address scientific issues facing the 
Agency. The primary criteria to be used in 
evaluating potential nominees will be 
scientific and/or technical expertise, 
knowledge, and experience. Additional 
criteria that will be used to evaluate 
technically qualified nominees will 
include: the absence of financial 
conflicts of interest; scientific credibility 
and impartiality; availability and 
williness to serve; and the ability to 
work constructively and effectively on 
committees. The selection of new 
members will also include 
consideration of the collective breadth 
and depth of scientific perspectives; a 
balance of scientific perspectives; 
continuity of knowledge and 
understanding of EPA missions and 
environmental programs; and diversity 
factors (e.g. geographical areas and 
professional affiliations) for each of the 
chartered committees and 
subcommittees.

Dated: March 27, 2009. 
Vanessa T. Vu,
Director, Science Advisory Board Staff Office. 
[FR Doc. E9–7432 Filed 4–1–09; 8:45 am]
BILLING CODE 6560–50–P

DEPARTMENT OF THE TREASURY
Office of the Comptroller of the 
Currency
FEDERAL RESERVE SYSTEM
FEDERAL DEPOSIT INSURANCE 
CORPORATION
DEPARTMENT OF THE TREASURY
Office of Thrift Supervision
Agency Information Collection 
Activities: Submission for OMB 
Review; Joint Comment Request
AGENCIES: Office of the Comptroller of 
the Currency (OCC), Treasury; Board of 
Governors of the Federal Reserve 
System (Board); Federal Deposit 
Insurance Corporation (FDIC); and 
Office of Thrift Supervision (OTS), 
Treasury.
ACTION: Notice of information collection 
to be submitted to OMB for review and 
approval under the Paperwork 

SUMMARY: In accordance with the 
requirements of the Paperwork 
Reduction Act of 1995 (44 U.S.C. 
chapter 35), the OCC, the Board, the 
FDIC, and the OTS (the “agencies”) may 
not conduct or sponsor, and the 
respondent is not required to respond 
to, an information collection unless it 
displays a currently valid Office of 
Management and Budget (OMB) control 
number. On December 23, 2008, the 
agencies, under the auspices of the 
Federal Financial Institutions 
Examination Council (FFIEC), requested 
public comment for 60 days on a 
proposal to extend, with revision, the 
Consolidated Reports of Condition and 
Income (Call Report) for banks, the 
Thrift Financial Report (TFR) for 
savings associations, the Report of 
Assets and Liabilities of U.S. Branches 
and Agencies of Foreign Banks (FFIEC 
002), and the Report of Assets and 
Liabilities of a Non-U.S. Branch that is 
Managed or Controlled by a U.S. Branch 
or Agency of a Foreign (Non-U.S.) Bank 
(FFIEC 002S), all of which are currently 
approved collections of information.

The one comment received on this 
proposal supported the proposed 
revision, which the FFIEC and the 
agencies will implement as proposed. 
In addition, on September 23, 2008, 
the OCC, the Board, and the FDIC 
requested public comment for 60 days 
on proposed revisions to the Call 
Report. On October 1, 2008, the OTS 
requested public comment for 60 days 
on proposed revisions to the TFR. In 
response to these requests, the agencies 
received certain comments 
recommending the collection of 
additional deposit data related to 
deposit insurance assessments. After 
considering these comments and the 
outcome of an FDIC rulemaking on 
assessments, the FFIEC and the agencies 
will add an item to the Call Report and 
TFR schedules used to collect data used 
for assessment purposes effective June 30, 2009.

DATES: Comments must be submitted on 
or before May 4, 2009.

ADDRESSES: Interested parties are 
invited to submit written comments to 
any or all of the agencies. All comments, 
which should refer to the OMB control 
number(s), will be shared among the 
agencies.

OCC: Communications Division, 
Office of the Comptroller of the 
Currency, Mailstop 2–3, Attention: 
1557–0081, 250 E Street, SW., 
Washington, DC 20219. In addition, 
comments may be sent by fax to (202) 
874–5274, or by electronic mail to 
regs.comments@occ.treas.gov. You may 
personally inspect and photocopy 
comments at the OCC, 250 E Street, 
SW., Washington, DC. For security 
reasons, the OCC requires that visitors 
make an appointment to inspect 
comments. You may do so by calling 
(202) 874–5274. Upon arrival, visitors 
will be required to present valid 
government-issued photo identification 
and submit to security screening in 
order to inspect and photocopy 
comments.

