of any of the foregoing persons, or any relative of such spouse, who shares the same home as any of the foregoing persons. 12 CFR 349.25(a)(2) requires FDIC-supervised institutions that are engaged in retail foreign exchange transactions to establish and implement internal policies, procedures, and controls designed to prevent FDIC-supervised insured depository institution related persons from placing orders, directly or indirectly, with another person in a manner designed to circumvent the provisions of 12 CFR 349.25(a)(1). 12 CFR 349.25(a)(3) requires FDIC-supervised

institutions that are engaged in retail foreign exchange transactions to establish and implement internal policies, procedures, and controls designed to fairly and objectively establish settlement prices for retail foreign exchange transactions.

<sup>4</sup> For the Federal Reserve, these requirements include those in 12 CFR 240.9(b)(2) and 12 CFR 240.13(a). For the OCC, these requirements include those in 12 CFR 48.13 and 12 CFR 48.9.

<sup>5</sup> These requirements include the Federal Reserve’s regulations at 12 CFR 240.7 and the OCC’s regulations at 12 CFR 48.7.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on December 18, 2023.

**James P. Sheesley,**

*Assistant Executive Secretary.*

[FR Doc. 2023-28206 Filed 12-21-23; 8:45 am]

BILLING CODE 6714-01-P

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

### FEDERAL RESERVE SYSTEM

### FEDERAL DEPOSIT INSURANCE CORPORATION

#### Joint Report to Congressional Committees: Differences in Accounting and Capital Standards Among the Federal Banking Agencies as of September 30, 2023

**AGENCY:** Office of the Comptroller of the Currency, Treasury; Board of Governors of the Federal Reserve System; and Federal Deposit Insurance Corporation.

**ACTION:** Report to Congressional Committees.

**SUMMARY:** The Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (Board), and the Federal Deposit Insurance Corporation (FDIC) (collectively, the agencies) have prepared this report pursuant to section 37(c) of the Federal Deposit Insurance Act. Section 37(c) requires the agencies to jointly submit an annual report to the Committee on Financial Services of the U.S. House of Representatives and to the Committee on Banking, Housing, and Urban Affairs of the U.S. Senate describing differences among the accounting and capital standards used by the agencies for insured depository institutions (institutions). Section 37(c) requires that this report be published in the **Federal Register**. The agencies have not identified any material differences among the agencies' accounting and capital standards applicable to the institutions they regulate and supervise.

#### FOR FURTHER INFORMATION CONTACT:

**OCC:** Diana Wei, Risk Expert, Capital Policy, (202) 649-5554, Rima Kundnani, Counsel, Chief Counsel's Office, (202) 649-5490, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

**Board:** Andrew Willis, Manager, (202) 912-4323, Jennifer McClean, Senior Financial Institution Policy Analyst II,

(202) 785-6033, Shooka Saket, Senior Financial Institution Policy Analyst II, (202) 475-3869, Division of Supervision and Regulation, Mark Buresh, Senior Counsel (202) 452-5270 and Jasmin Keskinen, Senior Attorney, (202) 475-6650, Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. For users of Telecommunications Device for the Deaf (TDD) and TTY-TRS, please call 711 from any telephone, anywhere in the United States.

**FDIC:** Benedetto Bosco, Chief, Capital Policy Section, (703) 245-0778, Christine Bouvier, Assistant Chief Accountant, (202) 898-7289, Richard Smith, Capital Policy Analyst, Capital Policy Section, (703) 254-0782, Division of Risk Management Supervision, Amber Beck, Senior Attorney, (202) 898-3772, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:** *The text of the report follows:*

#### Report to the Committee on Financial Services of the U.S. House of Representatives and to the Committee on Banking, Housing, and Urban Affairs of the U.S. Senate Regarding Differences in Accounting and Capital Standards among the Federal Banking Agencies

##### Introduction

In accordance with section 37(c), the agencies are submitting this joint report, which covers differences among their accounting and capital standards existing as of September 30, 2023, applicable to institutions.<sup>1</sup> In recent years, the agencies have acted together to harmonize their accounting and capital standards and eliminate as many differences as possible. As of September 30, 2023, the agencies have not identified any material differences among the agencies' accounting standards applicable to institutions.

In 2013, the agencies revised the risk-based and leverage capital rule for institutions (capital rule),<sup>2</sup> which

<sup>1</sup> Although not required under section 37(c), this report includes descriptions of certain of the Board's capital standards applicable to depository institution holding companies where such descriptions are relevant to the discussion of capital standards applicable to institutions.

<sup>2</sup> See 78 FR 62018 (October 11, 2013) (final rule issued by the OCC and the Board); 78 FR 55,340 (September 10, 2013) (interim final rule issued by the FDIC). The FDIC later issued its final rule in 79 FR 20,754 (April 14, 2014). The agencies' respective capital rule is at 12 CFR pt. 3 (OCC), 12 CFR pt. 217 (Board), and 12 CFR pt. 324 (FDIC). The capital rule applies to institutions, as well as to certain bank holding companies (BHCs) and savings and

harmonized the agencies' capital rule in a comprehensive manner.<sup>3</sup> Since 2013, the agencies have revised the capital rule on several occasions, further reducing the number of differences in the agencies' capital rule.<sup>4</sup> Today, only a few differences remain, which are statutorily mandated for certain categories of institutions or which reflect certain technical, generally nonmaterial differences among the agencies' capital rule. No new material differences were identified in the capital standards applicable to institutions in this report compared to the previous report submitted by the agencies pursuant to section 37(c).

#### Differences in the Standards Among the Federal Banking Agencies

##### Differences in Accounting Standards

As of September 30, 2023, the agencies have not identified any material differences among themselves in the accounting standards applicable to institutions.

##### Differences in Capital Standards

The following are the remaining technical differences among the capital standards of the agencies' capital rule.<sup>5</sup>

##### Definitions

The agencies' capital rule largely contains the same definitions.<sup>6</sup> The differences that exist generally serve to accommodate the different needs of the institutions that each agency charters, regulates, and/or supervises.

The agencies' capital rule has differing definitions of a pre-sold construction loan. The capital rule of all three agencies provides that a pre-sold construction loan means any "one-to-four family residential construction loan to a builder that meets the requirements of section 618(a)(1) or (2) of the

loan holding companies (SLHCs). See also 12 CFR 217.1(c).

<sup>3</sup> The capital rule reflects the scope of each agency's regulatory jurisdiction. For example, the Board's capital rule includes requirements related to BHCs, SLHCs, and state member banks (SMBs), while the FDIC's capital rule includes provisions for state nonmember banks and state savings associations, and the OCC's capital rule includes provisions for national banks and federal savings associations.

<sup>4</sup> See, e.g., 84 FR 35234 (July 22, 2019). The OCC and FDIC revised their capital rule to conform with language in the Board's capital rule related to the qualification criteria for additional tier 1 capital instruments and the definition of corporate exposures. As a result, these differences, which were included in previous reports submitted by the agencies pursuant to section 37(c), have been eliminated.

<sup>5</sup> Certain minor differences, such as terminology specific to each agency for the institutions that it supervises, are not included in this report.

<sup>6</sup> See 12 CFR 3.2 (OCC); 12 CFR 217.2 (Board); 12 CFR 324.2 (FDIC).