Board: You may submit comments, 
which should refer to “Consolidated 
Reports of Condition and Income (FFIEC 
031 and 041)” or “Report of Assets and 
Liabilities of U.S. Branches and 
Agencies of Foreign Banks (FFIEC 002) 
and Report of Assets and Liabilities of 
a Non-U.S. Branch that is Managed or 
Controlled by a U.S. Branch or Agency 
of a Foreign (Non-U.S.) Bank (FFIEC 
002S),” by any of the following 
methods: 

• Agency Web Site: http:// 
www.federalreserve.gov. Follow the 
instructions for submitting comments 
on the http://www.federalreserve.gov/ 
generalinfo/foia/ProposedRegs.cfm.
• Federal eRulemaking Portal: http:// 
www.regulations.gov. Follow the 
instructions for submitting comments.
• E-mail: 
regs.comments@federalreserve.gov. 
Include reporting form number in the 
subject line of the message.
• FAX: (202) 452–3819 or (202) 452– 
3102.
• Mail: Jennifer J. Johnson, Secretary, 
Board of Governors of the Federal 
Reserve System, 20th Street and 
Constitution Avenue, NW., Washington, 
DC 20551.

All public comments are available from 
the Board’s Web site at http:// 
www.federalreserve.gov/ 
generalinfo/foia/ProposedRegs.cfm as submitted, 
unless modified for technical reasons. 
Accordingly, your comments will not be 
edited to remove any identifying or 
contact information. Public comments 
may also be viewed electronically or in 
paper in Room MP–500 of the Board’s 
Martin Building (20th and C Streets, 
NW.,) between 9 a.m. and 5 p.m. on 
weekdays.

FDIC: You may submit comments, 
which should refer to “Consolidated 
Reports of Condition and Income, 3064– 
0052,” by any of the following methods: 

• Agency Web Site: http:// 
www.fdic.gov/regulations/laws/federal/ 
propose.html. Follow the instructions 
for submitting comments on the FDIC 
Web site.
• Federal eRulemaking Portal: http:// 
www.regulations.gov. Follow the 
instructions for submitting comments.
• E-mail: comments@FDIC.gov. 
Include “Consolidated Reports of 
Condition and Income, 3064–0052” in 
the subject line of the message.
• Mail: Herbert J. Messite, (202) 898– 
6834, Counsel, Attn: Comments, Room 
F–1052, Federal Deposit Insurance 
Corporation, 550 17th Street, NW., 
Washington, DC 20429.
The agencies are proposing to revise and extend for three years the Call Report, the TFR, the FFIEC 002, and the FFIEC 002S, which are currently approved collections of information.

1. **Report Title:** Consolidated Reports of Condition and Income (Call Report).
   - **Form Number:** Call Report: FFIEC 031 (for banks with domestic and foreign offices) and FFIEC 041 (for banks with domestic offices only).
   - **Frequency of Response:** Quarterly. **Affected Public:** Business or other for-profit.

2. **Report Title:** FFIEC 002 and FFIEC 002S.
   - **Form Number:** FFIEC 002 and FFIEC 002S.
   - **Frequency of Response:** Quarterly. **Affected Public:** Business or other for-profit.

3. **Report Title:** OMB Number: 1550–0023.
   - **Estimated Total Annual Burden:** 774 savings associations. **Estimated Time per Response:** 37 burden hours. **Estimated Total Annual Burden:** 186,085 burden hours.

   - **Frequency of Response:** Quarterly. **Affected Public:** Business or other for-profit. **Estimated Total Annual Burden:** 877 state member banks. **Estimated Time per Response:** 53.38 burden hours. **Estimated Total Annual Burden:** 187,257 burden hours.

   - **Frequency of Response:** Quarterly. **Affected Public:** Business or other for-profit. **Estimated Total Annual Burden:** 303.454 burden hours.

6. **Report Title:** Schedule DI Revisions.
   - **Estimated Total Annual Burden:** 765,069 burden hours.

The estimated time per response for the Call Report is an average that varies by agency because of differences in the composition of the institutions under each agency’s supervision (e.g., size distribution of institutions, types of activities in which they are engaged, and existence of foreign offices). The average reporting burden for the Call Report is estimated to range from 16 to 650 hours per quarter, depending on an individual institution’s circumstances.

**SUPPLEMENTARY INFORMATION:**

The agencies are proposing to revise and extend for three years the Call Report, the TFR, the FFIEC 002, and the FFIEC 002S, which are currently approved collections of information.

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   - **Frequency of Response:** Quarterly. **Affected Public:** Business or other for-profit.

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Estimated Total Annual Burden: FFIEC 002—26,421 hours; FFIEC 002S—1,560 hours.

General Description of Reports

These information collections are mandatory: 12 U.S.C. 161 (for national banks), 12 U.S.C. 324 (for state member banks), 12 U.S.C. 1817 (for insured state nonmember commercial and savings banks), 12 U.S.C. 1464 (for savings associations), and 12 U.S.C. 3105(c)(2), 1817(a), and 3102(b) (for U.S. branches and agencies of foreign banks). The Call Report and, except for selected data items, the TFR and the FFIEC 002 are not given confidential treatment. The FFIEC 002S is given confidential treatment. [5 U.S.C. § 552(b)(4)].

Abstracts

Call Report and TFR: Institutions submit Call Report and TFR data to the agencies each quarter for the agencies’ use in monitoring the condition, performance, and risk profile of individual institutions and the industry as a whole. Call Report and TFR data provide the most current statistical data available for evaluating institutions’ corporate applications, for identifying areas of focus for both on-site and off-site examinations, and for monetary and other public policy purposes. The agencies use Call Report and TFR data in evaluating interstate merger and acquisition applications to determine, as required by law, whether the resulting institution would control more than ten percent of the total amount of deposits of insured depository institutions in the United States. Call Report and TFR data are also used to calculate all institutions’ deposit insurance and Financing Corporation assessments, national banks’ semiannual assessment fees, and the OTS’s assessments on savings associations.

FFIEC 002 and FFIEC 002S: On a quarterly basis, all U.S. branches and agencies of foreign banks are required to file the FFIEC 002, which is a detailed report of condition with a variety of supporting schedules. This information is used to fulfill the supervisory and regulatory requirements of the International Banking Act of 1978. The data are also used to augment the bank credit, loan, and deposit information needed for monetary policy and other public policy purposes. The FFIEC 002S is a supplement to the FFIEC 002 that collects information on assets and liabilities of any non-U.S. branch that is managed or controlled by a U.S. branch or agency of the foreign bank. Managed or controlled means that a majority of the responsibility for business decisions, including but not limited to decisions with regard to lending or asset management or funding or liability management, or the responsibility for recordkeeping in respect of assets or liabilities for that foreign branch resides at the U.S. branch or agency. A separate FFIEC 002S must be completed for each managed or controlled non-U.S. branch. The FFIEC 002S must be filed quarterly along with the U.S. branch or agency’s FFIEC 002. The data from both reports are used for: (1) Monitoring deposit and credit transactions of U.S. residents; (2) monitoring the impact of policy changes; (3) analyzing structural issues concerning foreign bank activity in U.S. markets; (4) understanding flows of banking funds and indebtedness of developing countries in connection with data collected by the International Monetary Fund and the Bank for International Settlements that are used in economic analysis; and (5) assisting in the supervision of U.S. offices of foreign banks. The Federal Reserve System collects and processes these reports on behalf of the OCC, the Board, and the FDIC.

Current Actions

Section 141 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (FDICIA), Public Law No. 102–242 (Dec. 19, 1991), added Section 13(c)(4)(G) to the Federal Deposit Insurance Act (FDI Act), 12 U.S.C. 1823(c)(4)(G). That section authorizes action by the federal government in circumstances involving a systemic risk to the nation’s financial system. On October 13, 2008, in response to the unprecedented disruption in credit markets and the resultant effects on the abilities of banks to fund themselves and to intermediate credit, the Secretary of the Treasury (after consultation with the President) made a determination of systemic risk following receipt of the written recommendation of the FDIC Board, along with the written recommendation of the Federal Reserve Board, in accordance with Section 13(c)(4)(G). The systemic risk determination allows the FDIC to take certain actions to avoid or mitigate serious adverse effects on economic conditions or financial stability. Pursuant to the systemic risk determination, the FDIC Board established the Temporary Liquidity Guarantee (TLG) Program.

To facilitate the FDIC’s administration of the TLG Program, the FDIC Board approved an interim rule on October 23, 2008, and (after a 15-day comment period that ended on November 13, 2008) a final rule on November 21, 2008. The TLG Program comprises (1) a Debt Guarantee Program under which, in general, the FDIC will guarantee certain newly-issued senior unsecured debt issued by participating entities on or after October 14, 2008, through and including June 30, 2009, up to a specified limit; and (2) a Transaction Account Guarantee Program under which the FDIC will provide a 100 percent guarantee of certain noninterest-bearing transaction accounts held by participating insured depository institutions through December 31, 2009.

The TLG Program includes a system of fees to be paid by participating entities for such guarantees beginning November 13, 2008.

In order for the FDIC to calculate the fees to be assessed under the Transaction Account Guarantee Program, the FDIC needs to collect information from participating insured depository institutions on the amount and number of noninterest-bearing transaction accounts, as defined in the final rule, of more than $250,000. Given the nature of these data items, the best method for obtaining this information from participating institutions is through the Call Report, the TFR, and the FFIEC 002S. Accordingly, the agencies submitted an emergency clearance request to OMB seeking approval to begin collecting these two data items in these reports as of December 31, 2008. OMB approved this emergency clearance request on November 26, 2008. OMB’s approval of the agencies’ emergency clearance request expires on May 31, 2009. On December 23, 2008, the agencies requested a comment under OMB’s normal clearance procedures on the proposed collection of these two items each quarter from institutions participating in the Transaction Account Guarantee Program until the program ends (73 FR 78794). These new items have been added to the Call Report as Memorandum items 4.a and 4.b of Schedule RC–O, to the TFR as items DI670 and DI575 of Schedule DI, and to the FFIEC 002 as Memorandum items 6.a and 6.b of Schedule O.

The agencies received one comment letter on the proposed new items pertaining to the Transaction Account Guarantee Program. This commenter, a bankers’ organization, supported the addition of these new items to the Call Report, the TFR, and the FFIEC 002. The


2 73 FR 72244, November 26, 2008.

3 Effective March 31, 2009, these two FFIEC 002 items will be renumbered as Memorandum items 4.a and 4.b of Schedule O.
The FDIC and the agencies have monitored the outcome of the FDIC’s rulemaking for assessments and the need for new Call Report data items for reciprocal deposits and certain sweep accounts to support any modifications that the FDIC makes in its risk-based assessment system in a final rule. In this regard, on February 27, 2009, the FDIC Board of Directors adopted a final rule that revised the FDIC’s assessment regulations effective April 1, 2009. For institutions in Risk Category I of the risk-based assessment system, the final rule introduces a new financial ratio into the financial ratios method. This method determines the assessment rates for most institutions in Risk Category I using a combination of weighted Uniform Financial Institutions Rating System component ratings and certain financial ratios. The new ratio will capture brokered deposits (in excess of 10 percent of domestic deposits) that are used to fund rapid asset growth, but it will exclude brokered deposits that an institution receives through a deposit placement network on a reciprocal basis (reciprocal deposits).

To enable the FDIC to adjust banks’ and savings associations’ brokered deposits, which are already reported in the Call Report and the TFR, for any reciprocal deposits included therein, the agencies will add an item to the schedules in these two reports in which data are reported for assessment purposes (Schedules RC–O and DI, respectively). The definition of reciprocal deposits in the FDIC’s final rule would be used for this new item, which would be collected in the Call Report and the TFR beginning June 30, 2009. The addition of this reciprocal deposits item to the Call Report and the TFR is responsive to the previously mentioned comments received from a bankers’ organization when the agencies requested comments on proposed revisions to the Call Report and the TFR for implementation in 2009.

In its final rule on assessments, the FDIC decided not to adjust brokered deposits for balances swept into an insured institution by a nondepository institution. Accordingly, the FFIEC and the agencies are not revising the Call Report and the TFR to collect data on such sweep accounts.

The final rule defines “reciprocal deposits” as “[d]eposits that an insured depository institution receives through a deposit placement network on a reciprocal basis, such that: (1) For any deposit received, the institution (as agent for depositors) places the same amount with other insured depository institutions through the network; and (2) each member of the network sets the interest rate to be paid on the entire amount of funds it places with other network members.”

The organization also recommended that “reciprocal deposits” be defined as a deposit “obtained when an insured depository institution exchanges funds, dollar-for-dollar, with members of a network of other insured depository institutions, where each member of the network sets the interest rate to be paid on the amount of funds it places with other network members, and all funds placed through the network are fully insured by the FDIC.”

4 The organization also recommended that “reciprocal deposits” be defined as a deposit “obtained when an insured depository institution exchanges funds, dollar-for-dollar, with members of a network of other insured depository institutions, where each member of the network sets the interest rate to be paid on the amount of funds it places with other network members, and all funds placed through the network are fully insured by the FDIC.”

5 73 FR 61560, October 16, 2008.